

Planning and Highways Committee

Tuesday 13 May 2014 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), Ibrar Hussain, Bob Johnson, Bryan Lodge, 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. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Recording is allowed at Planning and Highways Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

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
13 MAY 2014**

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** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 10)
Minutes of the meeting of the Committee held on 22nd April 2014
- 6. Sheffield Conservation Advisory Group** (Pages 11 - 14)
Minutes of the meeting of the Sheffield Conservation Advisory Group held on 18 March 2014
- 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. Proposed Closure of Footpaths at Harborough Fields, Motehall Fields and Seaton Fields, Manor** (Pages 15 - 26)
Report of the Director of Regeneration and Development Services
- 9. Proposed Diversion of Public Footpath Off Lamb Hill, Low Bradfield** (Pages 27 - 34)
Report of the Director of Regeneration and Development Services
- 10. Proposed Conversion of a Public Footpath Linking Watersmeet Road to Thoresby Road, Walkley into a Shared Use Footpath/Cycle Track** (Pages 35 - 46)
Report of the Director of Regeneration and Development Services
- 11. Applications Under Various Acts/Regulations** (Pages 47 - 142)
Report of the Director of Regeneration and Development Services
- 12. Enforcement of Planning Control: 277a Fulwood Road,** (Pages 143 -

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Report of the Director of Regeneration and Development Services

13. Record of Planning Appeal Submissions and Decisions

(Pages 147 -
150)

Report of the Director of Regeneration and Development Services

14. Date of Next Meeting

The next meeting of the Committee will be held on 3rd June 2014

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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.

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 (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

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.

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 Gillian Duckworth, Interim Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Planning and Highways Committee

Meeting held 22 April 2014

PRESENT: Councillors Alan Law (Chair), Trevor Bagshaw, David Baker, Janet Bragg, Tony Downing (Deputy Chair), Ibrar Hussain, Bob McCann, Peter Price, Peter Rippon, Garry Weatherall and Roy Munn (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Joyce Wright and Councillor Roy Munn attended the meeting as the duly appointed substitute. An apology was also received from Councillor Bryan Lodge, but as it was submitted less than one full working day before the day of the Committee meeting, a substitute could not be appointed in accordance with the provisions of Council Procedure Rule 33.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 1 April, 2014 were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Monday 12 May 2014, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided as shown 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 (i) an additional representation commenting on the application and the development site, as detailed in a supplementary report circulated at the meeting and (ii) an oral representation on behalf of the applicant at the meeting in support of the development, an application for planning permission for an Advanced Manufacturing and Research Centre, comprising B1(b) Advanced Manufacturing and Research space, ancillary offices and amenities, car parking, replacement car parking, access and landscaping at land at Sheffield City Heliport (Case No. 14/00321/FUL) be granted, conditionally, subject to the completion of a Legal Agreement and clearance by the Secretary of State;

(c) having noted the receipt of a petition containing 41 signatures objecting to the proposed development and that it was subject to a legal agreement, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of 5 dwellinghouses on land between 574 and 582 Manchester Road, Stocksbridge (Case No. 14/00029/OUT) be granted, conditionally, subject to (i) an additional condition being attached requiring the developer to undertake the effective cleaning of vehicles accessing the construction site, as detailed in the aforementioned supplementary report and (ii) the completion of a legal agreement; and

(d) having (i) noted (A) an amendment to the report now submitted in respect of (1) the former low rise student accommodation (Page 66, Paragraph 3) and (2) confirming that 12 houses would be built on the proposed crescent (Page 81, paragraph 7), and (B) an additional representation commenting on the proposed development and the officer's response, all as detailed in a supplementary report circulated at the meeting and (ii) heard three oral representations at the meeting objecting to the proposed development and an oral representation on behalf of the applicant in support of the development, an application for planning permission for the demolition of Halls of Residence, Annexe building and 30 and 38 Taptonville Road, the erection of 97 residential units in two, three and four storey buildings and conversion of Hadow House and the Coach House to form 10 apartments with associated car parking and landscaping on land at Crookes Road and Taptonville Road/Crookes Road (Case No. 13/02948/FUL) be granted, conditionally, subject to (i) the completion of a legal agreement and (ii) an additional condition being attached to require all houses on the development site to be constructed in a natural stone material to be agreed with the Local Planning Authority.

(NOTE Councillors Trevor Bagshaw and David Baker voted against the decision to grant planning permission for an application for planning permission for the demolition of Halls of Residence, Annexe building and 30 and 38 Taptonville Road, the erection of 97 residential units in two, three and four storey buildings and conversion of Hadow House and the Coach House to form 10 apartments with associated car parking and landscaping on land at Crookes Road and Taptonville Road/Crookes Road (Case No. 13/02948/FUL) and asked for their votes to be recorded accordingly).

7. PLANNING AND DESIGN BRIEF - SITE OF THE FORMER WESTFIELD SCHOOL

7.1 A report of the Director of Regeneration and Development Services concerning

the Planning and Design Brief for the site of the former Westfield School, Westfield Crescent was withdrawn from consideration by the Director of Regeneration and Development Services.

8. PLANNING AND DESIGN BRIEF - MOORTHORPE WAY, OWLTHORPE

- 8.1 A report of the Director of Regeneration and Development Services concerning the Planning and Design Brief for Moorthorpe Way, Owlthorpe was withdrawn from consideration by the Director of Regeneration and Development Services.

9. ENFORCEMENT OF PLANNING CONTROL: ADVERTISEMENT HOARDINGS IN WINCOBANK AND BLACKBURN

- 9.1 The Director of Regeneration and Development Services submitted a report on his investigation into a breach of planning control concerning 11 advertisement hoardings in the Wincobank and Blackburn area. The report referred to previous city wide enforcement action over inappropriate adverts including large format sites which were considered to cause substantial injury to the visual amenity of the areas where they were displayed. An assessment of the sites where enforcement action was proposed in the Wincobank and Blackburn area was detailed and it was stated that they were considered to be contrary to Policy BE13 of the Unitary Development Plan. It was further stated that letters were being sent to land owners and to the advertising companies, along with Section 330 Notices, to advise of the proposed enforcement action.

- 9.2 The Director of Regeneration and Development Services reported orally on proposed amendments to the report's recommendations with regard to (i) Paragraph 9.1(xi) by the addition of the wording in respect of "the removal of the associated supporting structure" and (ii) Paragraph 9.1(xiv) by the addition of the wording in respect of "the removal of the display" and (iii) seeking authority for the Head of Planning to vary the proposed action and to take action in respect of any associated breaches of planning and advertising control.

- 9.3 **RESOLVED:** That (a) the Director of Regeneration and Development Services or Head of Planning be authorised to take all appropriate action including, if necessary, enforcement action, the service of Discontinuance Notices and the institution of legal proceedings, to secure:

(i) the discontinuance and removal of the display of the two freestanding 48 sheet hoardings, reference H1 and H2, including the removal of the associated supporting structure and platform, from the land at the junction of Fife Street and Barrow Road,

(ii) the discontinuance and removal of the display of the two 48 sheet hoardings, reference H3 and H4, including the removal of the associated supporting structure, from land adjacent to 2 Fife Street;

(iii) the discontinuance and removal of the display of the two 48 sheet hoardings, reference H5 and H6, including the removal of the associated supporting structure, from land adjacent Blackburn Brook, Fife Street;

(iv) the discontinuance and removal of the display of the 48 sheet hoarding and associated supporting structure and screen fencing, reference H7, on land adjacent to 14 Blackburn Road;

(v) the discontinuance of the use of the site at the flank wall of 4 Fife Street for the display of advertisements, including the removal of the existing 48 sheet hoarding, reference H8;

(vi) the discontinuance and removal of the display of the 48 sheet advertisement hoarding, reference H9, including the removal of the supporting structure, at land 35 metres north west of 20 Ecclesfield Road;

(vii) the discontinuance of the use of the site at the flank wall of 54/54A Barrow Road for the display of advertisements, including the removal of the existing 48 sheet hoarding, reference H10; and

(viii) the discontinuance of the use of the site at the back wall of the outbuilding at 74 Barrow Road for the display of advertisements, including the removal of the existing 48 sheet hoarding, reference H11; all as detailed in the report of the Director of Regeneration and Development Services and as shown on the plan now exhibited; and

(b) the Head of Planning, in liaison with the Chair of this Committee, be authorised to vary the action in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning and advertising control.

10. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

10.1 The Committee received and noted a report of the Director of Regeneration and Development Services providing a quarterly update of progress on the work being undertaken by the enforcement team within the city.

11. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE CITY CENTRE AND EAST AREA

11.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the City Centre and East area and (b) further information provided by the Director of Regeneration and Development Services to Members' questions in respect of enforcement matters.

12. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE SOUTH AREA

12.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the South area and (b) further information provided by the Director of Regeneration and

Development Services to Members' questions in respect of enforcement matters.

13. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE WEST AND NORTH AREA

13.1 The Director of Regeneration and Development Services submitted a report providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the West and North area.

13.2 The owner of the business at Parker's Yard (Page 323, Item 12) made representations in respect of enforcement action involving his company. He referred to working closely with officers on an alternative site for his business, but following work undertaken on the site, the landowner had withdrawn from a proposed agreement for the business to relocate there. In consideration of this matter it was strongly urged that more time be given than the proposed 16 weeks to secure the company's future. It was explained that the business, as now located, was in a commercial area and that recently there had been no complaints concerning its activities. In view of the circumstances outlined, a further application was being considered to seek permission for the business to remain on site. In response, the Director of Regeneration and Development Services expressed concern over the noise and the impact on the amenities of local residents arising from the activities of the business. It was stated that if a further application was submitted, consultation would be undertaken with residents and that the enforcement action would be suspended until the outcome of a decision on the proposed application.

13.3 **RESOLVED:** That (a) in light of comments now made in respect of Parker's Yard, Stannington, the Director of Regeneration and Development Services be requested to provide an update report within two months from the date of this meeting; and

(b) further information provided by the Director of Regeneration and Development Services to Members' questions in respect of enforcement matters, be noted.

14. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

14.1 The Director of Regeneration and Development Services submitted a report detailing (a) the planning appeals recently submitted to the Secretary of State and the outcome of recent planning appeals, along with a summary of the reasons given by the Secretary of State in his decision.

14.2 The Director of Regeneration and Development Services reported orally on an amendment to the report now submitted in respect of the substitution of the words "He therefore allowed" for the words "He therefore dismissed" (Page 329, Paragraph 4, Line 2).

14.3 **RESOLVED:** That the report, as amended, be noted.

15. DATE OF NEXT MEETING

- 15.1 It was noted that the next meeting of the Committee will be held on Tuesday, 13 May 2014 at 2.00 pm at the Town Hall.

SHEFFIELD CONSERVATION ADVISORY GROUP

Meeting held 18th March, 2014

PRESENT:	<u>Name</u>	<u>Organisation</u>
	Dr. Philip Booth (Chair)	Co-opted Member
	Mr. Tim Hale (Deputy Chair)	Sheffield Chamber of Commerce
	Mrs Christine Ball	Civic Trust/South Yorkshire Industrial History Society
	Mr. Patrick Burns	Co-opted Member
	Mr. Howard Greaves	Hallamshire Historic Buildings Society
	Mr. Graham Hague	Victorian Society
	Cllr. Adam Hurst	Sheffield City Council
	Dr. Jo Lintonbon	University of Sheffield
	Mr. Bob Marshall	Royal Town Planning Institute
	Mr. Philip Moore	Sheffield Society of Architects

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1. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mrs. Penny Baker (Sheffield City Council), Mr. Lee Barron (Royal Institute of Chartered Surveyors), Prof Clyde Binfield (Twentieth Century Society), Dr. Roger Harper (Ancient Monuments Society), Mr. Bob Hawkins (Council for the Protection of Rural England), Mr. Stanley Jones (Hunter Archaeological Society) Mr. Andrew Shepherd (Society for the Protection of Ancient Buildings) and Dr. Alan Watson (Institution of Civil Engineers).

2. **MINUTES,**

The minutes of the meeting held on 18th February, 2014 were approved as a correct record subject to the substitution:-

(a) in item 3 (c), of the words "Old May House Farm" for the words "Old May Farm" ;

(b) in item 7(a) of the words "the street name Russell Street" for the words " the original street name";

(c) in item 7(c) of the words "at the Nonconformist Chapel" for the words "at Nonconformist Chapel"; and

(h) in item 8(b) the words " the Sheffield City Regeneration area included Barnsley, Rotherham, Doncaster, Sheffield and parts of North Derbyshire and Nottinghamshire" for the words "the Sheffield City Regeneration area included Barnsley, Rotherham, Doncaster, the High Peak and Sheffield;"

and, arising therefrom, the Group noted that:-

(i) the Head of Planning had not visited a building at Albert Terrace Road/Infirmary Road which was surrounded by scaffolding and the Truro Works; and

(ii) enforcement action would be taken in respect of banners on the frontage of the Tesco store at Church Street.

3. **CHAIR'S REPORT**

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

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

The Head of Planning reported that the Planning Practice Guidance Notes had been published on 7th March, 2014 relating to the interpretation of the Planning Policy Framework. The Guidance Notes were available on the Planning Practice Portal, with a section relating to each part of the planning legislation.

The Group noted the information and agreed that the Guidance Notes should be considered as an item of business at the meeting to be held on 20th May, 2014.

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

The Group (a) noted that there were no scheduled meetings of the Panel and (b) agreed that the future of the Panel be considered at a future meeting following the presentation by the Head of Planning on the New Retail Quarter (2) Scheme.

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 a mixed use development comprising student cluster and studio flats (245 bed spaces) with ancillary facilities, retail / commercial units (A1, A2, A3, A4 and B1 uses) at lower and upper floor level and internal landscaped courtyard on site of 102 Arundel Street and site of former Gatecrasher, 112 Arundel Street.
(Case Number: 14/00624/FUL)

The Group felt that the scheme was overdevelopment of the site. The Group considered that the design was banal, it did not follow the incline of the street and it did not comply with the recommendations of the Design Compendium, regarding heights and design. The Group felt that the courtyard was unattractive. The Group considered that the development, as a whole, would have an adverse effect on the nearby listed Challenge Works.

(NOTE: Mr. Moore declared an interest in the above item)

- (b) Refurbishment of public square at Brown Street /Paternoster Row
(List Number: 14/00540/FUL)

The Group welcomed the intention to improve the site, but it felt that the use of the site should be considered carefully and that efforts must be made, through the design, to prevent certain uses of it, such as skateboarding. The Group considered that the design should be simplified, making use of the wall of the adjacent building. The Group

considered that more care should be given to the routes through the site.

- (c) Demolition of public house and manager's flat and erection of 4 apartments in 1 x 2 storey block, at the South Sea Hotel, 3 Spooner Road
(List Number: 14/00610/FUL)

The Group considered that the property was of a piece with the shopping centre, to which it was connected and the proposed development would not preserve or enhance the conservation area and it would impact adversely on Spooner Road and Crookes Road. The Group recommended that consideration be given, to converting the existing building to the intended residential use and that the conversion of the former 'Domino' Club, Exeter Place be used as a precedent. The Group expressed its concern that advice had been given to the applicant that the proposal would be acceptable, when the existing building was an integral part of the shopping centre and there was a reference to it in the Pevsner City Guide:Sheffield.

7. MISCELLANEOUS ITEMS

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

- (i) the Head of Planning would (A) investigate and report back, on the condition of the former shop unit adjoining the K.F.C. unit at Crookes Road and (B) monitor the position regarding Whirlow Grange, which had closed;
 - (ii) Mr. Hague recommended the Group to watch the B.B.C. series "Planning Impossible";
 - (iii) there had been a number of proposals for the future use of Providence House. If a scheme was forthcoming, the Head of Planning would submit it to the Group; and
 - (iv) the lighting bollards within the Bluecoats development, at Psalter Lane, appeared to be inappropriately bright; and
- (b) received from Mr. Greaves and noted, a copy of the brochure regarding the former Castle Market, which had been issued at the time of its opening.

(NOTE: The above minutes are subject to approval at a future meeting of the Group).

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 13 May 2014

Subject: PROPOSED CLOSURE OF FOOTPATHS AT HARBOROUGH FIELDS, MOTEHALL FIELDS AND SEATON FIELDS, MANOR, SHEFFIELD

Author of Report: Mark Reeder 0114 273 6125

Summary: To seek authority to process the Highway Stopping-Up Order required closing public footpaths at Harborough Fields, Motehall Fields and Seaton Fields in the Manor area of Sheffield.

Recommendations:

Raise no objections to the proposed formal closure of the following adopted public footpaths:

- Harborough Fields: Shown hatched on the plan included as Appendix A.
- Motehall Fields: Shown hatched on the plan included as Appendix B.
- Seaton Fields: Shown hatched on the plan included as Appendix C

subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

2. Authority be given to the Director of Legal and Governance to

- a. take all necessary action to close the footpath under the powers contained within Section 257 of the Town and Country Planning Act 1990.
 - b. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved.
 - c. Submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved
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Background Papers: None

Category of Report: *Open/Closed *(delete as appropriate)

PROPOSED CLOSURE OF FOOTPATHS AT HARBOROUGH FIELDS,
MOTEHALL FIELDS AND SEATON FIELDS, MANOR, SHEFFIELD

1.0 PURPOSE

- 1.1 To seek authority to process the Highway Stopping-Up Order required closing public footpaths at Harborough Fields, Motehall Fields and Seaton Fields in the Manor area of Sheffield.

2.0 BACKGROUND

- 2.1 The City Council is making an application requesting the closure of the footpaths shown by hatching on the plans included as Appendix A, B and C.

- 2.2 A location plan is included as Appendix D.

- 2.3 New footpaths have been created at these three sites and landscaped areas constructed over the areas proposed for closure.

- 2.4 Due to an administrative error a previous application for the closure of these three footpaths, made under section 257 of the Town and Country Planning Act 1990, was unsuccessful.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies.

- 3.2 Not all the consultees had responded at the time of writing this report. Of those that have responded no objections have been received

- 3.4 If any negative comments relating to the application are received before the Planning and Highways Committee meeting, they will be reported verbally.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal & Governance has been consulted and has advised that, assuming the footpaths are not needed for public use, it would be appropriate to process the closure using the powers contained within Section 118 of the Highways Act 1980 to extinguish the public rights of way over the footpaths.

5.0 HIGHWAY IMPLICATIONS

5.1 The subject footpaths are adopted public footpaths within areas of public open space at Harborough Fields, Motehall Fields and Seaton Fields in the Manor Park area of Sheffield.

5.2 New routes have been created within these areas of public open space. Closure of the subject footpaths should therefore not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

6.1 No particular equal opportunity implications arise from the proposals in this report.

7.0 ENVIRONMENTAL IMPLICATIONS

7.1 The creation of the new footpaths has regenerated and enhanced these areas of public open space.

8.0 FINANCIAL IMPLICATIONS

8.1 If the application is successful the area will be de-accrued from the Highway Maintenance budget. However, taking into account the creation of the new footpaths the net accrual will be 672m², resulting in an additional maintenance cost of £199.33 per annum and a total of £5,327.65 over the remaining term of the Highway Maintenance Contract.

8.2 All costs accruing to Highway Maintenance Division in association with this closure application will be met from the Highway Maintenance Budget.

9.0 CONCLUSION

9.1 Based on the above information, the proposed closure of the adopted public footpaths, shown by hatching on the plans included as Appendix A,B and C is supported by Officers.

10.0 RECOMMENDATIONS

10.1 Raise no objections to the proposed formal closure of the following adopted public footpaths:

- Harborough Fields: Shown hatched on the plan included as Appendix A.
- Motehall Fields: Shown hatched on the plan included as Appendix B.
- Seaton Fields: Shown hatched on the plan included as Appendix C

subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected

10.2 Authority be given to the Director of Legal Services, to

- d. take all necessary action to close the footpaths under the powers contained within Section 118 of the Highways Act 1980;
- e. confirm the Order as an Unopposed Order, in the event of no objections being received or any objections received being resolved;
- f. Submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved

Steve Robinson

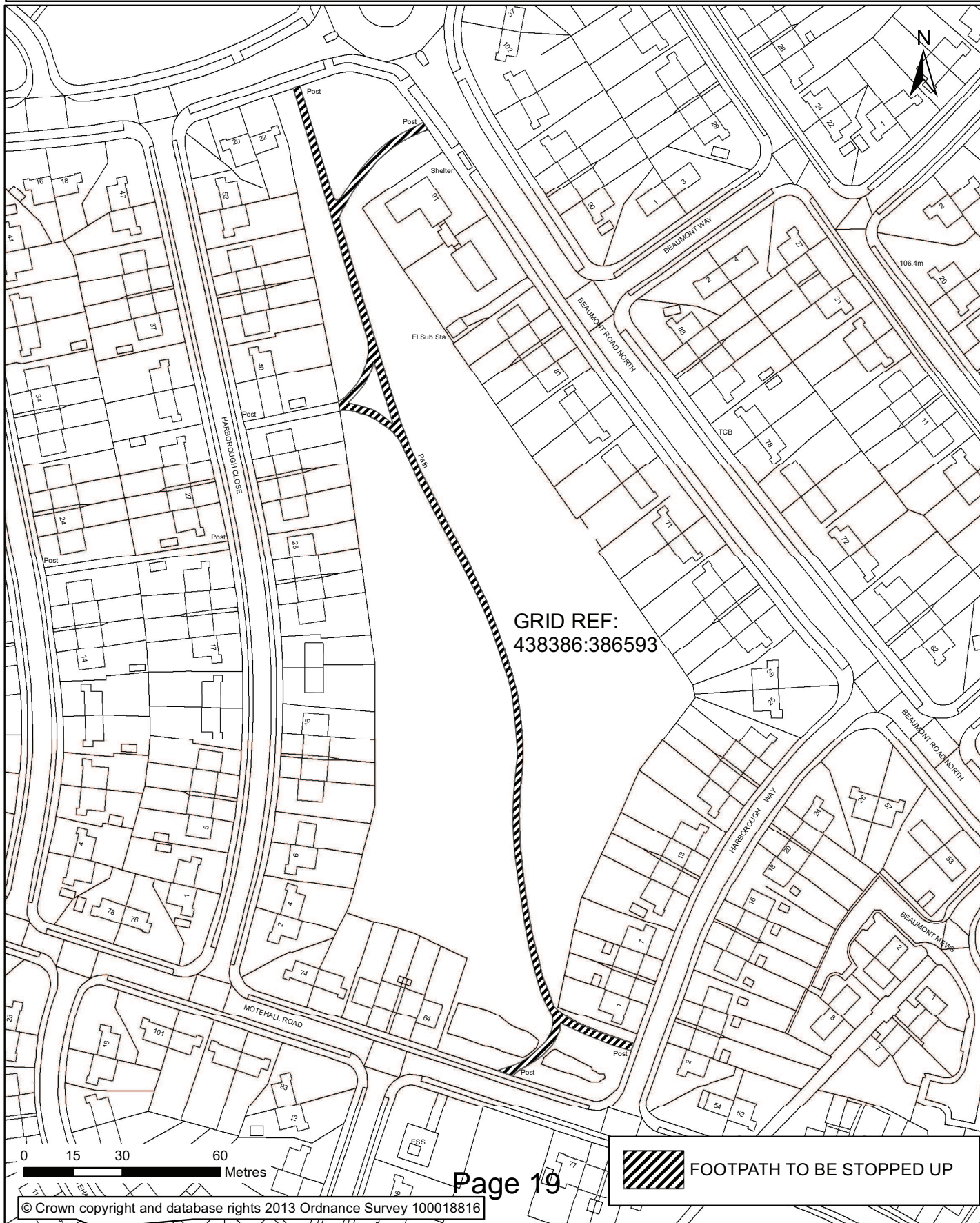
Head of Highway Maintenance

13 May 2014

SECTION 118 HIGHWAYS ACT 1980
PROPOSED CLOSURE OF FOOTPATH AT
HARBOROUGH FIELDS MANOR SHEFFIELD


Appendix A

Scale: 1:1,500



GRID REF:
438386:386593

0 15 30 60 Metres

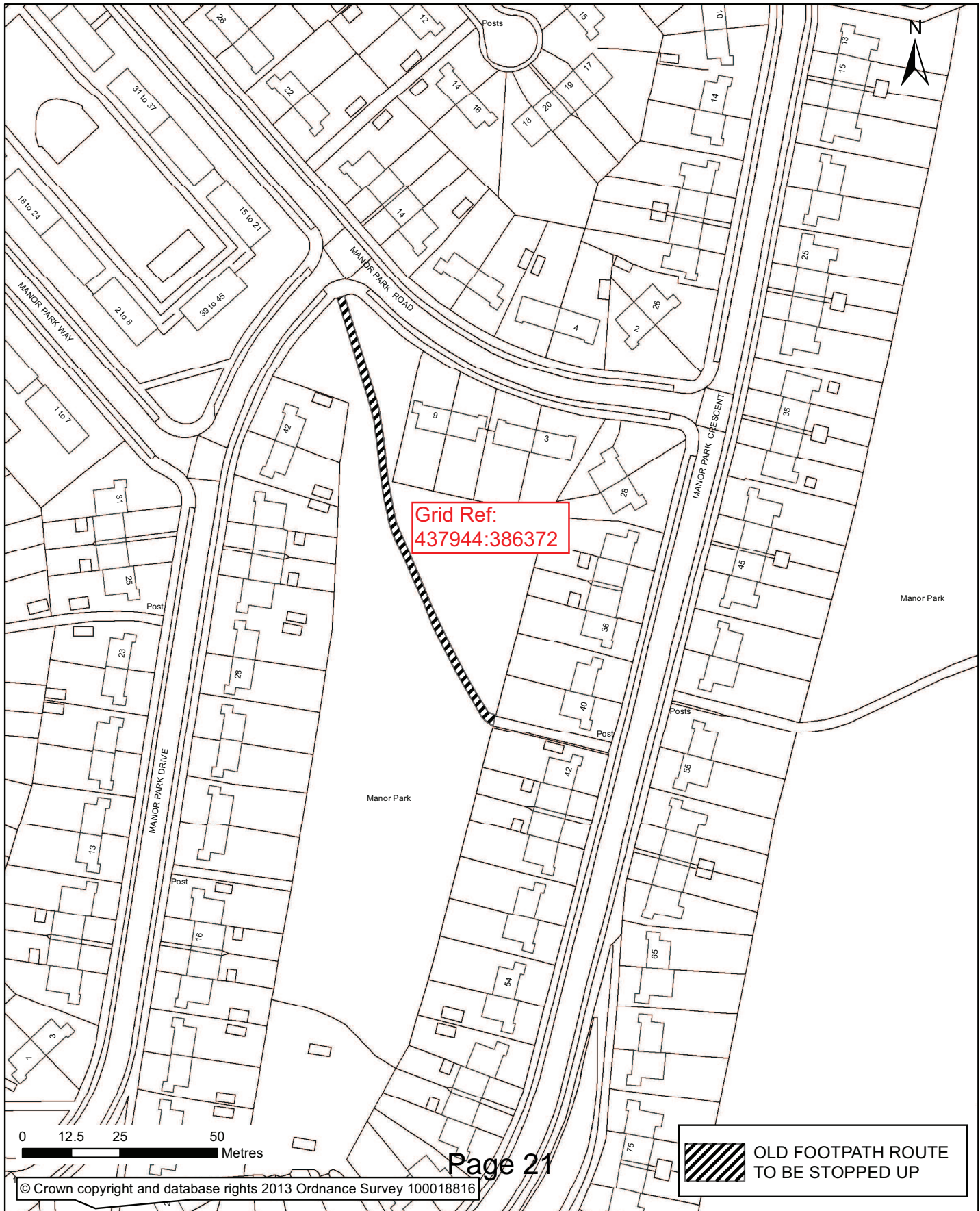
 FOOTPATH TO BE STOPPED UP

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SECTION 118 HIGHWAYS ACT 1980
PROPOSED CLOSURE OF FOOTPATH AT
MOTEHALL FIELDS MANOR SHEFFIELD

Appendix B

Scale: 1:1,250



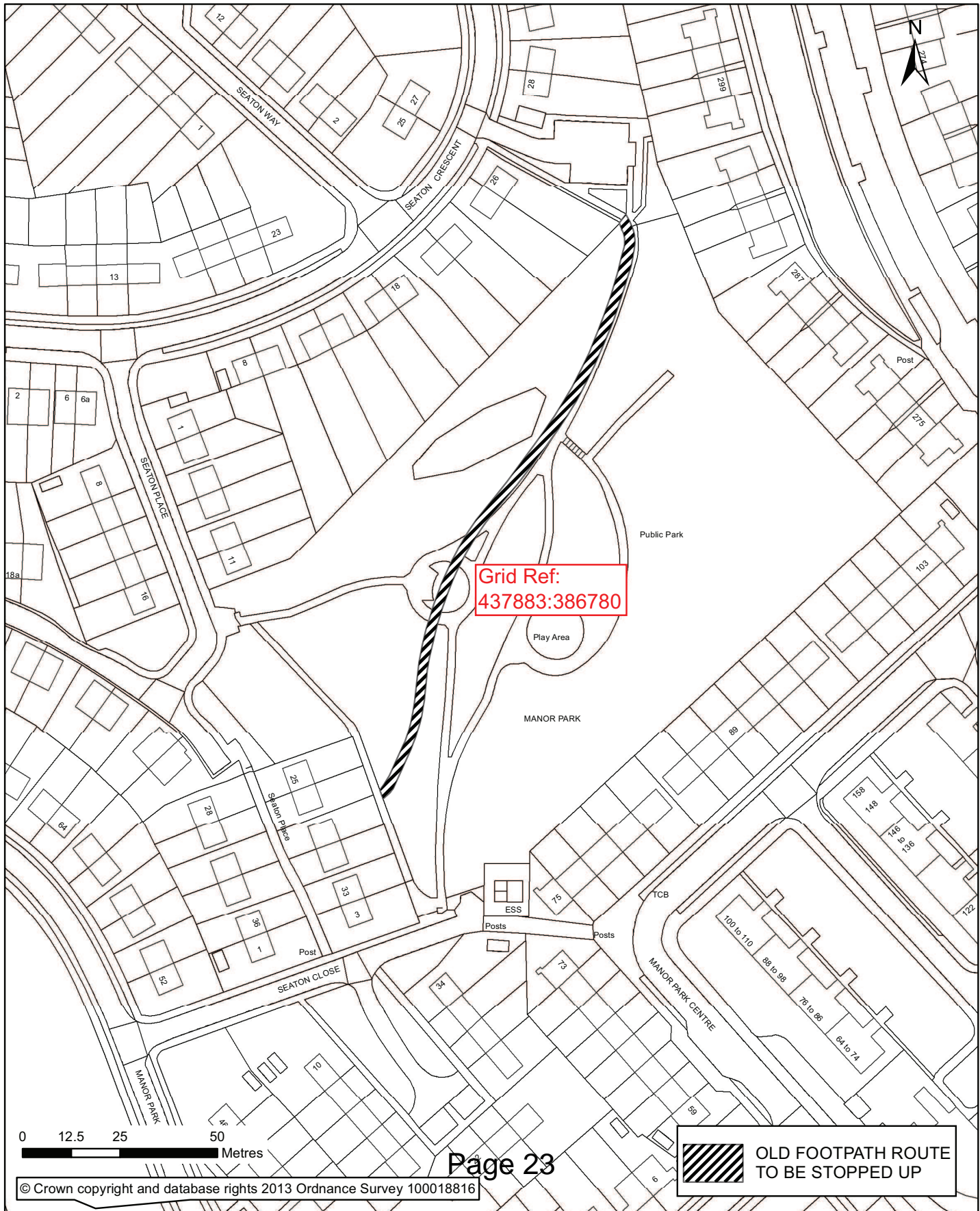
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SECTION 118 HIGHWAYS ACT 1980
PROPOSED CLOSURE OF FOOTPATH AT
SEATON FIELDS MANOR SHEFFIELD

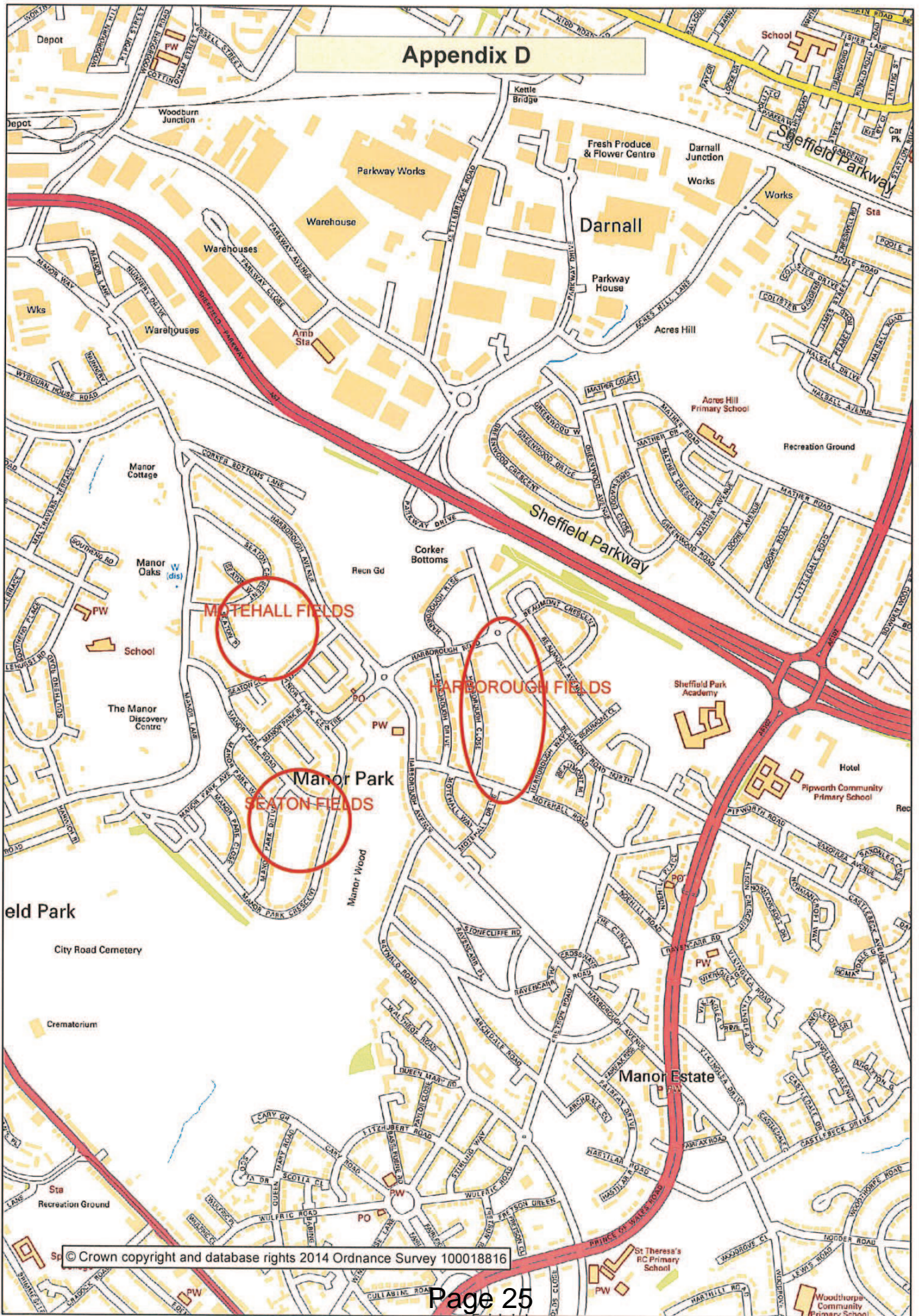
Appendix C

Scale: 1:1,250



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Appendix D



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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 13 May 2014

Subject: PROPOSED DIVERSION OF PUBLIC FOOTPATH BRA\37B OFF LAMB HILL, LOW BRADFIELD, SHEFFIELD

Author of Report: Richard Day 0114 273 6301

Summary: To seek authority to process the Public Path Diversion Order required to alter the course of definitive public footpath BRA\37B, off Lamb Hill, Low Bradfield.

Reasons for Recommendations: The proposed diversion of the path is seen to be expedient for the landowner, and no less convenient for users of the path, and is therefore supported by Officers.

Recommendations:

1. Raise no objections to the proposed diversion of definitive public footpath BRA\37B, as shown on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.
2. Authority be given to the Director of Legal & Governance, to
 - a. take all necessary action to divert the footpath under the powers contained within Section 119 of the Highways Act 1980;
 - b. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved;
 - c. submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

Background Papers: None

Category of Report: *Open/~~Closed~~ *(delete as appropriate)

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DIRECTOR OF REGENERATION AND DEVELOPMENT SERVICES

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
13th May 2014

PROPOSED DIVERSION OF PUBLIC FOOTPATH BRA\37B OFF LAMB HILL, LOW BRADFIELD, SHEFFIELD

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required to alter the course of definitive public footpath BRA\37B, off Lamb Hill, Low Bradfield.

2.0 BACKGROUND

- 2.1 The City Council has received an application from the landowner requesting the diversion of definitive public footpath BRA\37B, off Lamb Hill, Low Bradfield, as shown on the plan included as Appendix A.
- 2.2 Footpath BRA\37B runs for 600m, from Lamb Hill at Low Bradfield up the hill to join Woodfall Lane near to High Bradfield. In conjunction with other public paths in the local network, it provides an off-road pedestrian link between High and Low Bradfield, albeit one which involves users climbing stiles and steep, narrow steps.
- 2.3 The proposal is for approximately 210m of this, towards the bottom end near Lamb Hill, to be moved about seven to nine metres east of its current course. This would mean it would be on the east side of the current wall line (and hedge for part of the length), as opposed to on the west side as at present.
- 2.4 The applicant (who already owns all the land involved) has said that the path would then be slightly further away from his home, and somewhat more shielded from it than at present, which would be beneficial to him in terms of security and privacy. He also wishes to create separation between his own pets and the dogs of people using the footpath, after incidences of his cats being chased.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies.
- 3.2 National Grid Gas initially objected, because they have a gas pipe underneath the current path, to which they need to retain 24 hour maintenance access for use in case of emergency. However, when the landowner was able to

evidence to them that there was actually already a legally binding easement agreement in place to protect their access rights in perpetuity, they withdrew their objection.

- 3.3 Not all the consultees had responded at the time of writing this report. But of those that have responded, no other objections have been received.
- 3.4 The Ramblers' Association have responded that they have no problem with the proposal, provided that the new path's crossing points between the fields are not ladder stiles. The Council will make this a condition on the construction of the new path.
- 3.5 Bradfield Parish Council have been consulted on the proposal. It was viewed by their Planning Committee Councillors, who had no objections to it.
- 3.6 If any negative comments relating to the application are received before the Planning and Highways Committee meeting, they will be reported verbally.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal & Governance has been consulted and has advised that it would be appropriate to process the diversion using the powers contained within Section 119 of the Highways Act 1980. These powers provide for a public footpath to be diverted if it is expedient in the interests of the landowner, and if the Council believes that the proposed alternative will be substantially as convenient to the public as the existing path.

5.0 HIGHWAY IMPLICATIONS

- 5.1 The subject path BRA\37B is part of the definitive public footpath network in the Bradfield area.
- 5.2 The proposed alternative route will not be any longer in distance than the existing course, and its gradient and ambience are similar. It also has the benefit of avoiding a very old and rather difficult stone stile in one of the field boundaries on the existing course.
- 5.3 The proposed diversion should therefore not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 No particular equal opportunity implications arise from the proposal in this report.

7.0 ENVIRONMENTAL IMPLICATIONS

7.1 No particular environmental implications arise from the proposal in this report.

8.0 FINANCIAL IMPLICATIONS

8.1 All the costs of the Diversion Order process and the provision of the new path will be met by the applicant.

8.2 If the application is successful then the new path, once satisfactorily provided by the applicant, will be maintained by the Council's Public Rights of Way team, in lieu of the old path. As the new path is of the same length and nature as the old path, the effect on the Public Rights of Way maintenance budget will be neutral.

9.0 CONCLUSION

9.1 Based on the above information, the proposed diversion of definitive public footpath BRA\37B, as shown on the plan included as Appendix A, is supported by Officers.

10.0 RECOMMENDATIONS

10.1 Raise no objections to the proposed diversion of definitive public footpath BRA\37B, as shown on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

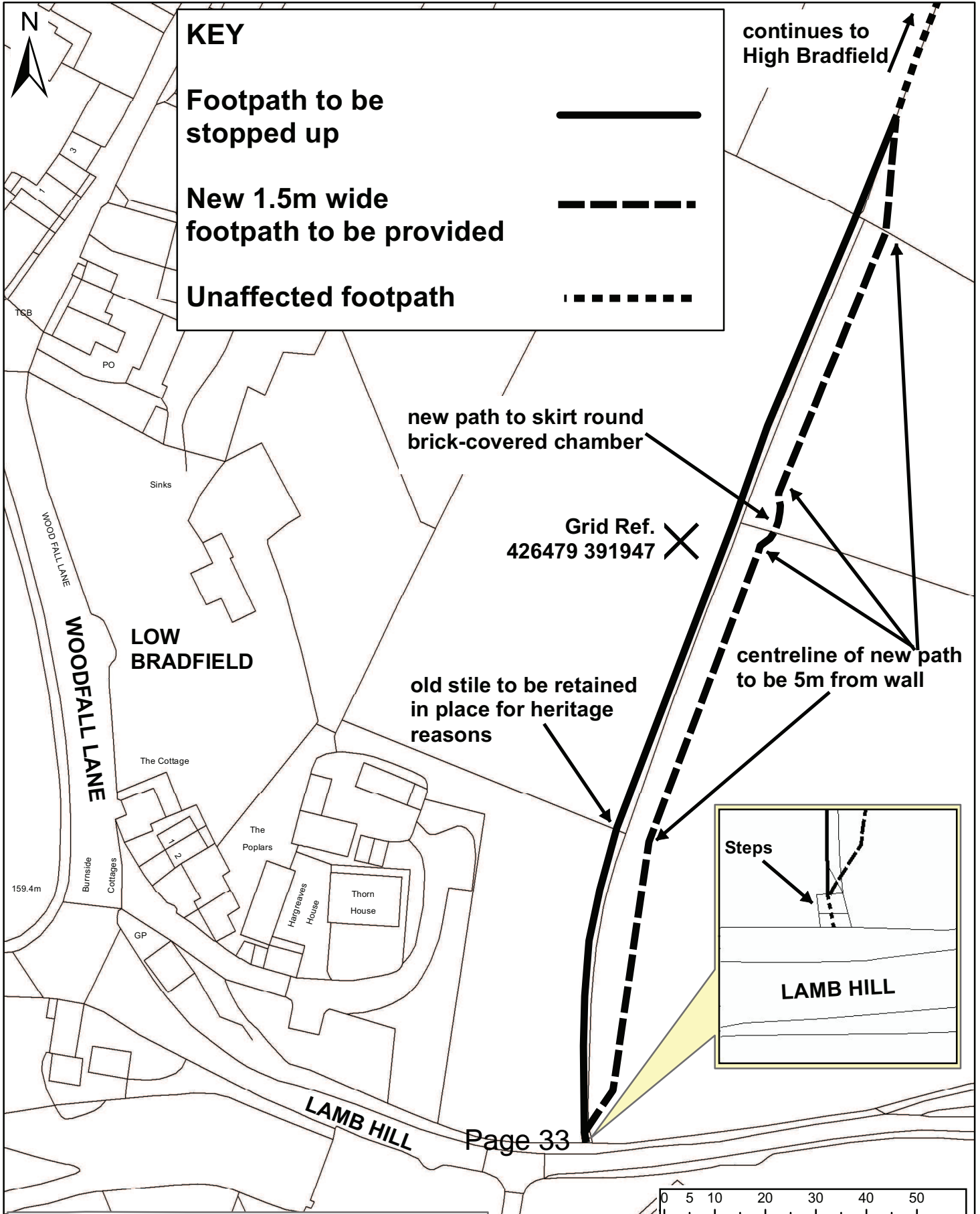
10.2 Authority be given to the Director of Legal & Governance, to

- a. take all necessary action to divert the footpath under the powers contained within Section 119 of the Highways Act 1980;
- b. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved;
- c. submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

Steve Robinson
Head of Highway Maintenance

13th May 2014

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 13 May 2014

Subject: PROPOSED CONVERSION OF PUBLIC FOOTPATH LINKING WATERSMEET ROAD TO THORESBY ROAD, WALKLEY, INTO SHARED USE FOOTPATH / CYCLE TRACK

Author of Report: Richard Day 0114 273 6301

Summary: To seek authority to refer the Cycle Track Order to the Secretary of State for Transport with a request to Confirm the Order with a modified path width.

Reasons for Recommendation: The Order was unfortunately made with an incorrect width stated for the proposed shared use cycle track. The Council does not have the power to modify a Cycle Track Order once made, so it must be referred to the Secretary of State for Transport with a request to Confirm the Order with a modified path width in order to allow the scheme to go ahead.

Recommendation: The Director of Legal & Governance submits the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 to the Secretary of State for Transport for modification and confirmation.

Background Papers: None

Category of Report: *Open/Closed *(delete as appropriate)

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DIRECTOR OF REGENERATION AND DEVELOPMENT SERVICES

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
13th May 2014

PROPOSED CONVERSION OF PUBLIC FOOTPATH LINKING WATERSMEET ROAD TO THORESBY ROAD, WALKLEY, INTO SHARED USE FOOTPATH / CYCLE TRACK

1.0 PURPOSE

- 1.1 To seek authority to refer the Cycle Track Order to the Secretary of State for Transport with a request to Confirm the Order with a modified path width.

2.0 BACKGROUND

- 2.1 On 27 March 2012, the West and North Planning and Highways Committee gave authority to process a cycle track order required to convert the footpath between Watersmeet Road and Thoresby Road, Walkley, into a shared footpath / cycle track. (This scheme is part of a wider package of Highway works required to fulfil a planning condition to make improved links to the new Forge Valley Community School).
- 2.2 On 25 October 2012, the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 ("the Cycle Track Order") was made, and was duly advertised and placed 'on deposit' for public inspection, as per the Cycle Tracks Regulations 1984. A copy of the Order is attached as Appendix A to this report. Appendix B shows the general location of the proposal.
- 2.3 In response to this, two objections were received. One has subsequently been withdrawn, but the other remains. Thus, the Council does not have the power to Confirm the Order as unopposed, necessitating that the matter be referred to the Secretary of State in order to be progressed.

3.0 CONSIDERATION OF OBJECTIONS

- 3.1 The first objection was from a nearby resident of Thoresby Road who was concerned that the proposal might encourage cyclists to illegally cycle on the footway outside his house. However, after detailed discussions on site with the relevant Officer from the Council's Traffic Management team, the resident was satisfied that the layout of the proposal would actually make this less likely than it is at present, and so wrote in to withdraw his objection.
- 3.2 The second objection was from the Byways and Bridleways Trust, a national organisation which is a statutory consultee for such Orders. The objection was on the grounds that the width of the footpath was insufficient to have cyclists on it whilst retaining pedestrian safety.

- 3.3 After some further discussion with them, it became apparent that, unfortunately, due to an error, the Schedule to the Order had been published stating the *current* width of the path (“a varying width from point A to B between 1.5 metres to 2 metres”) instead of the *proposed* new width of 3 metres on that section.
- 3.4 In subsequent informal discussions explaining the situation, the objector has indicated that, if the Order were to be modified to quote the correct proposed width, then he would be happy to accept and agree to the proposal.
- 3.5 However, once an Order of this type has been made, the Council does not have the power to modify it in any way. Any modification required to address concerns raised in an objection must be made by the Secretary of State, after referral of the matter to him by the Council.

4.0 LEGAL IMPLICATIONS

- 4.1 In view of all the above, the Director of Legal & Governance has advised that it would be appropriate to refer the Order and the objection to the Secretary of State for Transport with the request that he modify the Schedule to the Order with the words:

“The above length of footpath is, by this Order, designated a ‘shared facility’ cycle track which shall have a width of 3 metres from point A to B and a width of 2 metres from point B to C on the Order map”.

- 4.2 In the event of Committee not approving this report’s proposal to refer the Order for modification, that would be considered to be a formal resolution to cancel the Order and not proceed with the scheme as a whole.

5.0 HIGHWAY IMPLICATIONS

- 5.1 It has always been the intention to widen the path to 3 metres on the section from point A to B on the Order map (i.e. the majority of the length of the path). This report does not seek to change that, only authority to seek modification of the Order to correctly reflect that intention.
- 5.2 All other matters remain unchanged from the earlier (approved) Committee report.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 Clearly, the concept of opening up a footpath to cycle use does have implications for pedestrian users of the path and, in particular, disabled people. Width is a key issue.

6.2 It is acknowledged that a short section of the route (from point B to C on the Order map) is currently less than 3m wide, and will have to remain so due to the presence of existing buildings. The Department for Transport guidance on shared use facilities does allow for this, for short lengths at pinch points. So, as was established and approved in the previous report, our view is that the path, as proposed, conforms to the advice given Department for Transport Local Transport Note 2/04.

7.0 ENVIRONMENTAL IMPLICATIONS

7.1 Converting this path to allow its use by cyclists has the potential to encourage more students to choose cycling as an environmentally friendly form of transport to and from Forge Valley School. By opening up a 'missing link' to all cyclists, it may also encourage other journeys to be made by bike, for example, a cycling route between Lower Walkley, Rivelin Valley, and the rural areas beyond, which avoids the tram lines on the heavily-trafficked Holme Lane.

8.0 FINANCIAL IMPLICATIONS

8.1 All the costs associated with this scheme, forming part of the Planning Conditions imposed on the new school, and including the costs of the Cycle Track Order process, are being fully funded by Children, Young People and Families as part of the Forge Valley School project.

9.0 CONCLUSION

9.1 Based on the above information, the scheme, as previously approved by Committee, is unchanged and still supported by Officers. Therefore, the Cycle Track Order should be referred to the Secretary of State to be modified and confirmed, in order to allow the scheme to go ahead as approved.

10.0 RECOMMENDATIONS

10.1 The Director of Legal & Governance submits the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 to the Secretary of State for Transport for modification and confirmation.

Steve Robinson
Head of Highway Maintenance

13th May 2014

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CYCLE TRACKS ORDER
CYCLE TRACKS ACT 1984
SHEFFIELD CITY COUNCIL
CITY OF SHEFFIELD
(THORESBY ROAD TO WATERSMEET ROAD)
CYCLE TRACKS ORDER 2012

The Sheffield City Council, in exercise of its powers under Section 3(1) of the Cycle Tracks Act 1984, having undertaken the consultations required by Regulation 3 of the Cycle Tracks Regulations 1984, hereby makes the following Order: -

- 1. The length of footpath described in the Schedule to this Order and shown by a bold black dashed line on the annexed Plan is hereby designated a cycle track.

- 2. This Order may be cited as the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 and shall come into operation within 6 months from the date on which Notice of confirmation of this Order is first published.

Given under the Common Seal of the Sheffield City Council this 25th day of October, 2012

Executed as a Deed

The Common Seal of)
The Sheffield City)
Council was hereunto)
affixed in the presence of :-)



Duty Authorised Signatory

12/11/12 437

CITY OF SHEFFIELD
(THORESBY ROAD TO WATERSMEET ROAD)
CYCLE TRACKS ORDER 2012

SCHEDULE

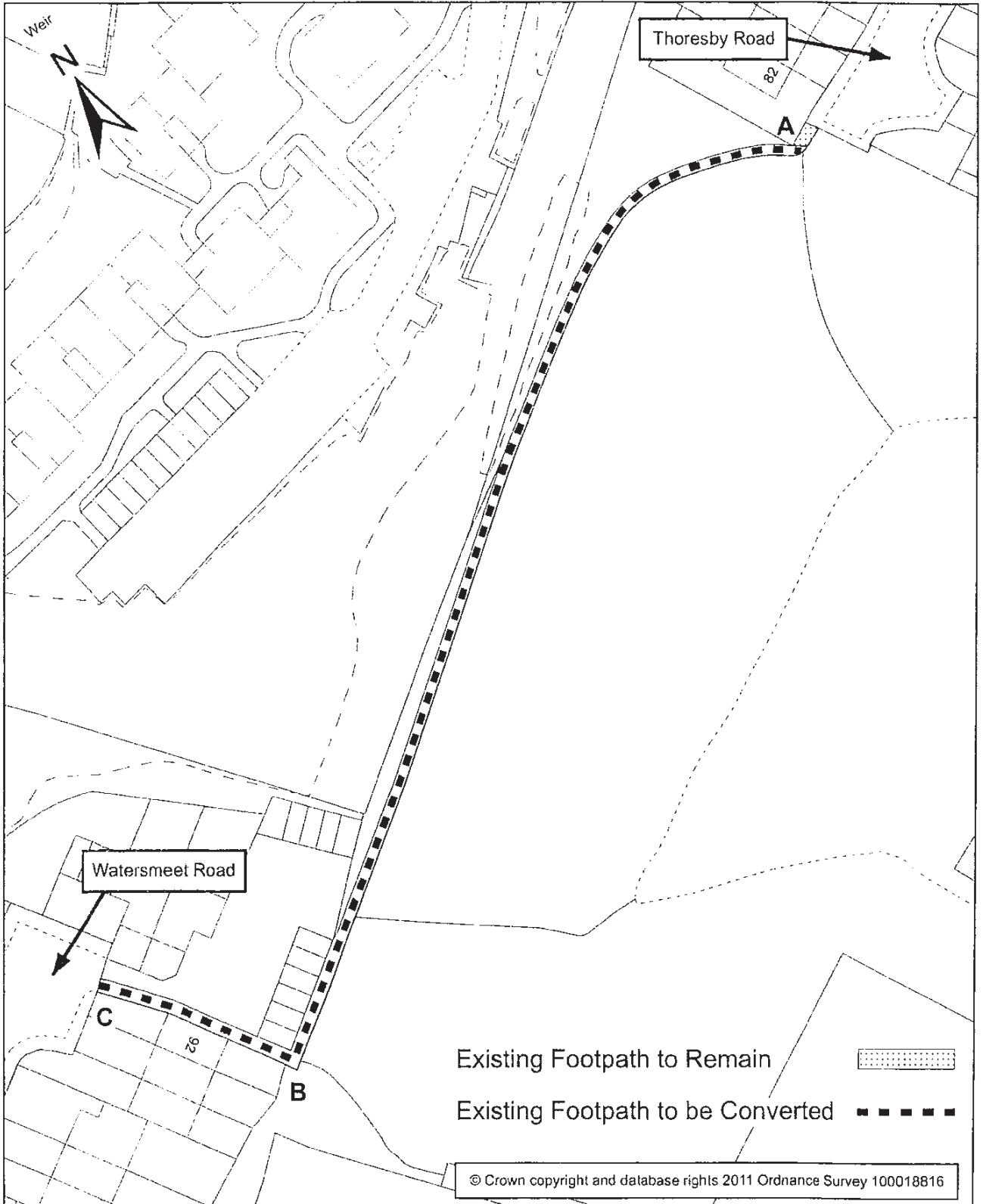
A length of footpath commencing at a point marked A on the Order Map, point A being 3.5 metres from the rear footway of the south western termination of Thoresby Road in a general south westerly direction and continuing for a distance of 150 metres to point B on the Order Map, point B being 30 metres south east of the south eastern footway of Watersmeet Road at the rear of number 92 Watersmeet Road, and further continuing in a north westerly direction for a distance of 30 metres to point C on the Order Map, point C being at the rear footway of the south eastern footway of Watersmeet Road adjacent to number 92 Watersmeet Road.

NOTE: The above length of footpath is, by this Order, designated a 'shared facility' cycle track having a varying width from point A to B between 1.5 metres to 2 metres and having a width of 2 metres between points B to C on the Order Map.



CYCLE TRACKS ACT 1984 - SECTION 3

**PROPOSED CONVERSION OF FOOTPATH
TO SHARED FOOTPATH/CYCLE TRACK
THORESBY ROAD TO WATERSMEET ROAD**



EXECUTED as a Deed by
The Sheffield City Council whose
Common Seal was hereunto
affixed in the presence of:-



Duly Authorised Signatory



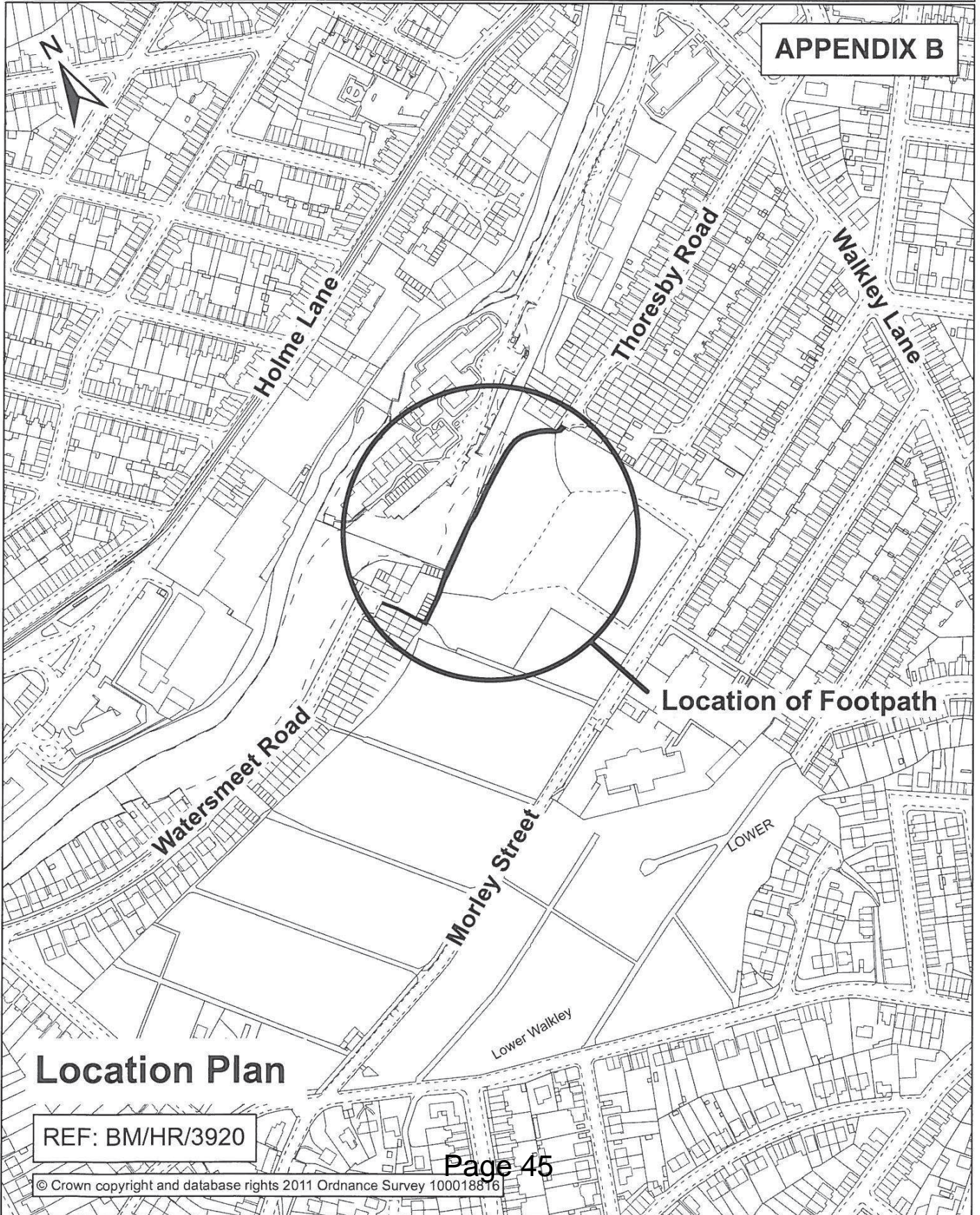
12/11/07 737



Highway Records
Development Services
Howden House
Union Street
Sheffield
S1 2SH

CYCLE TRACKS ACT 1984 - SECTION 3
PROPOSED CONVERSION OF FOOTPATH TO
SHARED FOOTPATH/CYCLE TRACK AND
CREATION OF NEW CYCLE TRACK LINKING
WATERSMEET ROAD AND THORESBY ROAD

APPENDIX B



Location Plan

REF: BM/HR/3920

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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Report of: Director of Regeneration and Development Services

Date: 13/05/2014

Subject: Applications under various acts/regulations

Author of Report: John Williamson 2734218
Howard Baxter 2039689

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.
13/04223/FUL	Land At Junction Of Brotherton Street And Catherine Street And Land To The Side And Rear Of 4-22 Cranworth Road Sheffield S3 9DR	51
13/04007/FUL (Formerly PP-03011142)	TRC Truck Rental 2B Dannemora Drive Sheffield S9 5DF	69
13/03814/FUL	Sheffield Ski Village Vale Road Sheffield S3 9SJ	84
13/03711/FUL (Formerly PP-02983298)	Land Between Chapelton Park And Cowley Hill Sheffield	94
13/03618/FUL	414 Windmill Lane Sheffield S5 6FZ	109
13/03412/FUL (Formerly PP-02929113)	Little Intake Farm Woodhead Road Grenoside Sheffield S35 8RS	114

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 13/05/2014

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	13/04223/FUL
Application Type	Full Planning Application
Proposal	Erection of 16 dwellinghouses
Location	Land At Junction Of Brotherton Street And Catherine Street And Land To The Side And Rear Of 4-22 Cranworth Road Sheffield S3 9DR
Date Received	18/12/2013
Team	West and North
Applicant/Agent	Windle Cook Architects Ltd
Recommendation	GRA GC subject to Legal Agreement

Subject to:

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

Reason; 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:

Drawings:

13-525-C115-rev-A-, street elevations,
13-525-C120-rev-A, proposed site layout
13-525-C121, proposed site layout
13-525-C122-rev-A, proposed site layout
13-525-C123-rev-B, proposed house type
13-525-C124, proposed house type
13-525-C125 proposed house type
13-525-Topo Survey
13-525-CA site location plan

As per email received 29.04.14

Reason; In order to define the permission.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwellinghouses shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason; In the interests of the amenities of future occupiers and occupiers of adjoining property.

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

Reason; In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage.

- 5 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, surfaced and drained to the satisfaction of the Local Planning Authority, and thereafter such car parking accommodation shall be retained for the sole purpose intended

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

- 6 The development shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater

than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

Reason; In the interests of the safety of road users.

- 7 The gradient of shared pedestrian/vehicular access shall not exceed 1:12 .

Reason; In the interests of the safety of road users.

- 8 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.

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

- 9 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.

Reason; In the interests of the safety of road users.

- 10 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.

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

- 11 The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

Reason; In order to ensure an appropriate quality of development.

- 12 Details and samples of the following proposed external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced:

Brickwork
Roofing
Glazing

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

Reason; In order to ensure an appropriate quality of development.

- 13 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

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

Reason; In order to ensure an appropriate quality of development.

- 14 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.

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

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

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

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

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

- 16 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.

Reason; In the interests of the visual amenities of the locality.

- 17 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.

Reason; In the interests of the visual amenities of the locality.

- 18 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.

Reason; In the interests of biodiversity.

- 19 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.

Reason; In order to ensure an appropriate quality of development.

- 20 The surface water discharge from the site is subject to a reduction of at least 30% compared to the existing peak flow. This should be achieved by sustainable drainage methods where feasible. 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 l/s/Ha is required. The detailed

proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted and approved by the Local Planning Authority prior to commencement of building.

Reason; In order to mitigate against the risk of flooding.

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

Reason; To ensure that the development can be properly drained.

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

Reason; To ensure satisfactory drainage arrangements.

- 23 No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

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

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

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

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

- 26 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.

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

- 27 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.

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

- 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(s) 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).

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

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.

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

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

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

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

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

You should apply for a consent to: -

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

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

4. 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

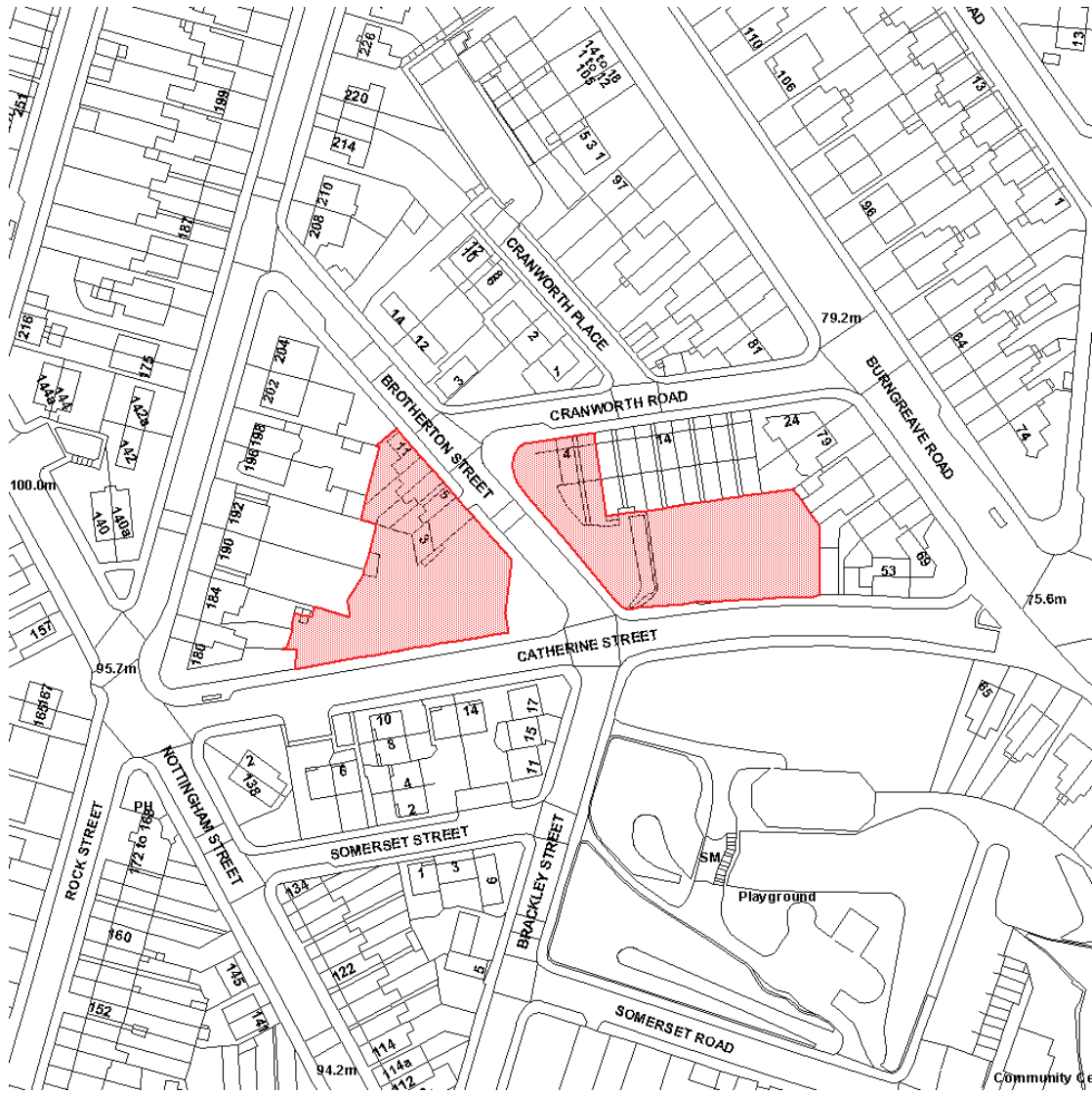
premises in the event of an emergency and legal difficulties when selling or letting the properties.

6. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

7. You are advised to contact Yorkshire Water Authority for further advice.
8. You are advised to contact The Northern Power Grid for further advice.

Site Location



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LOCATION AND PROPOSAL

The site is located within the Burngreave district of Sheffield. The application relates to the site along Catherine Street, Brotherton Street and Cranworth Road. The site is a former housing site.

The site consists of two parcels of land, divided by Brotherton Street. Until recently, housing occupied the land on either side.

The site occupies an area of approximately 0.335 hectares (excluding existing roads and footpaths). The site is challenging, with an incline from east to west. Due to previous demolition the site has now naturally grassed over but is not classified as open space. The site is enclosed by residential properties.

Planning consent is being sought for the erection of 16 dwellings which consists of; 10no. 2-bed houses, 5no. 3-bed houses and 1no. 4-bed house, with associated car parking and private garden amenity space. Arches Housing Association (the applicants) are developing this site for affordable housing (affordable rent).

The site falls within a Housing Area as allocated in the adopted Sheffield Unitary Development Plan.

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

One letter of objection has been received. Objections raised are outlined below;

- overlooking problems from plot 16's garden area
- proposed timber fence to this plot along the boundary with the existing neighbouring property will cut down the light entering into the yard area and into the ground floor rooms of the existing neighbouring dwelling
- information regarding proposed tree planting has not been shown
- other non-planning issues

PLANNING ASSESSMENT

Principle of Use

The site lies within a Housing Area and as such UDP Policy H10 "Development in Housing Areas" suggests that housing is the preferred use within housing areas subject to compliance with relevant criteria set out in Policy H14.

The site is previously developed and therefore the proposed 16 new homes will meet the objectives of Core Strategy policy CS24 which seeks to maximise the use of previously developed land for new housing.

Core Strategy policy CS26 Efficient Use of Housing Land and Accessibility, seeks to make most efficient use of land for new housing, and sets out the appropriate density range for this type of area, which is close to high frequency bus routes, as 40 - 60 dwellings per hectare. The proposal represents a density of 48 dwellings per hectare and therefore meets the policy requirements.

Arches Housing Association (the applicants) are developing this site for 16 homes for affordable housing (affordable rent), and therefore the proposal meets the requirements of Core Strategy policy CS40 'Affordable Housing' which requires new housing developments to contribute towards affordable housing.

The mix of housing proposed on this site would be acceptable in relation to policy CS41 of the Core Strategy 'Creating Mixed Communities'. This policy states that in locations such as this a greater mix of housing should be required including homes for larger households, especially families. 5 of the 16 new homes proposed are to be 3 bed houses with 1 x 4 bedroom houses, and the 10 x 2 bedroom houses will all have 4 person capacity, catering to the needs of families in the area.

Amenity Issues

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". Principles of SPG guideline 5 and 6 although refer to distances between existing dwellings and extensions, the general rule of thumb will also be applied in this case as a guide to measure distances between the proposed dwellings and the existing neighbouring dwellings to ensure adequate distances are shown.

Residential properties enclose the site and generally comprise of Victorian/Edwardian terraced housing, with some bungalows dotted around the site.

The proposed dwellings, plots 1 to 6, shown to be located on Catherine Street are at right angles to the existing neighbouring dwellings located on Rock Street to the west, in particular No's 180 to 192 Rock Street. It is worth noting that the dwellings located on Rock Street are elevated from the site in question by approx. 1.5m and are 2 storey terrace properties. Plot 1 will be the nearest new dwelling to these neighbouring properties, plans show the distance between these will be approx. 21m to 25m, which is considered to be acceptable separation distance to prevent any detriment to occupiers of the existing or the new dwelling in terms of overbearing, overshadowing or overlooking.

Existing dwellings located opposite plots 1 to 6 on Catherine Street to the south of the site, are single storey bungalows. No 12 and 14 Catherine Street are approx. 19.8m from the front elevations of the proposed dwellings and in particular plots 3 and 4. Although this is slightly below the required 21m distance between principle windows, they are across a road and that alongside the site constraints, the site was previously occupied by a row of terrace properties which were also approx. 19m from the dwellings opposite and as such there will be no significant difference from the previous situation. It is also worth noting that previously No.12

and 14 would have had 4 terrace properties facing them, the proposed plans show 2 semis facing No.12 and 14 Catherine Street which is less overbearing than the previous situation and as such this is considered acceptable. No. 10 Catherine Street and No. 17 Brackley Street (located on the corner junction of Catherine Street and Brackley Street) both have the side elevation facing the site in question. Both dwellings do not have openings in the side elevation facing the site, nevertheless both dwellings have rear garden areas which will be approx. 19.8m from the front elevation of the proposed dwellings and in particular to plots 1 and 6. As such the distance between these two existing neighbouring dwellings and the proposed dwelling is considered acceptable.

The dwellings on plots 7 and 8 located on Brotherton Street are shown to be angled away from the existing neighbouring properties namely, 192 to 198 Rock Street. The distance shown between the rear gardens is approx.19m to 25m. Although, in part, this is slightly below the required 21m distance, in this instance due to the angle of the proposed dwellings and the elevated position of the dwellings on Rock Street, any potential overlooking would be restricted. As such it is considered that the proposed dwelling shown on plots 1 to 8 will not cause any undue harm to the living condition of the existing dwellings located on Rock Street, in terms of overbearing, overshadowing or overlooking.

The proposed dwellings located on Cranworth Road, namely plots 9 and 10 are shown to be a pair of semi-detached dwellings. Previously the site was occupied by 2 terraced properties, similar to neighbouring dwellings No's 8 and 10 Cranworth Road. The plans show the front and rear elevations of the proposed dwellings to be in line with the neighbouring dwelling No.8 Cranworth Road as such this neighbouring dwelling will have no detrimental harm to the living conditions in terms of overbearing, overshadowing or overlooking. There are no other dwellings to the south or west side of plots 9 and 10. No. 1 Cranworth Place is a bungalow located opposite to the north of plots 9 and 10 and on the corner junction of Cranworth Road and Cranworth Place, it is also located at an angle to these plots. The distance is approx. 18m from the front elevation of the proposed dwellings to the rear/side elevation of No.1 Cranworth Place. Although this is slightly below the required 21m distance between principle windows, in this instance it is considered that alongside the site constraints, the site previously occupied terrace properties which were also approx.18m from No.1 Cranworth Place opposite and as such there will be no significant difference from the previous situation. It is worth noting that the proposed dwellings on plots 9 and 10 will back on to a grassed area to the south of these two plots.

Plots 11 to 16 located on Catherine Street face the open space area to the south side. To the north, the rear of the proposed dwellings, face the rear of the houses located on Cranworth Road, namely No.8 to 24. Previously the site was occupied by flats which formed an 'L' shape development wrapping around from Catherine Street to the back garden of No. 12 and 14 Cranworth Road. The proposed plans show a row of 3 semi-detached dwellings, with rear gardens facing the dwelling to the north on Cranworth Road, although the distance between these will range approx. from 19m to 20m, which is below the required 21m distance, it is considered that with the site constraints, the proposed dwellings will be an improvement to the previous site situation.

No.69 to No.77 Burngreave Road have rear elevations facing the proposed site and in particular the side elevation of plot 16. Plots 15's rear windows do not face directly toward any property to the rear. Plot 16 similarly does not directly face any window but it does sit close to the blank gable of No.77 Burngreave Road. The properties on Burngreave Road are set below plot 16 by approx. 1.5m, but because of the orientation, the dwellings will have little impact on the living condition of these neighbouring dwellings in terms of overbearing, overshadowing or overlooking.

Details of the boundary fences will be conditioned to ensure they are of an appropriate quality and are not overbearing or overshadowing to neighbouring residential properties.

Ample private amenity space has been provided for individual dwellings, the list below shows the amount of private amenity space for each plot; with a range of space ranging from 56.3 sq.m. for plot 2 to 131 sq.m. to plot 14

Design Issues

Relevant policies in terms of design application are, 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", Policies H14, BE7 and BE5 of the Unitary Development Plan which require buildings to be well designed, use high quality materials and be of an appropriate scale.

The site consists of two parcels of land, divided by Brotherton Street. Until relatively recently, housing occupied the land on either side, with the housing to the eastern parcel of land positioned to front onto Cathrine Street and Cranworth Road, leaving space for the mature trees positioned along the Brotherton Road frontage to thrive.

The previous housing appeared to have followed the established built form, building lines and plot arrangements of the majority Victorian era terraced housing within the surrounding streets. Although some pockets of more recent lower scale housing exists close to the site, the 2-storey Victorian Terraces and Villas set the predominant context. This is acknowledged by the majority of newer housing in its form, plot arrangement, response to what are significant changes in level within the area, and its close relationship to the geometry of streets and junctions that traverse the steep topography.

It is noted that the previous housing on the section of site covered by Plot 11 to 16 were not Victorian/Edwardian houses, they were removed post second world war and replaced with two storey flats with rear courtyard car parking, which themselves have now been demolished. The adjacent housing is predominantly 1970's style single and two-storey units that do not follow the Victorian/Edwardian street pattern. It is considered that the adjacent housing is unsympathetic to the area.

The proposed scheme consists of semi-detached dwellings in a form and design that responds to the local need and providing off street parking. In this respect, the form of development cannot reflect the Victorian / Edwardian streetscape as originally developed with its strong building lines. In this respect, the response to context is unsatisfactory.

Negotiations have taken place to try to achieve a more responsive approach to overcome flaws within the current proposals. Suggestions considered include buildings being positioned to front onto streets along similar lines to the predominant terraces within the neighbourhood. Special types could be developed to respond to the unique geometry of the street junctions. A small forecourt to the front of each property could provide an element of defensible space, contained behind a low brick wall. Available space for parking on street can be exploited as an alternative to frontage parking, with the potential to utilise spaces beneath mature trees, or to the side of rear gardens for additional off-street parking, if required.

It was also suggested that the design of the properties themselves could have been improved such as, in the case of the smaller units (plots 1-6,9,10, 15 & 16) it feels as though the emphasis is wrong: if a double height projecting gable is worth introducing then the preferable thing should be for this to articulate the feature rooms, rather than the front door.

It is a requirement of Secure by Design that car parking should be placed in close proximity to the dwelling, preferably "on plot". As a result of this, the distances between the rear of these dwellings, is slightly less than 21m between the rear of the new dwellings and those on Cranworth Road. It is recognised that cars parked in parking courts or on street can be subject to theft and vandalism due to lack of overlooking and while this is not analogous to high quality, contextual urban design, it is considered acceptable here. Many of the surroundings streets have adopted a traditional approach to car parking - on street- and it would seem possible that this can be repeated in this location, as there is ample street width. This would, in addition, have the advantage of pulling the houses closer to the pavement, and removing the need for an expanse of hard surfacing in the forecourt of each dwelling. However, the applicants did not wish to take this idea further. In addition to the car parking requirement the houses are set back from the back edge of the pavement in order to achieve the requirement of 1 in 12 max gradient to the on plot footpaths, Victorian mass housing, which were standard house types obviously paid little attention to car parking, the needs of the disabled, private amenity space and distances between habitable room windows. This being the case, the layout and design were felt to be acceptable.

The existing trees have been assessed and are not considered worthy of a Tree Preservation Order.

Discussions were held with the agents, who confirmed that they had considered Victorian type housing but they were unwilling to agree to this. The design of the dwellings, with regard to the projecting gables, is functional. There is no feature room at ground floor in this house type design, it is a functional kitchen, the main reason to project this section of the elevation is also functional, it creates additional

space in the entrance hall and improves the disabled access into the property and to the staircase, it is a secondary point that it creates articulation and interest in the elevation.

With regards to car parking, the agent stated that Secure by Design requirements suggests that it is preferable to have the car parking on plot, there is also a requirement for a front garden. This would not be possible if Victorian style terraces were built and pulled closer to the pavement as suggested. The agent continues to suggest that Building for Life scores higher for on plot car parking provision, on street parking will be available for visitors. Unfortunately there is no turning head at the bottom of Catherine Street, if all parking was on street it would cause problems for cars trying to turn around. The dwellings incorporate design features to client group's standards and they advise that within this 70% of south Asian males drive taxi's and preferred to accommodate car parking within the curtilage of their home not on the street.

The scheme has undergone minor amendments further to suggested improvements.

The palette of materials comprises of brick and tiles, further details of these will be conditioned.

The site was previously occupied by terraced dwellings and a block of flats. No off street parking areas were evident and the terraced properties incorporated small front gardens which were mainly hard surfaced. The proposed development provides a scheme which has taken into account the local vernacular, and also the demands for local residents of the area. The proposed layout does follow the guidance in the Burngreave Master Plan which indicates pairs of houses, and terraces of three and six.

Although not an ideal design, it is considered that the overall benefits of regeneration in this part of Burngreave outweighs the concerns over the design and layout.

Landscape Issues

The site does not contain any trees that have preservation orders on them; the site is also not in a conservation area.

Plans submitted show certain locations within the site for planting, however details have not been submitted and as such a condition will be imposed to submit final landscape drawings.

Details of fencing will be secured via condition.

Ecology Issues

An ecological report for the site has been submitted which shows no major ecological constraints. Conditions for further landscaping details to improve biodiversity and information of maintenance of the site will be imposed.

Sustainability Issues

The site is located close to Burngreave Road which is a main road and which provides good public transport, as such the proposed scheme is considered to be within a sustainable location.

The supporting submission suggests that the scheme is designed to achieve Code Level 4 Sustainable Homes Standards; the design will reduce Carbon Dioxide emissions by 44% and reduce water consumption to 105 litres per person per day.

As such Core Strategy Policy CS64 "Climate Change, Resources and Sustainable Design of Developments" and Policy CS65: Renewable Energy and Carbon Reduction have been met. The development will also meet BREEAM very good standards as such the proposal complies with the objectives outlined in CS65.

Highways Issues

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."

Plans submitted show adequate parking bays per dwelling, Highway officers have suggested raised no objections and have suggested conditions are imposed.

Access Issues

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." Adequate access is shown in terms of for the elderly, which is to an extent shown to mobility standards, nevertheless to ensure that this is fully complied with the legislation, conditions will be imposed to finalise details of access provisions.

Further information has recently been received which show improvements to access and internal layouts. The information is considered satisfactory and illustrates adequate access both internally and externally of the dwellings.

Core Strategy Policy, CS74(g) in terms of providing safe and convenient access for disabled and older people in particular has also been met.

Flooding

The site is not in a flood zone area. There are no drainage issues on site.

Open Space

Policy H16 requires developers to make contribution to provision or improvement of recreation space in the catchment area. As the proposal indicates more than 5

residential units, the developer will need to enter into an agreement for a financial contribution. A total of £27,171.40 is required.

SUMMARY AND RECOMMENDATION

The site consists of two parcels of land, divided by Brotherton Street. The proposed scheme shows a residential development which consists of; 10no. 2-bed houses, 5no. 3-bed houses and 1no. 4-bed house, with associated car parking and private garden amenity space.

The proposed scheme has been well designed and has developed around suggestions by council officers.

The development will be conditioned to provide a high quality hard and soft landscaping scheme.

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

The proposed development complies with Unitary Development Plan policies H10, H14, and BE5 and Core Strategy Policies CS24, CS26, CS40, CS41, CS64 and CS65, CS74 and the National Planning Policy Framework.

The scheme will employ a variety of sustainability features in order to achieve a BREEAM very good rating and comply with CS64 and CS65.

Highway conditions will be imposed to suggest further details to be submitted and approved.

The development is not within a flood zone area.

Policy H16 requires developers to make contribution to provision or improvement of recreation space in the catchment area. As the proposal indicates 5 and more dwellings, the developer will need to enter into an agreement for a financial contribution. A total of £27,171.40 is required.

The proposed scheme is considered acceptable and it is recommended that permission is granted subject to legal agreement and conditions.

In the event that a satisfactory planning obligation is not concluded before 31st May 2014, it is recommended that the application be refused for the failure to make adequate provision in this regard.

Case Number	13/04007/FUL (Formerly PP-03011142)
Application Type	Full Planning Application
Proposal	Change of use and extensions to existing building for use as private hire venue and Shisha Lounge with restaurant/cafe (Sui Generis Use)
Location	TRC Truck Rental 2B Dannemora Drive Sheffield S9 5DF
Date Received	27/11/2013
Team	City Centre and East
Applicant/Agent	G9 Design
Recommendation	GRA GC subject to Legal Agreement

Subject to:

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

Reason; 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:

Drawings: 1360_08D, 05D, 04E, 09A, 06B, 07B

Reason; In order to define the permission.
- 3 No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

Reason; In order to ensure that any contamination of the land is properly dealt with.
- 4 Prior to any development commencing the site investigation works recommended in the Structural Assessment dated 17.02.2014 shall be undertaken. In the event that these site investigations confirm the need for

remedial works to treat areas of shallow mine workings, these works shall be undertaken prior to construction of the development commencing.

Reason; In order to protect the safety of future occupiers of the site.

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

Reason; In the interests of the visual amenities of the locality.

- 6 The development shall not be used for the purposes hereby permitted, unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted for written approval by the Local Planning Authority. These details shall include plans showing the location of the fume extract terminating 1 metre above eaves or ridge and shall include a low resistance cowl. The use shall not be commenced until the approved equipment has been installed and is fully operational.

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

- 7 Before the building is brought into use the pedestrian footpaths (which shall be hard surfaced), dropped kerbs and blister paving shown on the approved plans shall be provided. Thereafter these works shall be retained.

Reason; In the interests of facilitating easy access for pedestrians and disabled people.

- 8 The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing 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.

Reason; In the interests of the visual amenities of the locality.

- 9 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.

Reason; In order to ensure an appropriate quality of development.

- 10 The building shall be used for the above mentioned purpose only between 0800 hours and 0300 hours the following day on any day and shall not be

used as a wedding venue or for private hire events between 0800 hours and 1730 hours Monday to Friday.

Reason; In the interests of traffic safety and to minimise the risk of overspill parking adversely impacting on the efficient operation of adjoining businesses.

- 11 No live music or amplified sound shall be played within the building unless a scheme of sound attenuation works has been installed and thereafter retained. Such scheme of works shall:

a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey,

b) Be capable of restricting noise breakout from the building to the street to levels not exceeding:

(i) the background noise levels by more than 3 dB(A) when measured as a 15 minute Laeq,

(ii) any octave band centre frequency by more than 3 Db when measured as a 15 minute linear Leq.

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

- 12 Notwithstanding the above condition no amplified sound shall be played within the ground floor of the building except through an in-house amplified sound system fitted with a tamper proof sound limiter, the settings of which shall ensure that amplified music shall only be played at a background level and shall have received the prior written approval of the Local Planning Authority.

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

- 13 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.

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

- 14 Noise from plant and equipment shall not exceed 5dBA (LA90) below background noise levels (LA90) when measured at the site boundary.

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

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

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

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

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

- 17 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.

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

- 18 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.

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

- 19 The building shall not be used unless the car parking accommodation for 40 cars and 5 cycle stands as shown on the approved plans has been provided and clearly marked out on site in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

- 20 The entrances to the building shall be either flush or have ramps designed in accordance with BS 8300.

Reason; In the interests of facilitating access by disabled people.

Attention is drawn to the following directives:

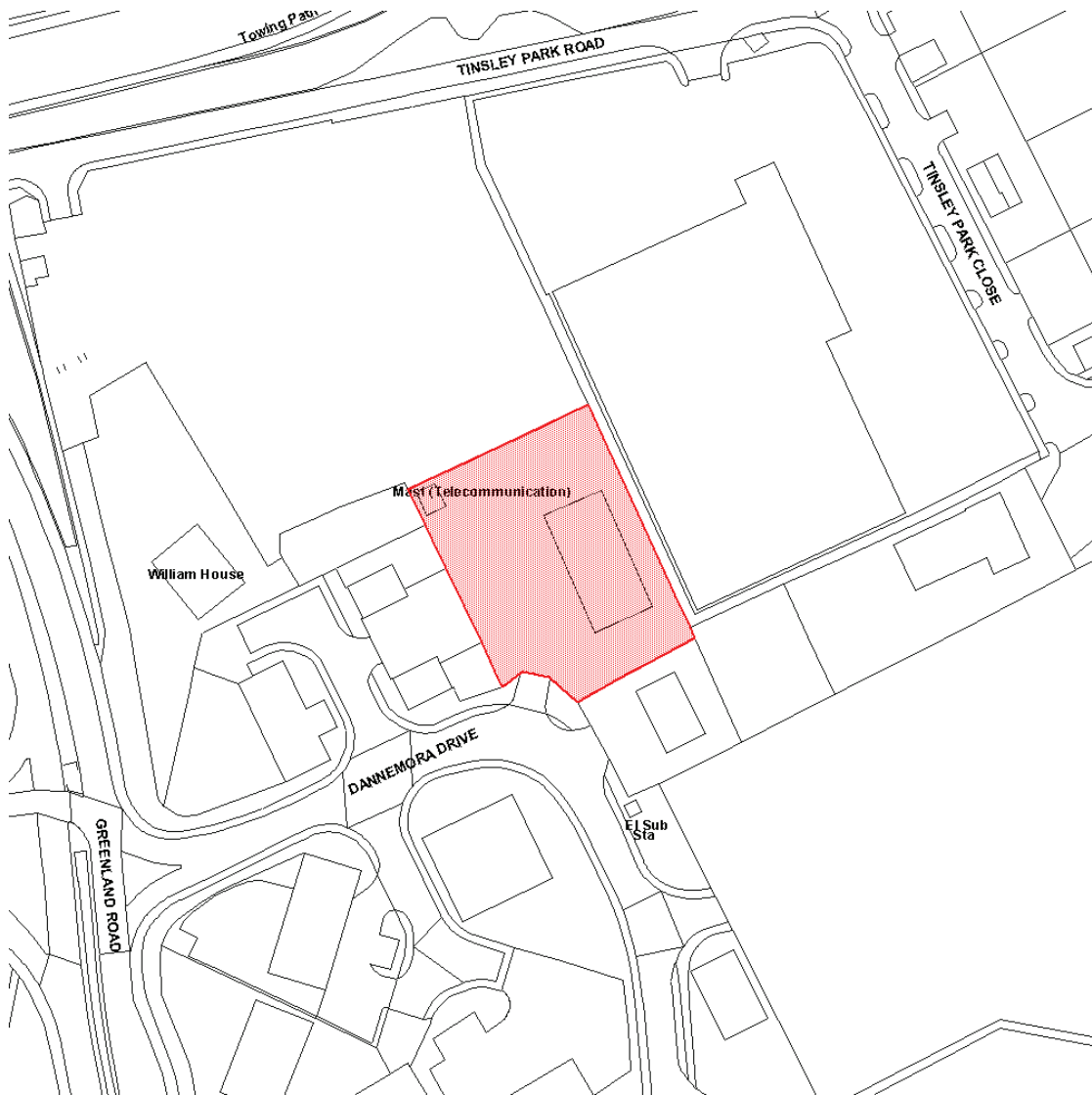
1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.
2. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel - 0114 2734651.
3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
4. The applicant is advised to 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 for download from the Institution of Lighting Professionals' website, or telephone (01788) 576492.

5. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

Site Location



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LOCATION AND PROPOSAL

The application site is located within an estate of small industrial units developed by Sheffield Development Corporation in the early 1990s. The estate has a single access from Greenland Road and there are approximately 20 small businesses operating from the estate.

The units have off street parking and servicing facilities and are generally of one family of design, that is, workshops faced in grey metal cladding with pitched roofs.

The application site is one of the larger plots and is located approximately 100m in from the Greenland Road entrance. The unit is surrounded on all sides by industrial and warehousing uses. The nearest housing is located approximately 200m to the south west on the opposite side of Greenland Road.

The applicant is seeking permission to change the use of the building and extend it from 640 sqm to 1617 sqm. The applicant has described the main use as being a private hire venue for Asian weddings and other multi-cultural functions. They are expecting a maximum of two weddings a week and these may include the ceremonies as well as the celebrations. The venue will also be available for hire for birthdays and any other celebrations or private hire. The ground floor plan identifies this area is to be used as a Shisha Smoking Lounge with reception, food preparation and storage areas. The applicant has submitted a seating plan for a now superseded design which shows 205 covers. The first floor plans show a sound proofed entertainment room with a conference area and balconies. There are expected to be 35 full time and 25 part time employees. The proposed hours of operation are 0900 to 0300 every day. Amplified music will be played in the venue and the applicant has indicated that alcohol will not be served, however if the use is deemed to be acceptable it would not be reasonable to control whether alcohol was served.

The applicant is proposing to extend the building on the south west and north side and create a new first floor. At ground floor level a substantial part of the north east and north elevation of the original building will be removed to create openings so that the building complies with the smoking legislation. A full height free standing wall is to be erected approximately 1.5m from the building as extended on the north east and north side.

The elevations will be re-clad in stone effect fibre cladding with a parapet wall created and a fascia at eaves level. The south west elevation will become the entrance elevation with window openings introduced at ground and first floor level and a centralised projecting pediment feature with a projecting entrance canopy will be constructed. There will be balconies at first floor level on this elevation. The other elevations are to be much plainer and are mainly faced in horizontal stone effect fibre cladding with some unenclosed openings at ground floor level.

The existing vehicular access to the site is to be utilised and a separate pedestrian entrance provided to one side. 37 parking spaces plus 3 additional disabled spaces are proposed.

RELEVANT PLANNING HISTORY

The building was last used as a garage/workshop for HGVs with ancillary offices, planning permission 95/02739/FUL.

SUMMARY OF REPRESENTATIONS

Neighbours were consulted twice as the application description was amended to incorporate use as a private hire venue.

10 objections have been received from businesses who occupy the industrial estate, 3 of these commented twice. The grounds of objection are as follows:

- On site car parking is insufficient for 250 customers and 60 staff. What will the maximum attendance be? Parking is already an issue with overspill on the estate from the Arena and Centertainment, when parking takes place on the pavements and across entrances. Additional parking generated by the use will seriously affect the delivery and dispatch of goods by large vehicles, access for emergency vehicles and access to industrial buildings will be blocked. Parking numbers on site may be reduced when photos are being taken at a wedding celebration. The wedding vehicle convoy will be stacked on the industrial estate road whilst the luxury vehicles are being parked.
- The signal controlled access across Greenland Road only has capacity for a few vehicles each time and this could create queuing onto Greenland Road.
- The large convoy of vehicles will add to congestion in the Lower Don Valley Meadowhall area which is already congested.
- The access and parking issues will have a detrimental effect on small businesses.
- Leisure facilities are not appropriate for an industrial estate.
- Other concerns are that the proposal will have a negative effect on the security of existing businesses and they may also be affected by anti-social behaviour issues. Fire safety is a concern along with health and safety due to children playing on the estate and adjoining business employees being affected by the second hand smoke. There are also concerns about under age customers being inadequately supervised and customer's vehicles being damaged whilst parked on the narrow estate road.

PLANNING ASSESSMENT

Policy Issues

The application site lies within a Fringe Industry and Business Area in the Unitary Development Plan (UDP). Preferred uses are business, general industry and warehouses. Food and drink outlets and leisure and recreation facilities are

acceptable uses (Policy IB6). The commentary to the policy says that leisure uses that would meet the needs of workers or local residents are likely to take only a small amount of land.

Policy IB9 'Conditions on Development in Industry and Business Areas' states that change of use will be permitted provided that it would not lead to a concentration of uses which would prejudice the dominance of industry and business in the area or cause the loss of important industrial sites.

The Sheffield Development Framework (SDF) Pre-Submission Proposals Map allocates the site within a Business and Industry Area. Preferred uses are general industry, warehouses and business uses excluding offices. Preferred uses should cover at least 70% of the area and uses not specified are considered on their merits.

The National Planning Policy Framework (NPPF) says that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date Local Plan. Main town centre uses are defined as including leisure and entertainment facilities including restaurants.

The wedding and private hire use has some characteristics of an assembly and leisure use but does not clearly fall within any use class and therefore is considered to be a use on its own. The Shisha lounge is also a use on its own and whilst a restaurant café use falls within class A3, in this case it will probably be ancillary to the other uses. Given that the scheme proposes a mix of different uses it is considered the overall use of the site will be a sui generis use, which is a use that does not fall with any particular use class.

In policy terms the overall sui generis use is neither a preferred or acceptable use under development plan policies and therefore should be considered on its merits. The vast majority of uses within the policy area are preferred industry and business uses and therefore the proposal would not be contrary the above UDP and SDF policies which seek to ensure that industry and business uses remain dominant.

It is considered that whilst a Shisha lounge does not fall within any particular use class it fits the definition of main town centre uses as defined in the NPPF and therefore the sequential approach applies. Private function facilities' are not in the list of main town centre uses to which the sequential test should apply and they are frequently found outside of existing centres, for example hotels are often used for private functions and wedding venues and many of these are located in out of centre locations. Therefore the sequential test would not apply to private function facilities.

The applicant has submitted a sequential assessment which says that good highway links to the ring road and motorway are essential as the facility is likely to draw from a wide area. They also consider a site should have good safe pedestrian links to public transport and that the use requires a large amount of space for parking. A site in an industrial area is considered to be necessary to avoid disturbing neighbours and creating overlooking issues from the proposed

balconies. They also say an industrial site can accommodate the large free standing wall which is necessary in order to comply with the smoking legislation.

The applicant was asked to consider the Darnall Liberal Club site as an alternative town centre site. They have responded by arguing this is less suitable for the following reasons;

- The proximity of residential properties and the potential for disturbance;
- The Liberal Club would need to be demolished because it could not accommodate the necessary adaptations;
- The balcony areas could not be accommodated due to overlooking;
- The security requirements could not be easily accommodated given that substantial parts of the sides of the building need to remain open to meet the smoking regulations;
- The property is for sale rather than lease.

However the applicant does acknowledge that the Liberal club site is well served by public transport and easily accessible on foot and has a large catchment population.

Your officers have concluded that the issues relating to noise disturbance, the visual impacts of adaptations to accommodate the smoking legislation and security mean that the Liberal Club site is not suitable and therefore the proposal meets the sequential approach.

Amenity Impact

Policy IB9 part b says that changes of use should not cause residents to suffer from unacceptable living conditions.

Although the site is located some 200m from the nearest residential properties uses could operate until 3am and it is intended to play amplified music. The smoking regulations mean that the ground floor where the Shisha use will be contained has to have substantially open sides which means it is difficult to contain noise.

Following discussions with the Environmental Protection Service the applicant has amended the proposals to acoustically separate the ground floor from the first floor.

A condition is proposed which means that amplified sound played within the ground floor Shisha Lounge has to be played through a sound system with a tamper proof sound limiter which will be set to not exceed background level. Amplified sound can be played at volumes on the sound proofed first floor. A condition requires a noise survey to be submitted and the sound attenuation works to be designed to restrict noise breakout from the building to no more than 3dB(A) above background. A validation test will need to be carried out when the works are completed to ensure they meet the above standards.

Subject to these controls and conditions covering plant noise and delivery hours the Environmental Protection Service are satisfied that the proposal should not result in any significant amenity problems.

Access Issues

The National Planning Policy Framework says that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and use of sustainable transport can be maximised.

Policy IB9 part f says that changes of use will be permitted provided they are adequately served by transport facilities and provide safe access to the highway network and appropriate off street parking.

The site is located close to the Darnall and Tinsley Communities and the use is likely to serve the ethnic communities within these areas. In this respect the proposal could be considered to be well located to minimise the need to travel. The applicant has also argued that the both the Shisha and wedding venue will draw people from a wide area and that a site near the motorway network is a necessary business requirement. On the other hand a Shisha lounge would normally be expected to be located into or close to an existing centre in order to benefit from linked trips and good public transport.

The application site is within 200/300m of bus stops on Greenland Road and approximately 850m from the Centertainment Supertram Stop. The bus services which serve the nearest stops are not high frequency and given the distance to the nearest Supertram Stop the site cannot be considered to be well served by public transport.

There is a signalised pedestrian crossing of Greenland Road close to the site and lit footpaths that link the site with Greenland Road. However after the other Dannemora Drive businesses close in the evenings and at weekends the level of natural surveillance of the 100m of footpath from the site through the estate to Greenland Road will be poor.

Given the mixed character of the proposed use and the applicant's assertion that it needs to have good road connections and parking it is concluded that there is no firm basis for resisting the application on accessibility grounds.

There are no current parking guidelines for private hire venues or Shisha lounges. The UDP parking guideline for restaurants would appear to be the relevant and these specify one space per 4 seats, which includes an allowance for staff. This would suggest that 51 parking spaces would be needed based on the seating plan referred to above or 60 spaces if limited to 240 customers.

It is the wedding and private hire uses that are most likely to produce the highest parking demand rather than the Shisha lounge. Experience suggests that provision based on 1 space per four guests might be low as not all wedding guests are likely to travel in fully occupied vehicles. There are also uncertainties over the number of customers that could attend the venue. Tables could be packed away after the wedding celebration and the capacity of the venue would be much larger. Informal enquiries with the Council's public safety section suggest that if the

ground floor space were free of tables this area on its own could accommodate 870 people.

Given these concerns the applicant has agreed to only operate the wedding venue and private hire use during Saturdays and Sundays and after 5.30pm Mondays to Fridays. He has also agreed to enter into a planning obligation restricting the number of customers to a maximum of 240.

At most times it is considered that the level of on-site parking is likely to be sufficient to meet the needs of the proposed use. However occasionally when weddings or private function events are held it is likely that the in curtilage parking will not be sufficient to meet the demand. This would be a concern if it impacts on the operation and efficiency of the other businesses on the estate. If disruption to businesses were likely to be regular and severe it could be sufficient reason to justify opposing the proposal. However given that weddings and functions will take place in the evenings and weekends when most businesses are likely to be less busy or closed the risk of conflicts is significantly reduced. Site visits by planning and highway officers during the working day indicate that on street parking is sparse on the estate road around site. It is therefore concluded that some occasional overspill parking can be accommodated on the highway without seriously affecting the operation of existing businesses.

The planning obligation gives some comfort that the capacity of the venue will be limited to a level where it should not result in severe parking problems.

Taking all these issues into consideration it is concluded that whilst there is likely to be a negative highway impact at certain times this is not expected to be so harmful that it could be judged to be 'severe' which is the test within the National Planning Policy Framework to justify refusing planning permission on transport grounds.

Visual Impact

The application site is tucked away from public view as it is set back approximately 120 m from Greenland Road and is screened by other industrial buildings and to a limited extent by landscaping. As a result the building will only be seen from the within the site and the Dannemora Drive industrial estate road.

The existing building is of a utilitarian design and is clad in grey profiled steel cladding. It has been extended several times and these extensions take from the simple form of the original building. As the building was last used for a haulage operation the front elevation is dominated by a series of galvanised full height roller shutter doors and the yard area was used for the parking of HGVs.

The building will be significantly remodelled and extended. The front elevation which faces on to the car park will incorporate a significant number of new window openings such that it will appear more like an office than an industrial building. The pitched roof of the original building will be retained but will no longer be visible. The new extensions will have flat roofs that will be screened behind the parapet and free-standing wall.

The overall design is considered to be acceptable and whilst the character will be different from the other industrial buildings this is not a significant concern on this site, particularly as this unit is not especially prominent. Given the limited architectural merit of the existing building it is considered that the proposed changes will improve the appearance of the site.

Coal Mining

The Coal Authority initially objected to the application on the basis that the Coal Mining Risk Assessment submitted with the application was unsatisfactory. Further information was subsequently submitted and they have withdrawn their objection subject to appropriate conditions. These require intrusive site investigations to be carried out and remedial works if these are identified as being necessary following the intrusive investigations.

Hazardous Substance Consent

The site lies within the middle zone of the hazardous substance consultation installation of Gas and Hire on Shepcote Lane. The Council inputs details of the application into a Health and Safety Executive programme which advises whether there are any safety concerns. In this case the assessment has concluded that there is no basis for resisting the proposal on Health and Safety grounds.

Flood Risk

The application is in flood zone one which is the lowest risk flood zone and the application site is less than 1 hectare and therefore a flood risk assessment is not required. The applicant has advised that all rainwater from the building will drain into a large soakaway on site. The parking area is currently mainly finished with gravel and the applicant confirms that this permeable surface will be retained. Given the above the proposal should not worsen flooding and complies with Policy CS67 which says that on sites less than 1 hectare surface water run-off must be reduced as far as is feasible by design measures such as permeable paving.

RESPONSE TO REPRESENTATIONS

There is no evidence that the proposal will worsen security problems for local businesses. It is just as likely that the increased activity outside the normal working day will deter crime on the estate.

The building is located on a reasonably large self-contained site and it is considered that the risks of children playing outside the site are fairly low and not sufficient to justify opposing the proposal. The issues of fire safety, under-age smokers and damage to vehicles parked on the estate are controlled by other legislation and should not be given weight in determining this application.

SUMMARY AND RECOMMENDATION

The proposed development is considered to be acceptable on policy grounds and will improve the appearance of the site. The key issues are the noise impact and

the impact of parking on the operation of adjoining businesses. Given the distance to residential properties and the proposed conditions it is considered that the escape of noise can be adequately controlled. The site is not particularly well served by public transport and the Shisha use would be more accessible if located in a town centre. However the applicant has shown why this is not feasible and wedding/function rooms are often located in out of centre locations. The parking is expected to be sufficient to serve the development at most times although parking is likely to overspill when high attendance weddings/functions take place. However there is some capacity for on street parking particularly in the evenings and at weekends which is when these events will take place and the planning obligation will limit the overall capacity of the building. It is therefore concluded that whilst there will be a negative highway impact at certain times this is not considered to be 'severe' and therefore is not sufficient to justify refusing planning permission.

It is recommended that planning permission be granted subject to the applicant entering into a planning obligation to secure the following heads of terms. In the event that an a legal agreement is not signed covering these heads of terms by 1.6.2014 planning permission should be refused on the grounds that insufficient controls are in place to control the venue capacity in the interest of traffic safety and minimising the disruption to the efficient operation of adjacent businesses.

Heads of Terms

1. An agreement to limit the number of customers on the premises at any one time to no more than 240.

Case Number	13/03814/FUL
Application Type	Full Planning Application
Proposal	Demolition of fire damaged buildings, levelling of ground and associated filling over extent of former buildings, viewing area and amenity building
Location	Sheffield Ski Village Vale Road Sheffield S3 9SJ
Date Received	05/11/2013
Team	West and North
Applicant/Agent	Pullen Development (Selby) 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.

Reason; 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 received 6th December 2013 (combined surveys) and sections received 6th December 2013

Reason; In order to define the permission.

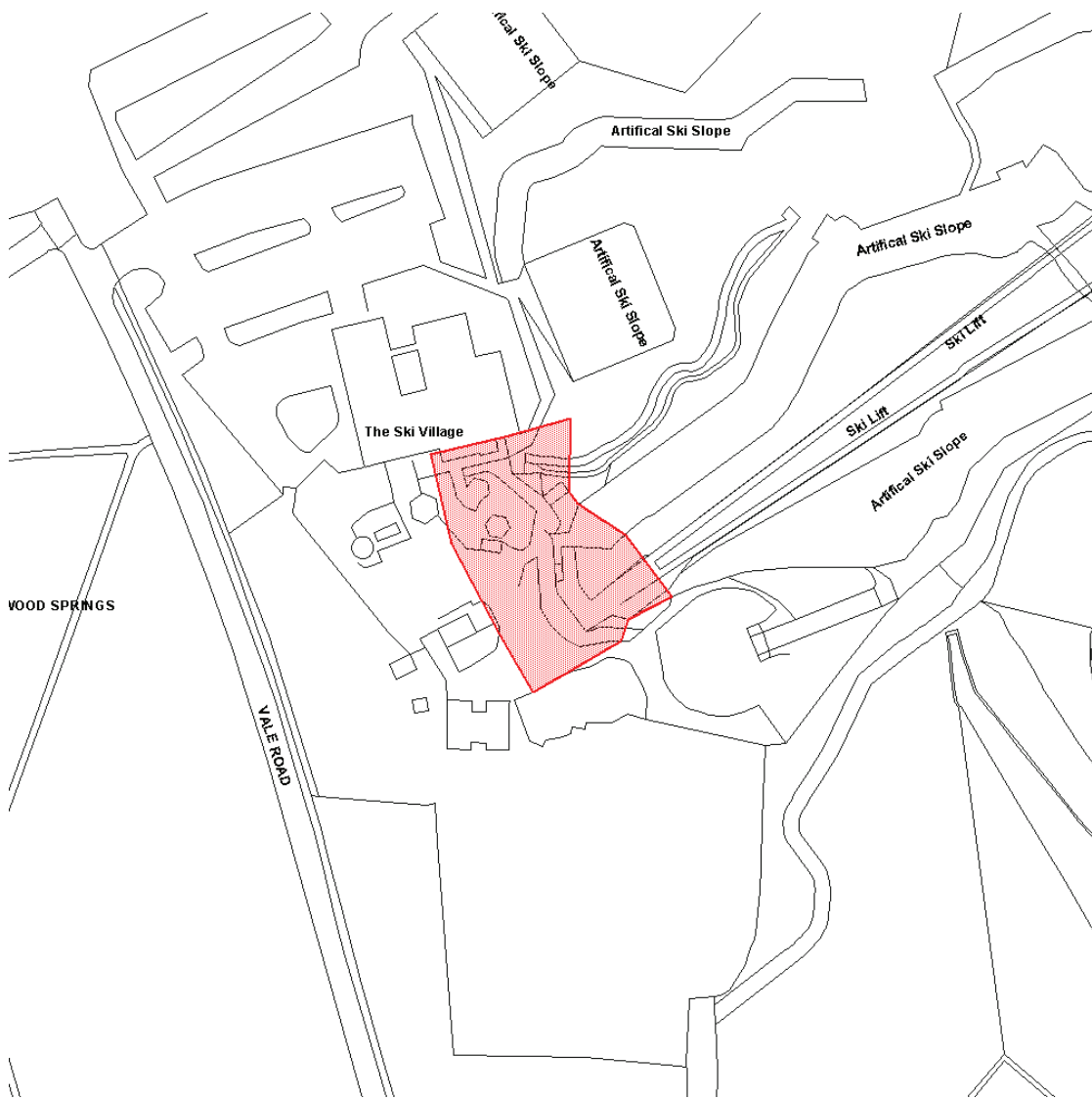
Attention is drawn to the following directives:

1. The applicant is advised that this decision notice relates only to the granting of planning permission and does not infer any rights in respect of the restrictions of the lease. Before any works are commenced full written consent should be sought from the landowner (Sheffield City Council).
2. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard

application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

Site Location



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INTRODUCTION

Members are advised that the site occupied by the former ski village is located on land owned by the City Council, but which is let on a long lease to the applicant for this development proposal.

The terms of the lease states that the demised premises shall be used as an artificial ski slope for Alpine and Winter Sports (the Principal Use) and for Ancillary Uses. Ancillary Uses shall mean the sale and hire of alpine and winter sports equipment the sale of food and drink the holding of promotions and exhibitions a travel shop specialising in alpine and winter sports holidays health suite sauna/solarium and a licensed bar, children's play facility.

For the avoidance of doubt for the benefit of all parties, then this report considers only the planning merits of this particular proposal and does not infer a right for the works to be undertaken.

The works proposed are not included for under the terms of the lease and should members determine that planning permission should be granted then further express consent for the works would be required from the City Council in relation to the lease.

LOCATION AND PROPOSAL

The application relates to the site of the former Sheffield Ski Village, which has now been destroyed by several fires. There are limited remains of the ski village left, with the majority of buildings now demolished. There are however, some structures remaining and the ground levels still reflect the former layout of the site, such as the bottom of the slopes and the external areas outside the lower ground floor.

The site has also been the subject of both the tipping of soil and illegal fly tipping.

The application site is located within an area designated as Open Space Area in the adopted Unitary Development Plan.

This application seeks consent for the demolition of the fire damaged buildings, although the majority of this consent sought will be retrospective. The proposal also seeks to level the ground on the site and fill over the extent of the former buildings, viewing area and amenity building in order to create a level site.

RELEVANT PLANNING HISTORY

Whilst there is a varied planning history for the site, none is relevant to the consideration of this planning application.

SUMMARY OF REPRESENTATIONS

There have been 33 letters of neighbour representation regarding this planning application. The comments made are summarised as follows;

- The site has a lot of potential for redevelopment as another ski slope.
- There is a lot of community support for the redevelopment of the ski slope.
- The ski village facility made winter sports affordable and accessible to all irrespective of age, geography or income
- The site and the surrounds of the ski village needs a good clear up and the opportunity should be taken to do something good for the environment, the community, the local economy and Britain's ever growing sports scene.
- The site should be made safe but the site should be given back to Sheffield and returned to its former glory.
- The proposed plans to reopen the ski village as an Olympic Snow Sports Hub is an excellent opportunity
- The recent publicity around the Winter Olympic means that the time is right to redevelop the facility and inspire a new generation.
- The proposal will ultimately have a detrimental effect on any future plans for snow sports activities at the site.
- The scope of the works goes beyond making the site safe and compromises the ski slope and its potential for redevelopment.
- There is no benefit to levelling the site.
- The potential to use the site for creating jobs and creating a community asset should be maintained.
- The area should be redeveloped for snow sports and mountain biking.
- There should be a full application for the development proposed which requires the levelling of the site.
- Development should not include altering the structure or the lie of the land such that future development would be prevented.
- Sheffield has a reputation as a 'City of Sport' development should not compromise this.
- There are no definite plans for the future of the site and any works could be detrimental to plans that promote the future use of the site for outdoor activities.
- There is a general acceptance that there is a need for a general clear-up, the making safe of, and the securing of the site
- Sheffield's reputation and the current offer in the area of mountain biking, a skate park and a climbing wall means that a new snow sports venue in this area could mean that the site could be the centre of the 'Sheffield Adventure Sports Quarter'.
- The development would be contrary to CS50 'Parkwood Springs and the Parkwood Landfill Site'
- The loss of open space facilities is contrary to the UDP
- The engineering operations will have a substantial visual impact upon the character of the locality
- The visual impact will be significant and highly visible from surrounding areas and key viewpoints within the city.
- The impact of the engineering works means that the application should be considered in conjunction with the intended development proposal for the site to be able to judge whether the works are necessary or justifiable.

- There is no justification for the earthworks proposed and so the proposal should be refused on this basis.
- Developing the site for housing does not fit with the master plans for the area.
- The engineering works should be restricted until the final development of the site is granted however, fly tipping and clearing the burnt out buildings could be undertaken.
- There is no other venue for snow sports for the youth in the area and the facility of Xscape at Castleford requires transport and an ability to afford the fees.
- The release of the land which was the landfill site would be more suitable for industrial or housing land.
- The owner of the site should collaborate with representatives of the city and local business to develop a proposal that combines the need for more housing with the desire to provide a world class snow sports training facility for current and future generations. A mixed use development that combines housing, hotel/ chalet accommodation with the sports and associated recreational and commercial units could be a good solution.
- There are signs of economic recovery and overseas investment in the City, this should not be compromised by this development.
- The Council should make clear its intentions for the site publicly known prior to granting planning permission. It would be foolish to grant permission for something that makes it difficult for a previous use to return.
- There are many other sites in Sheffield for housing, but no other sites for a ski centre.

Friends of Parkwood Springs have also commented that they support the proposal to clear up the fire damage and what has been tipped on the site but that they would like to be assured that what is proposed in the planning application would indeed clear up the whole area that has been damaged and tipped over recent months.

The applicant has submitted a counter statement in response to the representations received. This states that the application is intended to be a minor civil engineering operation as a small part of the regeneration of the site. That the extent of works is small and the depth of fill at 1.5metres is negligible compared with the change of level across the site (as the main slope has a level change of 65metres and the overall drop across the site is almost 100m). The applicant also states that the intention is that the lower area should be in a presentable state so as to not encourage further criticism or fly tipping.

The applicant's supporting submission goes on to state that on the City Sites Plan the site is shown as employment use and not open space and that the implementation would not prevent a reopening of a new alpine ski slope on the facility.

The applicant requests that, for information, and subject to the approval of the freeholder (Sheffield City Council) they are reviewing an application for the removal

of all the alpine matting and to return the hillside to its original natural form. It is stated that the development will not prevent the development of a new multi million pound ski slope development, which would require the re-profiling of the slopes and the use of the latest ski slope technology systems.

PLANNING ASSESSMENT

Policy LR5 'Development in Open Space Areas' of the Unitary Development Plan seeks to ensure that development will not harm the value, character or appearance of open space and the impact that open space has on the surrounding area.

Policy CS45 'Quality and Accessibility of Open Space' of the Core Strategy seeks to safeguard and improve open space and the policy states that this will take priority over the creation of new area.

Core Strategy policy CS47 'Safeguarding of Open Space' states that the development of open space will not be permitted where it will result in a quantitative shortage of open space in the local area or it would result in the loss of open space that is of high quality or is of heritage, landscape and ecological value; where people in the local area would be denied easy or safe access to a local park or smaller informal open that is valued or well used by people living or working in the local area; or it would cause a break in the city's Green Network. The policy goes on to state that where development will still result in the loss of open space that it will only be permitted where as soon as is practicable equivalent or better space will be provided, or the site is surplus or the development would be ancillary to the open space and have a minimal impact upon the use or character of the open space. The policy also states that open space or sports and recreational facilities of importance beyond the city will be safeguarded and development or redevelopment will be permitted only where it would improve the quality of facilities provided in the city.

Of further relevance to the consideration of this application is Policy CS50 'Parkwood Springs and the Parkwood Landfill Site'. Policy CS50 states that over the medium to long term that Parkwood springs will be developed into a City Park and that sport and leisure uses could also be located at Sheffield Ski Village if they are needed to support the development of sport and recreation facilities there.

Proposal

The actual development proposal will not result in the creation of any new buildings and the development proposed consists primarily of engineering operations. The engineering operations are not themselves considered to result in the loss of open space as they will see the reformatting of previously developed land which was previously developed and did not in itself make a significant contribution to the value of the open space in landscape terms nor the green network. The principle of the development proposed is not therefore considered to compromise the aims of LR5, CS45 nor CS47.

It is acknowledged that the site did however, have a significant role in the provision of sport and recreation facilities which were of value to the City, prior to the fires

which have destroyed the facility. However, the infilling of the land and the levelling of the site are not considered to compromise the site either as open space, or in terms of the reinstatement of the ski slope or even the future redevelopment of the site for any other use, to such a degree that permission could be refused. The extent of works are relatively limited, and should the need arise then the imported materials could be excavated. There may be some cost associated with this, but this is not a material consideration for the Local Planning Authority.

The applicant has indicated that the works are in advance of a proposal to redevelop the area but no final plans have been put forward for consideration. At such a time it is likely that the policy requirements of LR5, C45, CS47 and CS50 would be considered in much greater detail, as a redevelopment proposal is likely to have an impact upon these policies.

Turning to the impact of the proposals, then there are no concerns with the retrospective levelling of the site and the demolition of the remaining elements on site. This work neatens the site and cannot be considered to have a negative impact upon the visual amenity of the site.

The sections submitted by the applicant show that the scheme will see the land level rise at the bottom of the slope from 96.9 to 98.5 at its maximum point and 98.35 at its lowest in the indicative section provided. The section across the site shows that the land level will be approx. 98.50 metres in total with the levels evened out across the site marked in red on the site plan.

The overall impact of these works upon the visual amenity of the site is considered to be limited, and again will have the benefit of neatening the site. From within the site the impact of the works will not be viewed as significant, some of the works have been completed and the levelling of the area towards the slopes is not considered to be particularly prominent and nor will the works when completed appear out of character for the site. From the public footpaths and around the site and in ranging views from across the City it is also not considered that the works proposed will have a significant impact, with the visual impact being very limited. The general effect will be of a levelling and neatening of the site rather than of any new structures or development arising out of the site which would compromise the overall value, character and appearance of the area of open space.

The applicant has confirmed that the material to be used for infilling will be purchased from suppliers who will provide inert materials. At the present time the applicant is unable to provide confirmation of the details of the material as it has yet to be purchased, but has confirmed that it will have consignment notes with each load and will be tested to ensure inert quality. From a land quality perspective this is considered to be acceptable.

It is noted that there are a number of concerns that the development will prejudice the future development of the site and the reinstatement of a skiing or other recreation facility on the site. It is not considered that this is the case.

The extent of works proposed are not so significant that they will fundamentally change the character of the site. The infill on the land could be removed should the

redevelopment of the site require this. The removal of the former skiing infrastructure such as the matting etc. does not require planning permission.

Overall, it is not therefore considered that the development proposed will compromise the aims of the Policies LR5, CS45, CS47 and CS50. It is not considered that the development proposal will have an adverse impact upon the highways network. The delivery of the infill material will not unduly compromise highway safety and the delivery will be for a limited period only.

RESPONSE TO REPRESENTATIONS

Whilst it is noted that the ski facility was held in high esteem as a valued sports facility and that there is a lot of support for the reinstatement of the ski facility, it is not this principle that is the subject of this application.

This application is for the demolition of fire damaged buildings and the levelling of the site with some infilling of spoil. It is not considered that this in itself would compromise the future redevelopment of the site for any future use as may be deemed acceptable by the relevant policies for the site, including CS50.

The works proposed will help to clear up the site and make it safe, as is referred to by a number of the representations. The issue of fly tipping and the overall state of the site beyond this infilling is being dealt with by separate means, via the planning enforcement section of the city council.

The applicant holds the site on a long lease which restricts the use of the site. Further development options for the site will be dependent upon the negotiation of the lease and it is not possible to comment upon this matter further at this stage. The planning authority cannot force the submission of a new application for the redevelopment of the site.

There may be no perceived benefit to the levelling of the site, but there does not need to be a benefit or justification for the application to be considered acceptable, rather that there needs to be no harm arising from it.

For the reasons discussed within the main body of this report it is not considered that the scheme will be contrary to the policies of the Core Strategy or the Unitary Development Plan.

As discussed within the report the works proposed are not considered to be significant and will not be highly visible nor detrimental to the visual amenity of the site from across the city.

Comment has been made regarding the use of the site for housing development; no planning application has been made for such a development and any such application would need to be considered upon its own merits at the relevant time, and with regards the aims of the policies set out in this report, amongst others relevant to the consideration of proposals for housing.

SUMMARY AND RECOMMENDATION

The proposed demolition of fire damaged buildings, levelling of ground and associated filling over the extent of former buildings, viewing area and amenity buildings is considered to be acceptable in principle. The development will not have an adverse effect upon the value or the character of the site as an open space area, nor should it unreasonably prohibit the future development of the site. The development is considered to be satisfactory with regards the aims of policy LR5 of the Unitary Development Plan and Policies CS45, CS47 and CS50 of the Core Strategy. A recommendation is therefore made for approval subject to conditions.

Case Number	13/03711/FUL (Formerly PP-02983298)
Application Type	Full Planning Application
Proposal	Use of disused railway line as public footpath/bridle path, installation of associated fencing and bollards and erection of security fencing along residential boundaries (Revised plans received 18th February 2014)
Location	Land Between Chapeltown Park And Cowley Hill Sheffield
Date Received	01/11/2013
Team	West and North
Applicant/Agent	Sheffield City Council (Environmental Planning)
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.

Reason; 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:

Drawings: EP179/04 received 4th November 2013 and EP179/03B/C, EP179/05/A, YO/SD/28C, EP179/07, EP179/06/A and EP179-08 received 18th February 2014.

Reason; In order to define the permission.

- 3 Notwithstanding the submitted details, before the development is commenced, full construction details of the Trans-Pennine Trail shall have been submitted to and approved in writing by the Local Planning Authority (as the construction depths may vary depending on whether the Trans-Pennine Trail becomes adopted or not). Once the above-mentioned details have been approved, the Trans-Pennine Trail shall be constructed in accordance with them.

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

- 4 Before the development is commenced, full details of a maintenance strategy for the Trans-Pennine Trail shall have been submitted to and approved in writing by the Local Planning Authority, and thereafter operated in accordance with the approved strategy.

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

- 5 Before the extended section of Trans-Pennine Trail becomes operational, full details shall have been submitted to and approved in writing by the Local Planning Authority of any enabling works on the existing section of Trans-Pennine Trail leading to the proposed section (removal of concrete cylinders that form obstructions, removal of fencing that form obstructions, any repairs to the surfacing, removal of general debris). The above-mentioned approved enabling works shall have been completed prior to the new section of Trans-Pennine Trail being opened.

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

- 6 The publicly accessible route hereby approved shall only be used by pedestrians and cyclists as confirmed by the applicant's e-mail dated 30th December 2013.

Reason; In order to ensure an appropriate quality of development.

- 7 The publicly accessible pedestrian and cycle route hereby approved shall not be brought into public use until the following measures have been implemented:

(i) The installation of the three adjustable A frame barriers as shown on Plan EP179/03/C and YO/SD/28 Rev C, which shall be installed in the closed position;

(ii) The installation of the 2.4 metre Nylofor 2D steel welded mesh fencing in accordance with Plan EP179/03/C;

(iii) The installation of the 2 metre dead hedge in the location shown on Plan EP179/03/C and in accordance with the details at EP179/08.

The above measures shall be retained in perpetuity.

Reason; In order to ensure an appropriate quality of development.

- 8 The Hawthorne hedge as shown on Plan EP179/03/C and in accordance with the details at EP179/08 shall be implemented within the first planting season following the commencement of development. Thereafter the hedge shall be retained and shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that five year period shall be replaced.

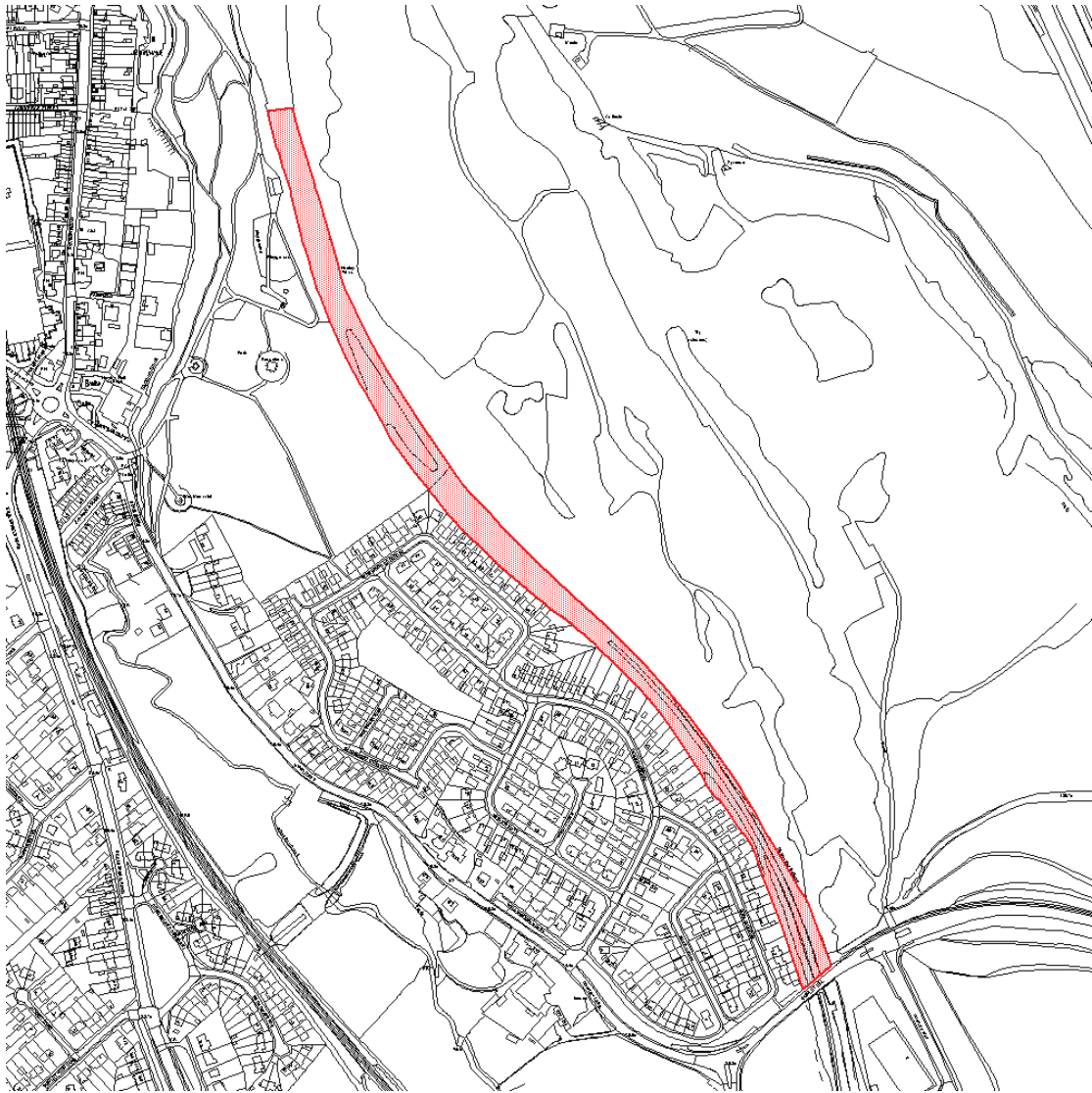
Reason; In the interests of the visual amenities of the locality.

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.
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.

Site Location



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LOCATION AND PROPOSAL

This application relates to a disused railway line that lies to the rear of properties on Glenwood Crescent, Woodburn Drive and Cowley Drive and to the rear of Chapeltown Park. The line is owned by Railway Paths Ltd; they are a charitable organisation that manages the properties held by their sister charity Sustrans. In places, the railway line is within a cutting but on parts of the line, particularly to the rear of houses on Cowley Drive and Woodburn Drive the railway is not within a cutting and it lies above the garden level to these properties. To the east the railway line is adjoined by the disused tip at Hesley Wood, which is the subject of a planning permission for a coal recovery and restoration scheme in accordance with 12/01946/FUL.

This application seeks the construction of an off-road pedestrian and cycle route along this section of disused railway line. To the south, this new route will link with an existing section of similar route, which currently terminates beneath the Cowley Hill road bridge. This southern section then connects through to Loicher Lane. To the north, it will connect to a proposed section of similar route to be created by the upgrading of and minor works to existing paths through Chapeltown Park. These will all form part of the Trans-Pennine Trail network. A short piece of footpath is also shown linking this section of the off-road route with an existing aggregate surfaced path leading northwards to Coppice Rise but this is outside the red line boundary of this application.

It is relevant to note that the application has been amended in the course of the application process; the original submission included a proposal to incorporate access for horses along the route, including access into Chapeltown Park; however, following concerns raised by local residents and park users as part of the consultation process, this application now omits the right of access for horses along both the disused railway and within the park; for the present time, access for horses along the Trans-Pennine Trail will terminate at Cowley Hill as per the current situation until a suitable alternative can be sought in the future.

The proposed linear path that forms part of this application will extend to 880 metres; it will be surfaced with a 3m width bituminous macadam surface with a 2.5% drainage crossfall. This will be laid over the existing trimmed, graded and compacted track bed material. Where the route is to be constructed on fill rather than the old track bed, an equivalent sub base will be used. The path will have a 2 metre verge on each side, which will be seeded with a low growing grass seed that has been used on similar path verges in the City. The application states that excavated soil will be used to create the verges to maintain any local provenance seed banks.

As the layout of the path follows the alignment of a former disused railway line, the route is generally level and without any significant gradients. The only exception is where the proposed route crosses an existing embankment approximately 1.8m high, which was created by the previous filling of the railway cutting at a point to the north of the houses on Glenwood Crescent. A ramp is proposed to be constructed at this point using the existing fill to a maximum gradient of 1:20.

The application also now includes the provision of adjustable 'A' frame barriers at the entrance to the path at Cowley Hill to prevent vehicular access along with a horse hop (a form of gate with a stepped box at ground level), a lockable maintenance gate and steel box section fencing; a second 'A' frame and horse hop will be installed at the northern end of the route at the access into Chapelton Park also with steel box section fencing to prevent motorcycle access with a third 'A' frame just to the east of the Park access on the route to Coppice Rise. This is an enhancement from the original submission, which proposed the installation of steel bollards only and is a response to concerns raised by local residents with regard to unauthorised motorcycle access along this trail.

In addition, to the rear of all the residential properties that adjoin the former railway line on Cowley Drive, Woodburn Drive and Glenwood Crescent the application includes the provision of a 2.4 metre steel welded mesh security fence along 620m of the southern section of the route. This is supplemented by native hedge planting in the form of a Hawthorn hedge in front of the fence to provide dense security and a long-term visual barrier. In addition, at the point of the route where the former railway line is not within an embankment, an additional 2 metre 'dead hedge' made from on-site stakes and prunings will be created in front of the hawthorn hedge to create a visual screen. A dead hedge is effectively a dense barrier constructed from cut branches, saplings and foliage and other materials that result from pruning and clearing. This will be installed to the rear of Nos.18-44 Cowley Drive and 32-56 Woodburn Drive where there is a line of sight between the path and the houses.

It is intended that the landowner, Railway Paths Ltd will allow a permissive right of way along the former railway line.

PLANNING HISTORY

There is no planning history directly relevant to the determination of this application.

SUMMARY OF REPRESENTATIONS

This application was subject to a wide public consultation by means of neighbour notification, a press notice and site notices. A total of 6 representations from residents have been received, including one from the Cowley Residents Action Group, all of whom object to the development.

The objections raise the following concerns:

- The project goes from nowhere to nowhere as there are no specialised paths on Cowley Lane or Station Lane so it is a waste of money. They also consider that Chapelton Park was donated to the inhabitants of Chapelton and the Council has no right to encroach on the Park;
- The application includes a proposed access for horses and cyclists to enter the Park to which the resident objects as it will conflict with dog walkers and BMX cyclists. They also object to the ancient woodland plants being

destroyed by widening the path in the park and consider that an increase in the number of cyclists would also be a problem along a path shared by pedestrians as many cyclists ride much too fast when coming up behind walkers;

- One objection considers the security fencing proposed and advises that whilst it may look better aesthetically, it is not as secure as that which surrounds the adjoining spoil heap site on Cowley Hill.
- The objector considers that the hawthorn hedging needs to be of a mature planting otherwise, due to the existing tree canopy, it could fail to provide an adequate screening to the adjoining properties;
- There are concerns regarding the position of security/privacy fencing. Bedroom/bathroom windows on an objectors and neighbouring properties are approximately the same level or below the pathway. Security fencing that is erected adjacent to the borders of the adjoining properties at a height of 2.4mtrs (8 foot) will only be 1.2mtrs (4 foot) above the level of the pathway due to the fact that their boundary sits approximately 1.2mtrs (4 foot) below the level of the pathway;
- A resident requested that a lockable gates be added to the rear of the properties that currently access the path thus creating, rather than denying access to the pathway;
- One resident has used the embankment as part of their garden and also use it to gain access to the railway line.

The Cowley Resident's Action Group raises the following comments and overall, objects to the development:

- The future extension to the route proposed in this application is vague and ignores any existing use of Chapeltown Park or conditions of use in force in the park at this time. There appears to be an assumption that the land contained within the park is not subject to any constraints as to use and given that the park was bequeathed to the residents of Chapeltown by the Chambers-Newton estate this needs to be fully explored before any such assumption can be articulated in a Planning statement.
- CRAG highlight that in the planning application it states in Section 3 (Description of the proposal) "Has building, work or change of use already started" and the response is "No". However, a 5 metre wide track has already been cleared using some heavy machinery and some trees have been felled. Members should note that these works were necessary to determine the scope of the application and did not require planning permission; it is the use of the railway line as a cycle track that requires the permission.
- CRAG note that this is surely a new public right of way as no public right of way currently exists.

- Use of a soak away for surface drainage will contribute significantly to water issues behind Cowley estate and addition water seepage to Blackburn Brook and no consideration is given to the effect of the RecyCoal activity adjacent to this scheme which is to employ a SUDs system for surface drainage. CRAG considers it essential that additional investigation and modelling is required as this scheme will replace a soil substructure with impermeable bitmac surface of approximately 26,000 sq. m or 2.6 hectares.
- The adjacent site of Hesley Wood Spoil Tip has significant contamination as identified by RecyCoal at the rear of properties on Glenwood Crescent/Cowley Drive and this is to be covered by a protective layer and no extractive works are to be allowed. As this is in close proximity to the proposed Trail a full contamination survey is necessary surely?
- The 2.4 metre high steel welded fencing that is being proposed is to the existing residential boundary and as such will not provide any privacy screening for a significant number of properties as they are below the level of the existing track and some are above the track bed and hence riders on horseback will have a significant effect on privacy. The fencing needs to be erected along the border of the trail, not directly to house boundaries.
- The current application is for the trail from Cowley Hill to Chapeltown Park. However the future plan seems to be to extend the trail through Chapeltown Park, emerging onto Sussex Road via the existing Park exit. As there are notices in the Park prohibiting the use of horse riding, how would this work? This pathway is used regularly by pedestrians, dog walkers and young children. Dogs and horses do not mix. Also, Sussex Road is a very busy main road, which would seem to be unsuitable for horse riding.

South Yorkshire Passenger Transport Executive (SYPTTE) fully supports the application. They advise that initiatives to encourage walking and cycling are highly supported by SYPTTE as measures to promote active travel comply with numerous policies of the Sheffield City Region Transport Strategy. This is mainly policy S “to encourage active travel and develop high quality walking and cycling networks” but will also have an indirect impact on delivery policy V “to improve air quality, especially in designated AQMAs” and policy W “to encourage safer road use and reduce casualties on our roads”. They note that the proposal to develop a bridle way in this location will promote walking and cycling in Chapeltown and Ecclesfield, whilst also providing a key link to the strategically important employment site of Smithy Wood. The link will help local people access jobs at Smithy Wood, whilst encouraging sustainable journeys to work.

PLANNING ASSESSMENT

This application proposes the change of use of a former and now disused railway line to create an off road pedestrian and cycle route. This new route will link with an existing section of similar route to the south, which currently terminates beneath the Cowley Hill road bridge and to a proposed section of similar route to the north

to be created by the upgrading of and minor works to existing paths through Chapeltown Park. These will all form part of the Trans-Pennine Trail network.

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

1. Policy and Land Use
2. Impact of the proposals on the amenity of adjoining occupiers;

The Council is also required to consider any representations received in response to the consultation exercise.

Policy and Land Use

The National Planning Policy Framework (NPPF) was published on 27th March 2012. Paragraph 12 of the NPPF is confirmed that the National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision-making. It confirms that 'proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise'. Accordingly the National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

Within the UDP the disused railway line is clearly shown as a proposed strategic cycle/footpath linking from Cowley Hill through to Coppice Rise.

Policy T7 of the UDP seeks to promote walking and cycling. It states that walking and cycling will be promoted as alternatives to car travel by providing better facilities to make them safer and more attractive activities. In assessing transport and development proposals, particular attention will be given to the needs of pedestrians and cyclists.

Policy T8 relates specifically to pedestrian routes and advises that the safety, convenience and attractiveness of footpaths and pedestrian areas will be improved, and new routes and areas created, to form a pedestrian-friendly network throughout the City and provide access to the countryside around Sheffield.

In relation to cycle routes, UDP Policy T10 advises that the safety, convenience and attractiveness of cycle facilities and routes will be improved and new ones created to make the City cycle-friendly and provide access to the countryside around Sheffield. UDP Policy T11 relates to long distance paths and advises that long-distance paths will be created as part of a Strategic Cycle/Footpath Network along a number of routes including Wincobank to Chapeltown.

Within the SDF Core Strategy, Policy CS55 also relates to cycling routes. The introduction to the policy notes that cycling is a sustainable and growing form of travel for short to medium length journeys in the city and over the past 10 years the number of trips to and from the City Centre has increased by around 15%. Policy CS 55 states that the improvement and development of the cycle network will be

given priority on strategic links, including through the Blackburn Valley, extending through Smithy Wood and Hesley Wood to Chapeltown and the Trans Pennine Trail.

As such, both the UDP and Core Strategy highlight the importance of developing safe and accessible pedestrian and cycle routes to form a sustainable strategy for travel around the City and provide access to the countryside. Given that the railway line is clearly identified as a strategic cycle footpath link, the principle of development is therefore firmly in accordance with relevant and up-to-date planning policies. It also accords with the sustainable objectives of the NPPF, which include at Paragraph 35 a requirement to give priority to pedestrian and cycle movements and give people a real choice as to how they travel.

It is noted that the railway line is also shown as lying within the Green Belt. The NPPF confirms at Paragraph 79 that the Government attaches great importance to the Green Belt and confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also confirms that the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 80 of the NPPF clarifies that Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 87 of the NPPF advises that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 then advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

Paragraph 90 of the NPPF clarifies that certain forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt; these exceptions include the provision of appropriate facilities for outdoor sport and outdoor recreation. It is considered that the provision of a strategic cycle and pedestrian route will facilitate outdoor recreation such that it is not inappropriate development within the Green Belt and there is no requirement to demonstrate very special circumstances. In terms of the impact upon the openness of the Green Belt, the route is an existing railway and whilst the vegetation that has subsequently grown over the route will be cleared and a macadam path laid, the openness of the Green Belt is still preserved as no new buildings are proposed. It will also not conflict with the purposes of including land in Green Belt in terms of

points (i) to (v) outlined above. There is therefore no conflict with Green Belt policy as set out within the NPPF.

Within the Unitary Development Plan, which remains part of the Development Plan albeit now dated, Policy GE1 of the UDP relates to development in the Green Belt and reiterates that the guidance within the NPPF that Green Belt, development will not be permitted, except in very special and that the purpose of including land in Green Belt must be protected. Policy GE2 of the UDP relates to the protection and improvement of the Green Belt. Policy GE3 of the UDP relates specifically to new building in the Green Belt; no permanent buildings are proposed within this application and it is therefore not considered relevant to this application. Policy GE4 of the UDP advises more generally on development and the Green Belt environment and states that the scale and character of any development which is permitted in the Green Belt, or would be conspicuous from it, should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment. The justification to this Policy makes it clear that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt. In this case, the proposed cycle and pedestrian route is considered appropriate within the Green Belt in accordance with the NPPF; whilst it will include the provision of a new hard surface along the route, this was a railway track with a similarly hard surface. Moreover, the macadam surface will be softened by a green verge on either side. It must also be acknowledged that the cycle path will retain its designation as Green Belt such that it will continue to safeguard the countryside from urban development and urban encroachment and will ensure that the neighbouring urban areas do not merge into one another in accordance with Policy GE1.

With regard to Policy GE2 of the UDP, which relates to the protection and improvement of the Green Belt, whilst acknowledging that some growth has been cleared from the railway line to enable the cycle route to be constructed, there is no impact on the adjoining woodland or Ancient Woodland and this route will enable more people to access the countryside and enjoy the Green Belt to ensure its long term protection. With reference to Policy GE4 of the UDP, it is concluded that the Green Belt in this location will not be injured by the proposed strategic cycle route and it is therefore considered to accord with the objectives of Policy GE4.

In summary, it is concluded that the principle of creating a strategic cycle way and footpath will facilitate outdoor recreation such that it is not inappropriate development within the Green Belt and is therefore not contrary to the NPPF. It will also preserve its future function and status as Green Belt and is therefore in accordance Policies GE1-GE4 of the UDP. The principle of development is therefore accordant with up-to-date national and local planning policy.

Impact upon the amenity of adjoining residents

A key consideration in the determination of this application is the impact of the proposed route on the amenity of those residents that adjoin the route on the Cowley Estate, particularly where the railway line is at a higher level than the gardens of these properties. The application includes a number of cross-section drawings to illustrate the relationship between the route and these properties; they

illustrate that at the highest point, the former railway line is broadly at the same level as the first floor of these houses.

To address the potential for any overlooking between the proposed cycle route and these adjoining property, and to also address concerns about the security of these properties, the application includes the installation of a 2.4 metre high welded mesh securing fence along the entire rear boundary of these properties. Adjacent to the fence, a double row Hawthorne hedge will be planted. In addition, where there is the potential for overlooking between the route and the adjoining residential properties, the application has been revised from the original submission to include a 'dead hedge' to a height of 2 metres; a 'dead hedge' is an immediately dense structure that is constructed of on-site stakes, branches and prunings; it will provide an instant visual screen to prevent overlooking and reinforce the proposed Hawthorn hedge in the longer term.

A combination of the security fence, the Hawthorne hedge and the dead hedge are considered to provide an adequate security and visual buffer between the proposed route and the railway line to ensure that the amenity of the adjoining occupiers is protected.

With regard to concerns regarding unauthorised motorcycle access along this route, which is a concern of local residents, it is again noted that the scheme has been revised in the course of the application process. The initial application proposed an arrangement of staggered steel bollards at the entrance to the route from the Cowley Hill road bridge and at the access into Chapeltown Park. The installation of staggered bollards is the preferred approach of Sustrans who consider that barriers can have an impact on legitimate path users as they can be restrictive. They note that some wheelchairs and mobility scooters are at risk of exclusion by the barrier, particularly when set in a restrictive position and cyclists will often have to dismount and/or manhandle their bike through the control and this difficulty is dramatically increased when using a child seat, trailer or tandem. Sustrans recommend the use of other measures to limit access by motorbikes including signing to emphasise which users are not permitted to use a path; whilst they acknowledge that this signing is unlikely to deter those prone to anti-social behaviour, they note that it might aid the police in prosecuting offenders as they will have no excuse for taking their vehicles beyond the signs. Other measures such as increasing legitimate use of a path to improve natural surveillance and thus deter misuse, public surveillance and Police enforcement are also suggested. However, following on from the genuine concerns raised as part of the public consultation exercise and with an acknowledgment that unauthorised access by motorcycles is a particular on-going issue in this location the applicant has revised the scheme to include the installation of 'A' frame barriers at each entrance to the cycle route; these will be installed in a closed position to inhibit motorcycle access.

RESPONSE TO REPRESENTATIONS

In response to the objection that the project goes from nowhere to nowhere; this is incorrect as demonstrated in the above application. The scheme will form part of a strategic route that will link with an existing section of similar route to the south, which currently terminates beneath the Cowley Hill road bridge to a proposed

section of similar route to be created by the upgrading of and minor works to existing paths through Chapeltown Park to the north.

In relation to the concerns regarding access for horses within Chapeltown Park, this has now been addressed following the applicant's decision to omit access for horses along both the disused railway and within the park; for the present time, access for horses along the Trans-Pennine Trail will terminate at Cowley Hill as per the current situation until a suitable alternative can be sought in the future.

With regard to the concern about security fencing, the type of fencing proposed extends to 2 metres and is a mesh fence, which is an appropriate form of security fencing in this location and is a product that is designed as a security fencing product for commercial premises and schools etc. This fence adjoins the rear boundary of the houses that adjoin the path. In addition, it will be coupled with a Hawthorne hedge to be planted in front and a dead hedge to provide added visual protection as noted above.

In response to the concern that the hawthorn hedging should be of a mature planting, the applicant advises that successful establishment of mature plants is difficult to achieve and a stronger, denser hedge will be much more effectively achieved using smaller plants that can readily establish and adapt to local growing conditions. The applicant estimates a growing time for the hedge of 20-30cm per year but also notes that the 'dead hedge' will form an instant visual screen along the section of track where visibility is potentially a problem.

Concerns relating to loss or privacy are fully considered in the report above.

With regard to the comment from a resident requesting that a lockable gate be added to the rear of the properties that currently access the path thus creating, rather than denying access to the pathway, it is considered that this is actually a private matter between the owner of the land (Railway Lands Limited) and the resident rather than a matter for the Council to address within this application. The essence of this application is to provide a secure boundary between the cycleway and residential properties – there is no formal right of access between the gardens and the railway line such that there no formal need to provide a gate.

In response to the comment that one resident has used the embankment as part of their garden and also use it to gain access to the railway line; this land is clearly not within the resident's ownership as the land belongs to Railway Lands Limited such that there is no formal right of access. Should the resident wish to formalise the use and access, this is a civil matter to be discussed separately with Railway Lands Limited.

In response to the comment from CRAG in relation to Chapeltown Park, this application clearly promotes walking and cycling, which is entirely compatible with the use of the Park. In any event, little work will be required within the Park boundary apart from minor surfacing and entrance alterations, which will fall within the Council's permitted development rights

In response to the comment from CRAG that this is surely a new public right of way as no public right of way currently exists, it is advised that the proposed route will not be a Public Right of Way and no Bridleway Creation Order will be issued. Instead, it is intended that the landowner – Railway Paths Ltd – will grant a permissive right of public access.

CRAG raise concerns that the use of a soak away for surface drainage will contribute significantly to water issues behind Cowley estate and additional water seepage to Blackburn Brook and no consideration is given to the effect of the RecyCoal activity adjacent to this scheme. CRAG consider it essential that additional investigation and modelling is required as this scheme will replace a soil substructure with impermeable bitmac surface of approximately 26,000 square metres or 2.6 hectares. In response, the applicant advises that the total area of bitmac surfacing proposed is approximately 2'600 square metres and not 26'000 square metres as stated (3m wide path approximately 875m long). It is also intended to create a crossfall across the path to drain surface water to the east into the existing railway drain such that surface water run-off is not considered to be an issue.

In response to CRAG's concern about contamination, the proposed route is outside the Hesley Wood tip site and no removal of existing material is proposed. The applicant has also advised that very little excavation is required with the new surface laid over reconsolidated in-situ material such that a contamination report is not warranted in this case.

SUMMARY AND RECOMMENDATION

This application proposes the change of use of a former and now disused railway line to create an off road pedestrian and cycle route. This new route will link with an existing section of similar route to the south, which currently terminates beneath the Cowley Hill road bridge to a proposed section of similar route to be created by the upgrading of and minor works to existing paths through Chapeltown Park to the north. These will all form part of the Trans-Pennine Trail network.

Within the UDP the disused railway line is clearly shown as a proposed strategic cycle/footpath linking from Cowley Hill through to Coppice Rise. Both the UDP at Policies T7, T8 and T11 and SDF Core Strategy at CS55 highlight the importance of developing safe and accessible pedestrian and cycle routes to form a sustainable strategy for travel around the City and provide access to the countryside. Given that the railway line is clearly identified as a strategic cycle footpath link, the principle of development is therefore firmly in accordance with relevant and up-to-date planning policies. It also accords with the sustainable objectives of the NPPF, which include at Paragraph 35 a requirement to give priority to pedestrian and cycle movements and give people a real choice as to how they travel.

Whilst located within the Green Belt it is concluded that the principle of creating a strategic cycle way and footpath will facilitate outdoor recreation such that it is not inappropriate development within the Green Belt and is therefore not contrary to

the NPPF. It will also preserve its future function and status as Green Belt and is therefore in accordance Policies GE1-GE4 of the UDP.

With regard to the impact upon the amenity of adjoining residential occupiers it is concluded that careful consideration has been taken of the relationship between the proposed route and the adjoining residential properties and the measures put in place, in terms of the security fencing, Hawthorne hedge and dead hedge will ensure that the amenity of adjoining residents is suitably preserved.

In conclusion, the proposed development is considered to accord with up-to-date Local Planning Policy such that in accordance with Paragraph 12 of the NPPF, the application is recommended for approval subject to conditions.

Case Number	13/03618/FUL
Application Type	Full Planning Application
Proposal	Retention of front porch to dwellinghouse
Location	414 Windmill Lane Sheffield S5 6FZ
Date Received	18/10/2013
Team	City Centre and East
Applicant/Agent	Mrs L Malia
Recommendation	Refuse with Enforcement Action

Subject to:

- 1 The Local Planning Authority considers that the design of the porch by reason of its scale, form, detailing and materials is out of keeping with the design of the existing house and is injurious to the character of the property itself and the existing street scene. It is therefore contrary to Policy H14 of the Unitary Development Plan, Guideline 2 of the Supplementary Planning Guidance on Designing House Extensions and Policy CS74 of the Core Strategy.

Attention is drawn to the following directives:

1. The Director of Development Services or the Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the porch. The Local Planning Authority will be writing separately on this matter.
2. 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.
3. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

Drawings, photographs and details received 18/10/2013, 04/03/2014 and 03/04/2014

Site Location



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LOCATION AND PROPOSAL

The application relates to an end of terraced property, located in a terrace row of 6 dwellings with a feature front gable constructed in red brick.

The immediate area is characterised by a mixture of brick/render semi-detached and terraced properties of varying design. St Hilda's Church, in the process of demolition, is located opposite the site. The area is primarily residential in nature.

The subject site has a small front garden area which is bounded by a dwarf stone wall with a railing above to an approximate height of 1 metre. The dwelling has the benefit of a shared driveway to the side providing off-street parking accommodation to the rear in the form of a garage and driveway.

The application seeks retrospective consent for the construction of a large UPVC porch to the front of the dwelling, which has the characteristics of a small conservatory.

RELEVANT PLANNING HISTORY

No relevant history.

SUMMARY OF REPRESENTATIONS

No representations have been received in respect of this application.

PLANNING ASSESSMENT

Policy Issues

The application property is sited within a Housing Policy Area as defined by the Unitary Development Plan (UDP). The most relevant planning policies in determining this application are outlined in Policy H14 'Conditions on development in Housing Areas' and Policy CS74 of the Core Strategy. Weight is also given to guidelines stated within the adopted Supplementary Planning Guidance (SPG) - Designing House Extensions.

Policy H14 (Conditions on Development in Housing Areas) part (a) expects that new buildings and extensions are well designed and are in scale and character with neighbouring buildings; and (c) the site would not be over-developed or deprive residents of light, privacy or security.

Policy CS74 of the Core Strategy, which was adopted in March 2009, also advises that high quality development will be expected which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

The National Planning Policy Framework (NPPF) which was adopted in March 2012 affirms, in paragraph 131, the desirability of new development making a positive contribution to local character and distinctiveness.

Guideline 2 of the SPG on Designing House Extensions expects that porches should be constructed in a style that complements the existing dwelling and should not normally project further forward from the front elevation than 1.5 metres.

The porch which is the subject of this application projects out from the main front wall of the dwelling by 2.1 metres and is 2.4 metres in width. The porch has a mono-pitched style roof which graduates to a total height of 2.7 metres. The projection of 2.1 metres is considered excessive and contravenes the guidance of a 1.5 metres projection.

Design Issues

The location of the porch to the front of the dwelling renders it visible in the street scene context and consideration of its design is therefore an important factor.

The porch is constructed of white UPVC and is partially glazed to three sides with the use of further white UPVC to the walls. It looks very much like a small conservatory and appears at odds with the host property, which is constructed of brick with a slate roof. The scale of the extension and its materials result in a structure that detracts from the character of the existing dwelling in addition to the existing street scene.

It is not considered that any attempt to remedy the existing porch is possible on a practical level. A more appropriate solution would be a modestly proportioned brick built structure with a pitched roof and gabled front, to reflect the existing character of the house.

Amenity Issues

It is not considered that the porch significantly affects the amenity in terms of loss of light or dominance. It is its large scale and visual impact which is the issue in this case.

ENFORCEMENT

As this application seeks permission to retain the porch that has already been constructed at the site, enforcement action will be required to remedy the situation, if Members agree to the decision recommended in this report.

SUMMARY AND RECOMMENDATION

The application seeks retrospective permission to retain a large UPVC porch to the front of a dwelling on Windmill Lane.

The principle of a porch to an existing dwellinghouse is in accordance with Policy H10 of the UDP.

The design of the porch using UPVC materials in its entire construction including, doors, windows and walls, together with its shallow roof structure and large scale -

especially given its visibility in the street scene - is contrary to the intentions of Policy H14 of the UDP, Policy CS74 of the Core Strategy and Guideline 2 of the SPG.

The dimensions of the porch are considered to be out of scale with the host property and clearly contravene Guideline 2 of the SPG, particularly given the terraced nature of the block and its proximity to the highway.

In conclusion, it is recommended the porch be refused planning permission and that enforcement action be taken to secure its removal within 3 months of the date of this decision.

It is therefore requested that the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action, including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised porch within 3 months of the date of this decision.

Case Number	13/03412/FUL (Formerly PP-02929113)
Application Type	Full Planning Application
Proposal	Change of use from grazing land to caravan and campsite, conversion of redundant agricultural buildings to create a reception area, indoor play area and Shire Horse stud area and the construction of a new building to provide a toilet/shower block
Location	Little Intake Farm Woodhead Road Grenoside Sheffield S35 8RS
Date Received	08/10/2013
Team	West and North
Applicant/Agent	DLP Planning
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.

Reason; 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:

Drawings numbered:

2012-61-2C

2012-61-3B

2012-61-4B

Reason; In order to define the permission.

- 3 Prior to the commencement of development, details of the sewage treatment plant shall have been submitted to and agreed in writing by the Local Planning Authority and such plant shall be implemented in accordance with approved details prior to the commencement of the use and retained thereafter.

Reason; In the interests of the visual amenities of the locality.

- 4 Prior to the commencement of development and notwithstanding the approved plans, an interim site layout shall have been submitted to and approved in writing by the Local Planning Authority which acknowledges the routes of existing footpaths and bridleways passing through the site. The camp/caravan site shall operate in accordance with the approved interim scheme until such time as the Footpath Diversion Order has been secured upon which the scheme shown on drawing 2012-61-2C shall be implemented.

Reason; In the interests of pedestrian safety.

- 5 Prior to the commencement of the use, details of the operation (opening/closing) of the Forestry Commission gate next to Woodhead Road car park shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the gate shall operate in accordance with the approved details.

Reason; In the interests of pedestrian safety.

- 6 The materials to be used externally shall match those of the existing building in colour, shape, size and texture.

Reason; In order to ensure an appropriate quality of development.

- 7 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.

Reason; In the interests of the visual amenities of the locality.

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

Reason; In the interests of the visual amenities of the locality.

- 9 The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

Reason; In the interests of the visual amenities of the locality.

- 10 The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason; To ensure that the local planning authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

- 11 Prior to the commencement of development, details of bat roosting provision in the roofs of the buildings shall have been submitted to and agreed in writing by the Local Planning Authority. Such bat roosts shall be incorporated into the buildings prior to them becoming operational and shall be retained thereafter.

Reason; In the interests of biodiversity.

- 12 From 1 April to 30 September the campsite will be open to vehicles between 0730 and 2200 hours and the reception shall be open between 0800 hours and 2000 hours. From 1 October to 31 March the campsite will be open to vehicles between 0900 hours and 2200 hours and the reception shall be open between 0900 hours and 1800 hours.

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

- 13 The occupation of the living accommodation in the barn shall be restricted to person(s) employed at the caravan and camp site and shall not be used as a separate dwelling.

Reason; In order to define the permission.

Attention is drawn to the following directives:

1. As the proposed development will involve the closing/diversion of a footpath(s) you are advised to contact the City Solicitor and Head of Administration, Town Hall, Sheffield, S1 2HH, as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the footpath(s) under Section 257 of the Town and country Planning Act 1990.
2. The applicant is advised to contact Mr M Hanson as a matter of urgency on 0114 2736117 to discuss the interim camping site layout that acknowledges the routes of existing footpaths and bridleways passing through and around the site.
3. The applicant is advised to contact the Forestry Commission with respect to agreeing arrangements for the operation of the gate at the Old Woodhead Road car park.
4. 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.

5. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

LOCATION AND PROPOSAL

This application relates to a 2.6 hectare site surrounding Little Intake Farm in Grenoside of which about 2 hectares comprises the main application site and 0.6 hectares comprising the access road. The site is accessed via an existing long track from the Old Woodhead Road. The entrance from the Old Woodhead Road is into a Forestry Commission car park from where there is a Forestry Commission track providing access into the woodland that lies to the west of the site. After a distance of approximately 140 metres along the Forestry Commission track, over which the applicant has a right of access, there is a turning into another track that leads south-westwards to Little Intake Farm; this track is approximately 1.55 kilometres in length with two passing places.

The main part of the application site (i.e. excluding the access road) is positioned to the west of Old Woodhead Road. It is approximately 120 metres in width and 250 metres in length and is nestled between woodland. Indeed, to the north and west, it is bounded by Stead Woods and to the east by further woodland. To the south is further grazing land. This main part of the site presently comprises grazing land on each side of the access track and then, at the southern end of the site, is the existing Little Intake Farm, which currently comprises a stone barn, a stable block and two more modern sheds. The stone barn extends to 15 metres in length and 8.1 meters in width with a gross external area of 130.5 square metres; it is two-storeys in scale. The two sheds are 23 metres x 12.2 metres and are also two storeys in height. Adjacent to the barn is an existing stable block and also the remains of a now derelict building.

This application, as amended, seeks the change of use from grazing land to a caravan and campsite. The plans indicate the creation of a caravan area for up to 31 touring caravans on the west side of the track and then an area of camping on the east of the track with an informal amenity area to the north of the caravan section. Permanent caravan pitches are not proposed. The camping area for tents would be informal with no pitches marked out.

With respect to the surfacing of the site, the access drives for the caravans would be eco web or grass crete and electric points would be provided. The remainder of the site would remain as grass.

The application also includes the conversion of the existing agricultural buildings to create a reception area, indoor play area and a toilet block. The original submission proposed the construction of a new building to provide a toilet/shower block but this has subsequently been omitted from the proposal on the grounds that there are sufficient existing buildings on this site to accommodate a toilet/shower block without the need for new development. Accordingly, the proposal also includes the conversion of existing buildings.

The barn is proposed for conversion to a reception and information centre at ground level with accommodation for a site manager at first floor level comprising a kitchen, lounge and two bedrooms within the roofspace. This requires some minor alterations to the building comprising the installation of rooflights. One of the existing sheds is proposed for conversion to an indoor play area to include a

climbing wall and indoor play equipment with the second shed proposed for conversion into an amenity block. This requires the installation of new doors and windows. The stable block remains as existing.

The application submissions suggest that the campsite will be open throughout the year. It states that between April and September, the campsite will be open to vehicles between the hours of 0730 and 2200 with the reception open between 0800 and 2000. In the winter, it is proposed that the vehicular access be open between the hours of 0900 to 2200 with the reception open between 0900 and 1800. The application form states that 1 full time job will be created and 10 part-time jobs.

RELEVANT PLANNING HISTORY

There is an extensive planning history to the application site. The applicant also owns some of the adjoining land as this application relates only to the 2.6 hectares within the red line boundary. The most relevant applications to this site and the adjoining land are summarised below:

07/00376/CHU: Alterations to clubhouse to form a café.
Refused: 24.10.2007

This application was refused on the grounds that it represented inappropriate development within the Green Belt and the use would have a materially greater impact on the openness of the Green Belt than the present use of the building leading to more activity and traffic in the area and there were no special circumstances to justify a departure.

07/00371/FUL: Formation of horse riding exercise area
Approved: 24.10.2007

05/00011/IH: Conversion of barn to form dwellinghouse.
Dismissed 11.07.2006

04/03904/FUL: Conversion of barn to form dwellinghouse.
Refused 01.12.2004

03/02923/FUL: Conversion of barn to form dwellinghouse.
Withdrawn 20.01.2004

03/01061/FUL: Retention of improvements to access road.
Granted: 07.08.2003

02/01658/FUL: Erection of stable block.
Granted 28/08/02

00/00478/FUL: Erection of agricultural buildings or livestock housing & agricultural storage (application for determination as to whether approval of details is required).
Granted 06.02.2001

01/01533/FUL: Erection of 6 stables in one single storey block.

Granted: 18.12.2001

00/01070/FUL: Erection of an equestrian centre and disabled riding facility
Refused: 26.09.2000

97/00765/FUL: Erection of agricultural building (application for determination if approval of details required for agricultural permitted development).
Granted 21.07.1997

SUMMARY OF REPRESENTATIONS

The application has been advertised by means of site notice, press notice and widespread neighbour notification. A total of 111 representations have been received of which 59 object to the proposed development and 52 are in support. Two petitions in support of the application have also been submitted with a total of 163 signatures.

Letters of support

A letter of support has been received from 'Welcome to Yorkshire' who advise that there is a market for the type of holiday experience that the applicant is seeking to provide at Little Intake Farm and there is also anecdotal evidence that developments of this nature are able to create markets of their own such that this new money feeds into the local economy. Welcome to Yorkshire advises that they depend on tourism businesses like that proposed and are therefore happy to offer their full support for the scheme.

A letter of support has been received from a business owner at Norfolk Hill, Grenoside, who advises that there is a need for increased facilities and services for tourists in this part of the City and this development will contribute to the local economy

A letter of support from the landlord of the Old Red Lion in Grenoside has been received on the basis that as a small business owner in Grenoside, he considers that the development would be beneficial to all businesses within Grenoside and the surrounding areas and increase the customer base. He considers that it will also benefit the community by providing employment opportunities. The landlord of The Old Harrow is similarly supportive, particularly with the Tour de France approaching. The landlord of The Angel Public House at 151 Main Street notes that at last, someone is prepared to invest money in the area, which will provide employment, more business locally as well as the fact that there is nothing like this for many miles.

A similar letter has been received from the owner of the newsagents at 176-178 Main Street, Grenoside, from MW Roofing in Grenoside and from Pete's Chippy at 167-169 Main Street. Other business letters of support have been received from Hoyland Insurance Brokers in Barnsley, Complete Kitchen and Bedroom Solutions in Hillsborough and JB Doors in Rotherham.

A further 8 letters of support have been received from residents of Grenoside. A resident of Norfolk Hill considers that it may bring new business; a resident of Main Street considers that Grenoside Woods is 'crying out for this kind of venture' and a resident of Woodhead Road considers that it will be a boost for the local area and provide job opportunities. A fifth letter of support comes from another resident of Main Street who acknowledges the job creation and that it will allow other people to share the area, whilst the sixth, from another resident of Main Street notes that there are very few campsites in the area and it would be a great place for people to stay in the area. The seventh, from another resident on Norfolk Hill considers that this will make a beautiful area more accessible and will be a good way for families to experience the countryside whilst the eighth considers that it will deliver something that is missing.

13 letters of support from residents in Barnsley (S75), Stannington (x5)(S6), Sheffield (S5), Sheffield (S2), Sheffield (S11), High Green (S35) Dronfield, Loxley, Stocksbridge and Oughtibridge (x2) have been received; most consider that this is an ideal destination near to Wharnccliffe Woods and the Trans-Pennine Trail to support a visitor facility and boost the local economy.

A further 18 representations of support have been submitted via the Council's website. These have been received from Grenoside and the wider Sheffield area and beyond – 5 are residents of S6, 2 from S36, one from S65, one from Grenoside, one from S17, one from S35, two from S9, two from S11, one from S1, one from DN3 and one from DN9. These letters of support highlight a number of issues, summarised below:

- (i) It is a great location for a campsite;
- (ii) It would help the community and create jobs;
- (iii) It will bring tourism to the area, which will bring jobs and build the profile of the area; in turn, this will help protect Sheffield for the future;
- (iv) A change of use to a campsite will preserve the farm land in a sustainable fashion. He questions what the point of Green Belt is, if not for the enjoyment of all. It will enable children to camp in a forest and learn about nature.
- (v) It will generate trade and possible jobs;
- (vi) The woodlands are a great local asset and any development that improves people's access to the area should be welcomed. The current footpaths are currently boggy and difficult to pass so an improvement to them would be welcomed. The supporter is a runner and whilst running around the area, he considers that away from the car park, it is rare to encounter more than 10 others using the paths and trails such that it is unlikely the area will become overrun;
- (vii) This will revitalise Little Intake Farm, which has continually suffered from vandalism and neglect;
- (viii) This would be an appropriate venue to bring children with learning difficulties and it will be beneficial to local communities;
- (ix) Roundabout is a homeless charity and they welcome the facilities that give young people new and positive experiences;
- (x) There will be a great demand for this site and there are very few campsites in the local area. The wildlife surveys show no issue concerning habitats and in fact, it suggests a way of incorporating new potential habitats within the scheme. There

are many campsites that operate within National Parks and SSSIs without causing any issues.

A letter of support from the Country Land and Business Association has been submitted. They represent owners of rural businesses and agricultural land and the applicant is a Member. They consider that this development will support economic growth, will result in sustainable tourism, will have little impact on the Green Belt as it lies in a secluded valley and will help meet a local demand for holiday provision. They also note that it is in a unique position to take advantage of the Tour de France next year.

Two petitions in support of the application have been received. One comprises 140 signatures; these are from Grenoside and the surrounding area including Penistone, Hillsborough and Chapeltown. The second petition contains 23 signatures from Grenoside and other parts of Sheffield; both petitions consider that this scheme will be a boost to the local community and given children and families the chance to get outdoors and be more active.

Letters of objection

A total of 59 objections to the application have been received, the majority of which are residents of Grenoside and the immediate surrounding area. The letters of objection are generally consistent in the concerns that they raise, which are broadly summarised below:

Green Belt

This will be a large development of 70 caravans within the Green Belt;

The conversion of the barn to residential accommodation is completely unacceptable and residential use of any sort should be refused;

The scale of the development would completely ruin the woodland and spoil the area for locals;

The Green Belt should not be compromised for commercial gain;

It would be unfortunate if the approval for permanent residential accommodation for the site manager could be used as a precedent to enable further residential development, either on this site or on adjacent areas;

Detrimental visual impact

Amenity

It will no longer be a tranquil place;

Noise disturbance in a quiet rural area;

The peaceful ambience will be ruined;

Grenoside's Village Plan states that villages consider the quality of the countryside around them to be a major asset – invaluable to everyone and it should be left undisturbed at all costs. If the project is approved, there will be a substantial disturbance to the village and surroundings, which is not in their plan;

A few years ago the site was used for a weekend camp for 30 tents and the nightly noise was unacceptable and an indication of what to expect if planning permission is granted;

Concern about the noise from the increased number of visitors to Grenoside village, particularly at pub closing time.

Highways

Increase in traffic on Main Street and Woodhead Road;

Traffic coming into and out of the entrance/exits to Wheata Woods;

A hazard and disruption to cyclists, walkers and riders;

Too many cars, vans and lorries passing through the top of Wheata Woods where people park for dog walking, cycling and running etc.;

The track would not be suitable for the movement of potentially large vehicles;

The constant emptying of septic tank waste would involve a large vehicle;

Access would be one of the main problems as it is just a single track through the wood;

Woodhead Road is completely unsuitable for caravan traffic; it is narrow and in desperate need of repair;

Access is totally unsuitable through Grenoside;

Inadequate car parking on the site – where will the 70 vehicles park?

Conservation

The scheme will damage the conservation area that people enjoy in Wheata woods and the surrounding area – it should be preserved and not vandalised.

The wildlife, plants and trees should be protected for the future generations;

The effect of flora and fauna will be more dramatic than suggested in the application; the Wildlife Trust mention a buffer zone of 15-30 metres, which would fill the narrow sloping site and mean that the proposal is not practical;

Wheata Woods is a Local Nature Reserve and is semi-natural Ancient Woodland as well as Green Belt; it has a city-wide value for nature conservation and supports several UK Biodiversity Action Plan priority species. More people will result in more disturbances;

Whilst the ecology surveys have found little of ecological interest, the impact will not end at the boundary of the site; thought needs to be given to the impact of noise and light pollution on the fauna in the area;

Concern about the presence of holidaymakers on the adjoining nature reserve. This will increase the levels of litter, the chances of anti-social behaviour and fire starting in a protected space.

Other

Environmentally unsustainable due to litter etc.

Over-development of a peaceful site in the Green Belt with 70 caravans and camping plots;

There is no water or electricity so these will need to be brought in and will spoil the site;

What about human waste? The waste will be discharged into a little stream at the side of the fields and if it isn't managed properly will pollute the streams;

A more favourable development for an Outward Bound Centre was turned down some years ago and the site should continue to be protected;

The concentration of use will affect the wildlife and the village itself; it is just a money making venture;

Acknowledged that accommodation is need for a busy site but such accommodation was previously rejected on the previous application. Should the project prove a commercial failure, the developer would be left with an authorised accommodation on a large easily cleared site;

Concern that it will become a site for travellers;

Concern that it will lead to future development of the site for other uses;

Concern about noise given previous issues on the site relating to music events;

The applicant has tried and failed to development this area over the past few years and failed, always leaving an ugly mess;

The site is unsuitable for camping as it is boggy and steeply sloping from east to west such that it suffers from very poor drainage and eco-web/grasscrete will not be adequate;

The proposals for waste treatment 'look like an accident waiting to happen' and if the streams were polluted, it would affect watercourses all the way to Oughtibridge;

The site has already been listed in Yorkshire.com and the accompanying events are way over what is outlined in this application; including the sale of alcohol and barn dances, which will no doubt continue into the night;

The existing public rights of way in and around the site allow for the peaceful and tranquil enjoyment of this beautiful area and to lose this inheritance would be a travesty;

The site should only be for short term holiday usage and careful management will be required to control occupation;

The Tour de France will no doubt bring short term interest but the long term is less secure and what will then happen to the site?

Concern that an increase in holidaymakers will create more anti-social problems and change the area. There will be further problems with drugs and alcohol at the parking site near the camp;

Concern that there is a long history of planning applications at this site, most of which have been refused and we need no more construction in the Green Belt;

The objector asks Members to note that many of the supporting comments are bulked up by supporters on a personal level for the applicant rather than for the actual campsite;

The Council would be setting a precedent, which may allow further expansion;

How many solar panels would be needed to power the indoor play etc – likely to be out of character in the Green Belt;

Concern about a possible Phase 2 development;

The site has been the location for illegal raves in the past and the sound has been audible over a wide area;

It is not clear whether the site will be for visitors only – that is to say, touring caravans, motorhomes and guests staying in tents. Demand will likely fall from 2015 and it should not be able to be converted into a permanent residential site;

The negative effects on Grenoside Village and the environment far outweigh the possible effects.

One letter of comment suggests that whilst not opposed to a well-managed seasonal tourist campsite, there is concern that it could turn into more as the information provided is vague. It would completely change the character and appearance of this pleasant and rural area.

In addition to the above comments, the following representations from Wildlife Groups and other interested and Statutory Consultees have been received:

The Ramblers Association (RA) have written to raise some concerns. They advise that three public footpaths cross the fields, one of which is nearly always boggy. There are also other public footpaths and tracks running adjacent to the site and it is considered that there will be conflict issues if this commercial venture is allowed. The RA also consider that this will be a huge step change towards changing the heath and woodlands of north Sheffield from a wildlife haven and place of tranquillity to a theme park.

The Sheffield Wildlife Trust has submitted a comprehensive response to the application and they advise that as owners and managers of nearby Greno Wood, they have a particular interest in this application. The Wildlife Trust do not object, in principle, to some kind of camping facility in this part of Sheffield, and recognise the benefits this could bring, but with caveats (set out below) due to the sensitive nature of the site proposed.

With regard to site designation and location, they appreciate the site is farmland in private ownership but they note that the proposed development footprint is in the Green Belt and therefore only low-key use of the site would be acceptable. It is also in an Area of High Landscape Value and therefore only 'low-key' development would be appropriate as recommended by Sheffield City Council. In addition, it is part of the South Yorkshire Forest and in a complex of woodland in Northern Sheffield and is adjacent to a Local Wildlife Site. The Wildlife Trust advise that it is currently unclear whether the site is included in or is adjacent to the 'Wheata Woods Local Nature Reserve'. The applicant's ecological report states there are errors on the MAGIC (Natural England) map. This is unclear and is being investigated by the Sheffield City Council Ecology Unit. If the area is found to be part of the LNR, the Wildlife Trust would have to object to its change of use. However, their current response is based on the LNR and LWS being adjacent to the site.

The application states in his application that there would be no reasonable likelihood of protected or priority species being affected adversely 'on the development site' or on 'land adjacent to or near the development site' (Q13). They disagree that the application can state this as the ecological report submitted with the application does not fully survey the adjacent land outside of the development footprint, so this information is not complete. Given the nature and designation of the surrounding woodland, the Wildlife Trust consider that there is a good chance that such species are present and therefore could be adversely affected. The report says 'the land adjacent to the survey area was assessed for bat roosting and foraging potential' – but how much land was surveyed and April is not an ideal time for such a survey. It is noted that the ponds search and white-clawed crayfish potential survey extended to include areas close to the site. As well as searching the NBN – the Sheffield Biological Records Centre should have been searched as a starting point for any such site assessment. They also note that the phase 1 survey was carried out in April – not an ideal time of year for such a survey.

The Wildlife Trust seeks clarification on the Local Nature Reserve boundary. They would like to see bird surveys and additional bat surveys on the development footprint and adjacent land, the retention of the trees target noted as T6 and T7 if the application is approved and an enhancement of the ecological buffer between the proposed campsite development and the surrounding designated woodland as recommended in Sheffield City Council Planning policy G1.

In addition, the Wildlife Trust notes that no recycling collection facilities are proposed for the campsite. They highlight that despite the large number of pitches, there are no parking areas planned onsite – it is unclear whether people should park on/next to their pitch or in a car park. This needs to be clarified as the risk is that the Wheata Wood/Greno Woods car park could become a de facto car park for the private caravan park, and dangerous and obstructive road parking on Woodhead Road would increase.

They query whether a traffic impact study should be carried out. The proposal suggests that gates currently restricting access to Wharncliffe Wood would apparently have to be kept open for long hours, meaning off-roaders would have unobstructed access to the woodland.

The Wildlife Trust note that public footpaths run along the proposed campsite and caravan park and query what will happen to access to these? They are also concerned about the robustness of the water/sewerage treatment proposals. Is it sufficient to protect the surrounding sensitive land and water courses? They would like to see the professional view of the Environment Agency on this matter. They note that the site earmarked for the caravan site is sloped and waterlogged in bad weather, would this mean some, levelling, drainage work or even hard-standing would have to take place? It is unclear how much, if any of the proposed site would require hard-standing of any kind (rather than grass) – this would impact on the nature of the site in its woodland setting.

With regard to whether it is a 'low-key' proposal, the Wildlife Trust consider that the extent/ambition of the proposal is not completely clear; they consider that the current application is fairly specific, but wider communications from the applicant suggest bigger ambitions. They note that the pre-application response recommends 'temporary use by a limited number of caravans' and they feel the number of caravan pitches proposed exceeds this recommendation and is too many for this sensitive site. In particular, they are concerned by the proposed site design showing caravan pitches right up the edge of the woodland with no buffer to reduce potential disturbance from noise, litter, light and dogs.

A falconry centre and displays are mentioned by the applicant generally but this is not included in the current planning application. What is the scope of this proposal? Does it require separate planning permission? What would the cumulative impact on traffic/car parking be?

The Wildlife Trust note that the campsite is already advertised on Welcome to Yorkshire website as being 'open now for Tour de France bookings', despite not being approved for construction yet and this webpage lists a number of 'features' of the campsite including: barn dances, hog roasts, a bottle bar, live music and mini

buses to and from local pubs. They are concerned that these proposed features/activities are not made clear in the planning application and do not fit with the recommended 'low-key' recommendation that may be appropriate for this particular site. Light, noise, litter and traffic disturbance over long hours would increase the potential disturbance to wildlife in the surrounding designated areas. They question whether it is necessary for such a site to be open all year round?

Finally, the Wildlife Trust advises that if this application is approved, they welcome the proposed re-use of two buildings, which is in-line with the Green Belt Policy. They would like the applicant to consider a 'green roof' on the proposed new ablution block in line with Sheffield Development Framework Climate Change and Design SPD and Practice Guide: Guideline CC1 Green Roof Policy'. They would like to see the green roof benefit local biodiversity as much as possible, given the sensitive nature of the site. The Wildlife Trust welcome the inclusion of an outdoor 'natural play space' and would like to see the use of natural materials where possible being a planning condition, given the location of the site. They would also like the 'landscaping planting' mentioned to be appropriate native species as recommended by the South Yorkshire Forest Partnership.

The Forestry Commission have responded as they hold the title to Wharncliffe Wood. They wish to draw the Council's attention to the fact that the applicant has indicated on their planning drawings that a direct access point will be created from the campsite into the adjacent Wharncliffe Wood. There is no legal right of access from this adjacent land on to the Forestry Commission land and the applicant has not approached the Forestry Commission in this regard.

The Sheffield Bird Study Group have objected on the grounds that the site is in the heart of some of the area's most diverse and well-loved woodland and on the very edge of two nature reserves, the Local Nature Reserve of Wheata Wood and the Wildlife Trust's Reserve of Greno Woods. They have confirmed sightings of sensitive bird species in close proximity to the site including Wood Warbler, Bullfinch and Chaffinch. The Bird Study Group consider that the scale of development will be detrimental to the woodland and their habitats in terms of disturbance, noise and litter as well as being problematic for those that already enjoy the woodland as a result of traffic, security, parking and access. They consider that the timing of the application presents concerned bodies performing their own investigations of the surrounding site's breeding fauna and they are also concerned about this type of development taking place in Sheffield's Green Belt.

A letter of objection has also been received from the Council for the Protection of Rural England (CPRE). They object to the application on the grounds that it would amount to inappropriate development in the Green Belt. CPRE fully support the comments of the Sheffield Wildlife Trust and in particular, echo their concerns about (i) the scale of the development and the implications for generating noise, road traffic and disturbance in an otherwise quiet location, (ii) impacts on the Area of High Landscape Value and Wheata Woods, which they feel have not been fully evaluated within the application and (iii) the implication within the application for future expansion, which would be of even greater concern to CPRE and they state that it is important that this proposal does not establish a precedent on the site for a damaging change of use.

Finally, Angela Smith MP has responded to advise that a number of her constituents have expressed their concern about this proposal, situated in the Green Belt, within an Area of High Landscape Value and bordering two local Nature Reserves. She notes that constituents feel that this is another attempt to authorise residential development of the land, which has previously been resisted by the Council. Angela Smith is informed that there are grass snakes and BAP listed bird species on the site and that disturbance would prove harmful to these. It is also understood that the site lacks water and electricity, the infrastructure for which will constitute a risk to wildlife.

Whilst Angela Smith notes that recreational uses can be appropriate in the Green Belt, the scale of these proposals would, in her view, imply significant disturbance, additional noise and traffic. Angela Smith recommends that the application is rejected as it would constitute inappropriate development in the Green Belt, whilst not satisfying the 'exceptional circumstances' requirements for development in the Green Belt.

PLANNING ASSESSMENT

This application proposes the change of use of grazing land surrounding Little Intake Farm to create a camping and caravan site. It includes the conversion of an existing vacant barn to create a reception and information centre, which also incorporates a manager's flat, and the conversion of two other barns within the application site to create an internal children's play area and washing and WC facilities. The key issues to consider in the determination of this application include the following:

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

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

Policy and Land Use

Paragraph 12 of the National Planning Policy Framework confirms that 'proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise'.

The NPPF confirms at Paragraph 79 that the Government attaches great importance to the Green Belt and confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also confirms that the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 80 of the NPPF clarifies that Green Belt serves five purposes:

- (i) To check the unrestricted sprawl of large built-up areas;
- (ii) To prevent neighbouring towns merging into one another;
- (iii) To assist in safeguarding the countryside from encroachment;
- (iv) To preserve the setting and special character of historic towns; and
- (v) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 87 of the NPPF advises that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 88 then advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 90 of the NPPF clarifies that certain other forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. This specifically includes provision of appropriate facilities for outdoor sport, outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. As part of their original submission, the applicant considered that a camping and caravan site constituted outdoor recreation such that it was appropriate in principle. However, it is the Council's view that that the determination of whether or not a camping and caravan site is appropriate development within the Green Belt is more complex.

This application seeks the change of use of vacant grazing land to provide a caravan and camping site. Within that, there is a proposal to convert some existing buildings to provide an indoor play area, a recreation and information centre with staff accommodation as well as the conversion of an existing building to provide a toilet block, which are all required as a consequence of the proposed change of use to a camping and caravan site; they are not independent of it. Paragraph 89 of the NPPF, which sets out the type of development that may not be inappropriate within the Green Belt, relates specifically to the construction of new buildings, of which none are proposed as part of this application. The essence of this proposal is the change of use of grazing land and agricultural buildings to camping and caravanning with associated facilities, as defined in the Design and Access Statement.

Paragraph 90 advises that the re-use of buildings, provided that the buildings are of permanent and substantial construction, may not be inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. However, the essence of this proposal is the change of use.

It is the Council's view that development in the Green Belt is inappropriate (and thus can be permitted only in very special circumstances) unless it falls within one of the exceptions identified in Paragraphs 89 and 90, which this proposal, as a change of use of grazing land and agricultural buildings to camping, caravanning and associated facilities, does not, regardless of whether or not the proposed use would fall within the outdoor sport and recreation use identified in Paragraph 81 of the NPPF. As such, it is determined that the camping and caravan site and associated facilities at Greno Woods, as proposed within this application, constitutes inappropriate development within the Green Belt and should not be approved except in very special circumstances. Furthermore, 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In considering the first matter of very special circumstances, the applicant has undertaken a review of camp site facilities in and around the locality and advised that very few facilities actually exist. Within Sheffield, only one small camp site has been identified within the Rivelin Valley – this is located off Roscoe bank close to the edge of Stannington and is also within the Green Belt.

Other camp sites in the area include a site at High Bradfield ; this is a temporary campsite promoted in order to deal with the anticipated Tour de France interests in the area in July 2014. It has very limited facilities and is located in the Peak District National Park

The next nearest site is the Holme Valley Caravan and Camping Park in Holmfirth, which is located approximately 15 miles north of the application site. This is located with a Green Belt land use designation and an SSI with facilities for caravans and tents.

Rockley Lane at Cawthorne, Barnsley is a site located approximately 12 miles north east of the application site within the Green Belt, again with facilities for caravans and tents

Woodhead Camping at Carlecotes is as small temporary camp site planned to cope with the demand of the Tour de France in July 2014. Again, this has very few facilities available on site and is again located in the Peak District National Park

Other sites within the locality include the Elder house Touring Caravan Park, Doncaster, near Thorne, Barlow Caravan camping at Barlow in North East Derbyshire, approximately 15 miles south of Grenowoods and Fanshaw Gate Caravan site, Holmesfield, North East Derbyshire, which is about 14 miles south of the application site.

Their assessment is consistent with a response provided by the Tourism Manager of Marketing Sheffield, the Sheffield City Council service responsible for tourism marketing and visitor services. They advise that the majority of caravan and campsites in and around the sub region are located in either Green Belt location or National Park designations. They note that currently, visitors to Sheffield who wish to camp, or bring a touring caravan are restricted to choosing camp sites in the

Peak District, or outside of the city boundary on sites which exist within the Barnsley, Rotherham and Doncaster boundaries. The only facility within the city, at Rivelin, has extremely limited facilities and is little more than someone's back garden. They therefore consider that there is a definite need for such a facility to be available within the city, and which can then be used in support of marketing the city to a wider audience. They state that the offer of a permanent camp site would open up opportunities to exploit the potential of the City as an 'outdoor' holiday/short-break destination. Those who take camping (whether tents or Caravan holidays) are often keen walkers, cyclists etc who would not stay in hotel accommodation. This, therefore, would not displace business from existing businesses. Similarly, the location of the proposed site at Grenoside would ensure provision of services – pubs, food outlets, shops – from which visitors would make purchases thus contributing to the local economy and village.

The evidence submitted by the applicant and independently supported by the response to the application submitted by Marketing Sheffield indicates that there is a shortage of camping and caravan facilities within the Sheffield region. The facility would contribute to the promotion of tourism within the City and it is considered that this, in principle, could constitute very special circumstances in this instance. However, whether the proposal is acceptable is subject to an assessment of whether they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt, which are matters considered fully in the report below.

Within the adopted Sheffield Unitary Development Plan (UDP), the application site is designated as part of the Green Belt and is also within an Area of High landscape value. The adjoining woodland to the east is designated as an Area of Natural History Interest.

UDP policy GE1 says that development in the Green Belt will not be permitted, except in very special circumstances, where it would lead to unrestricted growth of the built up area, contribute to the merging of existing settlements, lead to the encroachment of urban development into the countryside or compromise urban regeneration.

UDP policy GE2 seeks to protect and improve the Green Belt landscape. Those areas with generally high landscape value will be maintained and enhanced.

UDP policy GE3 deals with new building in the Green Belt and the construction of new buildings will not be permitted, except in very special circumstances, for purposes other than, amongst other things, outdoor recreation.

Members should note that no new buildings are proposed as the scheme is limited to converting existing farm buildings. The application, as originally submitted did propose a new building but this has since been removed from the proposal.

UDP policy GE4 says that the scale and character of development which is permitted in the Green Belt should be in keeping with the area and conserve and enhance the natural environment.

UDP policy GE7 deals with the rural economy and says that development will not be permitted which would result in the permanent loss of the best agricultural land or harm the viability of a farm. The value of the land is limited and used for grazing. The loss of the land would not affect the viability of a farm.

UDP policy GE8 deals with Areas of High Quality Landscape (AHQL) and seeks to protect and enhance good quality landscape.

UDP policy GE9 deals with the re-use and adaptation of rural buildings and this is permitted particularly where this would help to diversify the rural economy provided that the existing building is capable of such conversion without significant alteration or extension, there would be no harm to the countryside, any harmful impacts of the existing building are remedied and any historic character would not be compromised.

The proposal does involve the re-use of three existing buildings.

Core Strategy policy GE71 seeks to protect the Green Belt and endorses both NPPF and UDP policies.

Layout and External Appearance

The layout, as amended, shows the retention of the buildings at Little Intake Farm to be used in connection with the proposal. The existing stable block would be retained and the barn would be used as for reception and information purposes and staff accommodation at first floor level. The two sheds would be altered and shed 1 would be an indoor play area and shed 2 used as an amenity block including toilets and showers.

With respect to the external appearance of the sheds, this would be improved. The existing exterior of natural stone and slate would be retained and the large roller shutter doors, each shed has one, would be removed and infilled with stone to match the existing exterior. All new window and door openings would be of wood.

The areas used for camping and caravans would be centrally located, the buildings being to the south of this. To the west and north of the sheds is a natural children's play space/area and at the edges would be a 15 metre wide buffer zone between the new development and the adjoining woodland. At the north end would be an informal amenity area that would remain as grass.

The majority of the site would remain as grass but the access drives serving the caravan pitches would be of grasscrete. The existing rural and woodland setting would be supplemented with additional planting of native species, particularly around the caravan pitches and play area.

An existing access track leads from Old Woodhead Road which will be retained and improved to serve as the access to the site. Improvements will include passing places within the site and the existing route will be retained through the middle of the site, the camping and caravan sites being located each either side.

A small on-site sewage plant is proposed on the west side of the site within the buffer zone and this would be screened by planting.

Impact on the Green Belt and Area of High Landscape Value

Policy Guidance contained within the NPPF, UDP and Core Strategy seeks to protect and enhance the landscape of the Green Belt and to prevent inappropriate development which might harm the character of the Green Belt. All three documents seek to prevent unrestricted sprawl, to safeguard the countryside from encroachment and to prevent the merging of towns. This guidance is set out earlier in this report but UDP policies GE1, GE2 and GE4 and Core Strategy policy CS71 are particularly relevant.

Policy guidance says that exceptional circumstances need to be demonstrated to allow new development so that policy criteria might be satisfied. In this case, the essence of the application is the change of use. There are existing buildings on the site but these will be re used as part of the proposal, which will incorporate visual improvements and no extensions. No new buildings would be proposed. It is also the case that the existing buildings have suffered from neglect and vandalism and have fallen into disrepair. Re-use of the buildings will improve their appearance.

In terms of the actual change to the site, which is grazing land containing three buildings, this would be limited to improvements to the existing access, the sewage facility, the creation of grasscrete access tracks within the site serving caravan pitches and the introduction of electric power points for caravans. There would be no permanent caravan pitches and the fluidity attached to the use of caravan and camping sites means that the impact would be variable. At times there would be heavy use and at others it may be the case that there would be no tents or caravans and the applicant has advised that the camping area would be used for grazing.

In terms of the amount of land used within the site to be subject to the change in use, this is restricted to about half the site as land on all sides apart from where the buildings are would be left as a buffer zone or as informal open space. The applicant has committed to providing landscaping within the site which will soften the impact of caravans when present at the site.

The site is set within a valley with woodland on all sides except to the south but at this point there are the buildings which would screen the site from the grazing land beyond. Consequently, the visual impact of the proposed use would be restricted to this enclosed area. It is not the case, therefore, that there would be long range views into and out of the site of the wider Green Belt and AHLV because of the enclosed nature of the site. However, it remains that there would be a change to the character of the application site and it is also relevant that that three public footpaths cross the site so there is public access is available. The character of a walk in this part of Sheffield would change at the site from a quiet grazing field to a camp site but the character of the woodland around the site would not. Walkers would experience the change for a very short period only.

The characteristics of a camp and caravan site is such that at times of high levels of use, there would be noise and activity associated with this but there are no houses nearby so there are no neighbours that would be disturbed.

Your officers conclude that there would be an impact on the Green Belt and AHLV but this would be limited to the confines of the site and the nature of the use means that the level of impact would fluctuate so that during winter, in particular, the use of the site is likely to be very low key or possibly not at all. During these times, it is likely that part of the site would return to grazing.

Potential Impact on the Rural Economy

UDP policy GE7 says that the rural economy will be maintained and enhanced but also says that this should not result in the permanent loss of the best and most versatile agricultural land or seriously harm agricultural activities or the viability of a farm.

This is an isolated area of grazing land and the use as a caravan and camping site would not harm the viability of the farm. Indeed, in general terms, it may be the case that the principal of the use of grazing land for such purposes can improve the viability of farms. The proposal would not result on the permanent loss of grazing land across the whole site as the camp site would be available for grazing when the site is not being used for camping.

It is clear from the details set out in the Summary of Representations section of this report that there is considerable support for the proposal and much of this support relates to the assistance and boost to the wider local economy as well as providing one new full time and ten new part time jobs. It is also pointed out within representations that there is a good opportunity to promote the enjoyment of the countryside and raise awareness by improved access.

In further support, it is noted that the Tourism Manager of Marketing Sheffield, a Council service, considers this to meet a definite need for such a facility in this part of the city and would support the local economy.

It is considered that the local rural economy would be enhanced by the proposal and the application fully satisfies policy GE7.

Highways, Access, Transportation and Parking

The impact of the proposal has been assessed based on the original submission for 70 caravans and it was concluded that the application was acceptable in this respect. As amended, the proposal is now for 31 caravan pitches with a reduced area for camping.

Access to the site would be taken from Old Woodhead Road along what is classified as a public footpath that leads directly into the site. The existing definitive footpaths are of well compacted stone and gravel and currently accommodate Forestry Commission articulated lorries involved transporting tree trunks away from the area. Consequently, they would be able to support cars and

caravans. The access would be amended by way of two passing places being introduced to allow vehicles to pass comfortably.

The amount of traffic expected can be accommodated by the access and the junction of the access with Old Woodhead Road is considered to be safe with appropriate visibility in both directions.

The site of the application lies within an area crossed by definitive public footpaths and there are two within the site which require formal diversions. The paths must not become obstructed on either a temporary or permanent basis.

Footpath diversions normally take up to 9 months to process but the applicant has indicated that it is his intention to implement the proposal very quickly in the event of the application being approved. This means that the existing footpath routes are acknowledged prior to the Diversion Order being completed. Temporary fencing will be required to protect the routes. This would be controlled by an appropriate condition.

Car parking would be provided on an informal basis on the camping and caravanning areas with cars being parked next to tents and vans.

There is an existing car park used by ramblers which is served by the same access that would serve the proposal. To the rear of the car park is a Forestry Commission controlled gate that campers and caravanners will need to pass through. The applicant would need to reach agreement with the Forestry Commission and the Local Planning Authority regarding the operation of the gate and such agreement would need to ensure that it would not be left open for prolonged periods which might lead to abuse by non-authorized vehicles.

This would be controlled by an appropriate condition.

Flood Risk

Core Strategy policy CS67 deals with flood risk management and restricts development in areas where there is a high probability of flooding.

The applicant has submitted a Flood Risk Assessment in support of the proposal and includes the existing former farm buildings and the open field to the north which covers about 2.6 hectares.

According to the Environment Agency Flood map, the whole site is located within Flood Zone 1 where the risk of flooding is low with the probability of flooding each year is less than 0.1%. According to the NPPF, all forms of development are acceptable in Zone 1.

The possibility of surface water flooding has been assessed. There is a gradient of up to about 1 in 10 which falls from east to west across the site and surface water run-off from the existing open fields and farm area currently discharges into Sough Dike which flows from north to south along the western boundary.

The higher land to the east is woodland which would create minimal run off and the drier areas in the camp site would be covered in permeable material ensuring that natural drainage would be unaffected. There would be no new buildings or hard surface areas and any water waste would be controlled by the small sewage treatment plant at the west edge of the site.

There would be no impact on the current risk of flooding and as the site is within Zone 1, there is also no need to satisfy the sequential test as set out in the NPPF.

Ecology

UDP policy GE11 says that the natural environment will be protected and enhanced and the design, siting and landscaping of new development should promote nature conservation and include measures to reduce any potentially harmful effects on natural features of value.

UDP policy GE12 says that development which would damage Sites of Special Scientific Interest or Local Nature Reserves will not be permitted.

UDP policy GE13 says that Local Nature Sites should not be damaged and new development should be designed so as to protect and enhance the most important features of natural history interest.

Core Strategy policy CS74 says that new development should take account of and respect important habitats, woodlands and other natural features.

UDP Proposals Map 3 shows that the application site is not designated as an Area of Natural History Interest or a Local Nature Site. However, the Wildlife Trust seeks clarification on this matter because the Natural England website shows the Local Nature Reserve site at Wheata Woods across part of the application site. Clarification from Council officers on this issue has been sought for some considerable time. The original designation map does not appear amongst Council records but officers in the Council's Ecology Unit are firmly of the opinion, given the records and plans they have, that the site is not part of a Local Nature Reserve.

It is considered therefore, is that based the Ecology Unit's position on this is that the site is not part of a Local Nature Reserve.

The applicant has submitted a Phase 1 Habitat and Protected Fauna Survey in support of the application which initially set out the survey methodology. The survey focused on protected species and, as well as surveying the site, searched beyond the site boundaries by up to 50 metres. The survey identified the habitats as being improved grassland, scattered scrub, a narrow stream flowing along the western boundary, three short lengths of hedgerow and bare earth along two farm access tracks.

No evidence of protected species was found on the site. It is the case that these are evident in surrounding woodland but there were no indications of habitats or foraging within the application site or in the stream. There are two mature oak trees at the site's edge which have potential for roosting bats. The site is heavily

grazed by horses which has rendered the land totally unsuitable for reptiles or ground nesting birds. There is limited potential for nesting birds in the hedgerows.

There is no Japanese Knotweed or other alien invasive plant species on the site as listed in Schedule 9 of the Wildlife and Countryside Act 1981.

The report found that the proposed works would affect only a small proportion of the site, the impact of the change of use would be low and there are no protected species on the site. It is recommended that native plant species are used in additional landscaping and conversion works to the buildings should incorporate roosting opportunities for bats under the ridge tiles in the form of bat entry points. These can be controlled by conditions.

Sheffield Wildlife Trust submitted a comprehensive representation about the impact of the proposal on fauna and flora although they did say that they did not object to the principal of a camping facility in this part of Sheffield. They were concerned that the use for caravans extended to the site boundary with woodland but this has been amended so that a 15 metre buffer strip around the site has been incorporated to resolve this. They also sought assurances that the site would enhance the provision of habitats were possible. Provision for bats would be made in the conversion of the existing buildings.

Consequently, there would be no harm to the natural environment at the site in accordance with policy criteria.

South Yorkshire Forest

UDP policy GE14 says that support will be given for the creation of part of South Yorkshire Forest on the north and eastern sides of the city. This is supported by UDP policy GE15 which encourages the planting of native woodland trees and Core Strategy policy CS74.

The application site is an area of open grazing land but any new planting, including trees would be native species.

RESPONSE TO REPRESENTATIONS

The representations in support of the application are noted and those relevant to supporting the rural economy have received specific mention earlier in this report.

With respect to the objections to the application, a number of these have been addressed already in the report but some further responses are still necessary.

The development, as amended is for 31 caravans, not 70.

The conversion of the barn to include accommodation for a worker is in line with policy criteria. This would not set a precedent for future residential development.

Any increases in traffic could be absorbed within the existing highways network around the site.

The track would be suitable for heavy vehicles because large Forestry Commission vehicles already use the tracks.

The proposal would not have an impact on Wheata Woods. A 15 metre buffer strip would be incorporated.

It is considered that the impact of any noise or light from the proposal would not adversely affect fauna in the area.

Litter would be controlled and collected by staff on the site who would also deal with any hazard such as a fire.

Human waste would be dealt with by the sewage treatment facility within the site.

It is not the intention that this becomes a traveller site.

In the event of solar panels being used, this would be a sustainable way of producing power.

The Ramblers Association are concerned that this proposal would be a huge step change from a tranquil area to a theme park. This would not be the case. It would be a camp site which would have variable demand, at times being busy particularly when major events such as the Tour de France is on and very quiet, during cold weather or winter, for example.

The Wildlife Trust felt that a traffic impact study should be carried out but given the level of activity, this is not considered to be necessary.

The Trust also raise concerns about the robustness of sewage treatment facility but this would be controlled by separate legislation.

With respect to the potential for associated uses such as barn dances, hog roasts, live music etc, the applicant has set out the hours of use for vehicles and this would be at odds with such proposals. The hours of use would be controlled by a condition.

Details of the natural play area would be controlled by a condition.

Angela Smith MP has supported the claims by her constituents that there are grass snakes and BAP listed birds on the site but the Ecology Survey submitted by the applicant finds no evidence of this.

This is not an attempt to authorise residential development on the land.

SUMMARY AND RECOMMENDATION

This application, as amended, seeks planning permission for the change of use of grazing land enclosed between woodland to caravan and camping and for three existing buildings to be converted to uses which would be ancillary to the proposal.

The existing access from Old Woodhead Road would be used and improved by way of two passing places being put in place.

The caravan site would be on the west of the access path and the camping facility on the east. When the site is not being used for camping, the land would be used for grazing. The revised scheme is significantly reduced from the original submission for 70 caravans plus tents. Due to the inclusion of a 15 metre buffer strip around the site, this has been reduced to 31 caravans with a much reduced area for tents thus creating protection from impact on the adjoining woodland and increasing the openness of the site.

The detailed land use policy assessment set out earlier in this report makes it clear that, in line with advice contained in the NPPF and the UDP, the proposal constitutes inappropriate development within the Green Belt and should not be approved except in very special circumstances. Consequently, it has to be demonstrated that any potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations and benefits.

The scheme, as amended, significantly reduces the numbers and area that would be available for caravans and tents and this would be enclosed by a buffer strip which would prevent encroachment into the adjoining woodland and create openness within the site. The seasonal characteristics of camping would mean that there would be periods of very low activity on the site and during times of no camping, that part of the site would revert back to grazing.

The impact on the Green Belt would be limited because the site would be screened on all sides by mature woodland and buildings and is located in a valley. There are clear benefits arising from the proposal by reason of the refurbishment and long term use of former agricultural buildings at the farm, which have fallen into disrepair and have been targeted by vandals.

There are also clear benefits to the local rural economy and the proposal has substantial support from local businesses who will benefit from the proposal as well as the use creating eleven full and part time jobs.

Consequently, your officers are of the opinion that very special circumstances have been demonstrated which outweigh any potential for harm to the Green Belt and AHLV which have been set out in this report and the application is considered to be acceptable.

The application satisfies all policy criteria set out in this report and is, therefore, recommended for conditional approval.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of Regeneration and Development Services

Date: 13th May 2014

Subject: Enforcement Report

Author of Report: Deborah Parkinson

Summary: Unauthorised Installation of uPVC windows

Reasons for Recommendations

Recommendations:

That the Director of Regeneration and Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised uPVC windows that have been installed at first and second floors.

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

DEVELOPMENT SERVICES

PLANNING AND HIGHWAYS
COMMITTEE
13 May 2014

ENFORCEMENT REPORT

UNAUTHORISED INSTALLATION OF uPVC WINDOWS IN AN ARTICLE 4 AREA, 277a FULWOOD ROAD SHEFFIELD S10

1. PURPOSE OF THE REPORT

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

2. LOCATION

- 2.1 The flats are positioned on the upper floors, above commercial units on the ground floor. They make up a terrace which runs from 249 Fulwood Road to 283 Fulwood Road. The property to which this report relates is no.277a, the flats which are situated above 277 Fulwood Road, Sheffield.

3. BACKGROUND

- 3.1 The Broomhill Conservation Area Appraisal which was adopted on 17 December 2007 refers to the loss of architectural features and poor quality replacement windows which have spoiled the external appearance of buildings and the local street scene. This includes the removal of original timber windows, and their replacement with uPVC.

4 ASSESSMENT

- 4.1 The property is set within a District Shopping Centre and the Broomhill Conservation Area and therefore the following Unitary Development Plan policies S10, BE5, BE15, BE16 and BE17, should be complied with for any new development.
- 4.2 UDP policy S10 'Conditions on Development in Shopping Areas' and BE5 'Building Design and Siting' state that any development will be high quality and well designed and of a scale and nature that is appropriate to the site and enable a proposal to fit in comfortably with their surroundings, without being detrimental to the visual amenities of the area. Similarly, policy CS74 of the Core Strategy further reiterates the need for high quality designs and strengthens the Local Planning

Authority's position regarding the preservation of Sheffield's built heritage.

Policy BE15 Areas and Buildings of Special Architectural or Historic Interest, says that development that would harm the character or appearance of Conservation Areas will not be permitted. Policy BE17 Design and Materials in Areas of Special Architectural or Historic Interest, requires a high standard of design using traditional materials with Policy BE16 Development in Conservation Areas stating that development in Conservation Areas is required to preserve or enhance the character and appearance of that Conservation Area.

- 4.3 The National Planning Policy Framework (NPPF) provides guidance for policy formulation and determining planning applications, and paragraphs 126 to 141 relate to 'Conserving and enhancing the historic environment'. Paragraphs 131 to 133 require planning authorities to take account of the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality.
- 4.4 The windows installed at first and second floor are of very poor quality and do not respect the character and detailing of the original buildings, or the surrounding conservation area. The materials, width and detailing of the windows are considered to constitute an incremental erosion of the character of the area and as such, are deemed to be visually prominent within the street. In addition, their number and concentration within the terrace, and their prominent location exacerbates such concerns.

5 REPRESENTATIONS

- 5.1 Complaints were received about the uPVC windows being installed at 261a, 269, 271 & 273 Fulwood Road. These windows are the subject of a separate Enforcement Notice and have had a planning appeal for their retention dismissed. It was noticed by the Planning Officer while visiting these premises that windows had also been changed at 277a Fulwood Road. There are also a number of windows that had been changed to uPVC before the Article 4 area was established.

6 ENFORCEMENT OPTIONS

- 6.1 Section 172 of the Town and Country Planning Act 1990 provides for the service of an Enforcement Notice. In this case such a notice would require the removal of the unauthorised uPVC windows and the reinstatement of traditional timber windows and associated fittings.
- 6.2 Section 183 of the Town and Country Planning Act 1990, enables the local planning authority to serve a Stop Notice with the service of an Enforcement Notice. A stop notice, (SN), prohibits the carrying out of a relevant activity on the enforcement notice land. The situation at site is

stable in that no further works have taken place since initial breach. A SN is not considered to be necessary at this time.

7 EQUAL OPPORTUNITIES

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

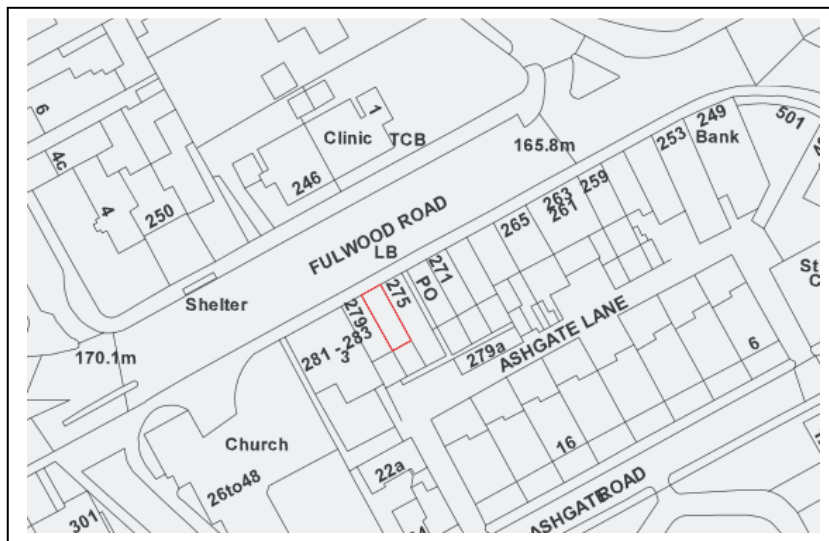
8. FINANCIAL IMPLICATIONS

8.1 There are no additional financial implications expected as a result of this report. If an appeal is made against the enforcement notice, costs can be made against the Council if it is shown that they have behaved “unreasonably” in the appeal process, it is uncommon that this will happen. However, in the unlikely event compensation is paid, it would be met from the planning revenue budget.

9. RECOMMENDATION

9.1 That the Director of Regeneration and Development Services or Head of Planning be authorised to take any appropriate action including if necessary, enforcement action and the institution of legal proceedings to secure the removal of the uPVC windows installed on the first and second floors.

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



SITE PLAN

277a Fulwood Road, Sheffield S10

Maria Duffy
Head of Planning

13 May 2014



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 13 May 2014

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
13 May 2014

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

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the Council to refuse planning permission for conversion of barn to form dwellinghouse (Amended scheme to 13/03293/FUL) at Barn Opposite Loxley Grange Rowell Lane Sheffield S6 6SH (Case No 13/04119/FUL)

(ii) An appeal has been submitted against an Enforcement Notice served in respect of potential unauthorised replacement of windows at 261, 273a and 269a Fulwood Road Sheffield S10 3BD (Case No. 13/00533/ENART4)

3.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to grant conditionally with a legal agreement planning consent for erection of 27 apartments in 1 x 3/4 storey block with associated car parking accommodation (As amended plans received 31/10/12) at The Hill (Former Upperthorpe School) Daniel Hill Walk Sheffield (Flats, 59-63, 63A, 65, 67 And 69 Daniel Hill Mews) (Case No 12/02972/FUL) has been allowed conditionally

Officer Comment:-

The appeal was originally submitted against 17 of the 30 conditions attached to the planning permission. The appellant subsequently withdrew the appeal in relation to 7 of the conditions leaving 10 conditions in dispute.

With regard to these conditions:

Conditions 16 and 17 – drainage conditions

These were deleted and replaced with a single condition which the Inspector considered relevant and enforceable

Condition 20 – Parking and manoeuvring areas to be of porous or permeable materials.

This was deleted as the Inspector considered the provisions could be adequately dealt with under condition 15.

Condition 21 - Access for people with disabilities

The Inspector considered that this element should have been negotiated from the outset and not added as a condition. Accordingly, this condition was deleted.

Conditions 22-26 – Land contamination

Here, the Inspector considered that the reasoning behind the imposition of these conditions was sound but felt that a single condition could be substituted

Condition 29 – Renewable energy

The requirement was considered reasonable but the Inspector thought that it would be unreasonable to prevent commencement of the development where the target cannot reasonably be met. This being the case, the Inspector substituted an alternatively worded condition.

Accordingly, the Inspector allowed the appeal and the permission was varied as mentioned above.

4.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

13 May 2014