

# Planning and Highways Committee

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**Tuesday 3 June 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**

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Councillors Alan Law (Chair), David Baker, Tony Downing (Deputy Chair), Ibrar Hussain, Bob Johnson, Bryan Lodge, Peter Price, Peter Rippon and Joyce Wright

## **Substitute Members**

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

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## **PUBLIC ACCESS TO THE MEETING**

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The 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](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. 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](mailto:martyn.riley@sheffield.gov.uk).

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## **FACILITIES**

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

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

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**PLANNING AND HIGHWAYS COMMITTEE AGENDA  
3 JUNE 2014**

**Order of Business**

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- 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 13 May 2014
- 6. Site Visit**  
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Applications Under Various Acts/Regulations** (Pages 11 - 120)  
Report of the Director of Regeneration and Development Services
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 121 - 124)  
Report of the Director of Regeneration and Development Services
- 9. Date of Next Meeting**  
The next meeting of the Committee will be held on 24 June 2014

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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](mailto:gillian.duckworth@sheffield.gov.uk).

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Planning and Highways Committee

Meeting held 13 May 2014

**PRESENT:** Councillors Alan Law (Chair), Trevor Bagshaw, David Baker, Janet Bragg, Tony Downing (Deputy Chair), Ibrar Hussain, Bryan Lodge, Bob McCann, Peter Price, Peter Rippon and Joyce Wright

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**1. COUNCILLORS TREVOR BAGSHAW, JANET BRAGG AND BOB MCCANN**

1.1 Prior to the commencement of the meeting, the Chair, Councillor Alan Law, informed the Committee that this would be the last meeting attended by Councillors Trevor Bagshaw, Janet Bragg and Bob McCann as they would not be seeking re-election at the forthcoming municipal elections. On behalf of the Committee, Councillor Law thanked Councillors Bagshaw, Bragg and McCann for their contribution to the work of the Committee over the years and wished them well for the future.

**2. APOLOGIES FOR ABSENCE**

2.1 Apologies for absence were received from Councillors Bob Johnson and Garry Weatherall.

**3. EXCLUSION OF PUBLIC AND PRESS**

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

**4. DECLARATIONS OF INTEREST**

4.1 Councillor Joyce Wright declared a personal interest, as a resident of Woodburn Drive, in an application for planning permission for 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 18<sup>th</sup> February 2014) at land between Chapeltown Park and Cowley Hill (Case No.13/03711/FUL).

**5. MINUTES OF PREVIOUS MEETING**

5.1 The minutes of the meeting of the Committee held on 22<sup>nd</sup> April 2014 were approved as a correct record.

**6. SHEFFIELD CONSERVATION ADVISORY GROUP**

6.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 18<sup>th</sup> March 2014.

**7. SITE VISIT**

7.1 **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 2<sup>nd</sup> June 2014, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

**8. PROPOSED CLOSURE OF FOOTPATHS AT HARBOROUGH FIELDS, MOTEHALL FIELDS AND SEATON FIELDS, MANOR**

8.1 The Director of Regeneration and Development Services submitted a report seeking authority to process the Highway Stopping-Up Order required to close public footpaths at Harborough Fields, Motehall Fields and Seaton Fields in the Manor area of Sheffield.

8.2 **RESOLVED:** That:-

(a) no objections be raised to the formal closure of the following adopted footpaths:-

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

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

(b) delegated authority be given to the Director of Legal and Governance to:-

- (i) take all necessary action to close the footpaths under the powers contained within Section 118 of the Highways Act 1980;
- (ii) confirm the Order as an unopposed Order in the event of no objections being received or any objections received being resolved; and
- (iii) submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

**9. PROPOSED DIVERSION OF PUBLIC FOOTPATH OFF LAMB HILL, LOW BRADFIELD**

9.1 The Director of Regeneration and Development Services submitted a report seeking authority to process the Public Path Diversion Order required to alter the course of definitive public footpath BRA\37B, off Lamb Hill, Low Bradfield.

9.2 **RESOLVED:** That:-

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

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

- 10.1 The Director of Regeneration and Development Services submitted a report seeking authority to refer the Cycle Track Order relating to Watersmeet Road to Thoresby Road to the Secretary of State for Transport with a request to confirm the Order with a modified path width.
- 10.2 The report stated that, on 27<sup>th</sup> March 2012, the former 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.
- 10.3 On 25<sup>th</sup> 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.
- 10.4 In response to this, two objections were received. One had subsequently been withdrawn but the other remained. Thus, the Council did 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.
- 10.15 The remaining objection was from the Byways and Bridleways Trust, a national organisation which was 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.
- 10.6 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.

- 10.7 In subsequent informal discussions explaining the situation, the objector had 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.
- 10.8 However, once an Order of this type had been made, the Council did 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.
- 10.9 **RESOLVED:** That the Director of Legal and Governance be authorised to submit the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 to the Secretary of State for Transport for modification and confirmation.

## **11. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

- 11.1 **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) (i) an application for planning permission for the erection of 16 dwellinghouses at land at the junction of Brotherton Street and Catherine Street and land to the side and rear of 4-22 Cranworth Road (Case No. 13/04223/FUL) be granted, conditionally, subject to legal agreement and (ii) Section 106 funding accrued from the development be spent in the locality of the site and in conjunction with the Local Area Partnership;

(c) having noted an amendment to the heads of terms to read ‘An agreement to limit the number of people, excluding staff, on the premises at any one time to no more than 240’, reported orally at the meeting by the Director of Regeneration and Development Services and following consideration of representations from the applicant’s agent in support of the application, an application for planning permission for change of use and extensions to existing building for use as private hire venue and Shisha Lounge with restaurant/café (Sui Generis Use) at TRC Truck Rental, 2B Dannemora Drive (Case No. 13/04007/FUL) be granted, conditionally, subject to legal agreement;

(d) following consideration of (i) an additional request from the applicant in relation to the development plan allocation and an additional representation, as contained within a supplementary report circulated at the meeting, and (ii) representations from two local residents and members of the Friends of Parkwood Springs opposing the application and the applicant in support of the application, and, notwithstanding the officer’s recommendation, consideration of an application for planning permission for demolition of fire damaged buildings, levelling of ground

and associated filling over extent of former buildings, viewing area and amenity building at Sheffield Ski Village, Vale Road (Case No. 13/03814/GUL) be deferred pending a site visit;

(e) subject to the inclusion of an additional condition to read 'Before the development is commenced, full details of directional signs at the north of the park end of the Trans-Pennine Trail shall have been submitted to and approved by the Local Planning Authority. The signs shall be provided prior to the use of the footpath commencing', as detailed in a supplementary report circulated at the meeting, and following consideration of representations from three local residents opposing the application, an application for planning permission for use of disused railway line as public footpath/bridle path, installation of associated fencing and bollards and erection of security fencing along residential boundaries at land between Chapeltown Park and Cowley Hill (Case No.13/03711/FUL) be granted, conditionally;

(f) following consideration of additional information and an officer response, as outlined in a supplementary report circulated at the meeting, and notwithstanding the officer's recommendation, an application for planning permission for retention of front porch to dwellinghouse at 414 Windmill Lane (Case No. 13/03618/FUL) be granted, as the Committee considered that the design of the porch was acceptable; and

(g) subject to the inclusion of an additional condition that no more than 31 caravans be allowed on site at any time, and following consideration of an amended description and additional representations, as outlined in a supplementary report circulated at the meeting, and following representations from two members of the public opposing the application and from the applicant's agent in support of the application, an application for planning permission for 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 toilet and shower block in existing building at Little Intake Farm, Woodhead Road, Grenoside (Case No. 13/03412/FUL) be granted, conditionally.

(Note. Councillor Trevor Bagshaw voted against the decision to grant, conditionally, an application for planning permission for 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 toilet and shower block in existing building at Little Intake Farm, Woodhead Road, Grenoside (Case No. 13/03412/FUL) and asked for this to be recorded.)

## **12. ENFORCEMENT OF PLANNING CONTROL: 277A FULWOOD ROAD, SHEFFIELD**

- 12.1 The Director of Regeneration and Development Services submitted a report informing Members of a breach of planning control in relation to the unauthorised installation of UPVC windows in an Article 4 area at 277A Fulwood Road and making representations on any further action required.

12.2 The report stated that the windows installed at the first and second floor of the property were of very poor quality and did not respect the character and detailing of the original buildings, or the surrounding conservation area. The materials, width and detailing of the windows were considered to constitute an incremental erosion of the character of the area and as such were deemed to be visually prominent within the street. In addition their number and concentration within the terrace, and their prominent location exacerbated such concerns.

12.3 **RESOLVED:** That:-

- (a) 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 at 277A Fulwood Road; 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 control.

### **13. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

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

### **14. DATE OF NEXT MEETING**

14.1 It was noted that the next meeting of the Committee will be held on Tuesday, 3<sup>rd</sup> June 2014 at 2.00 pm at the Town Hall.



## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

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**Report of:** Director of Regeneration and Development Services

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**Date:** 03/06/2014

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

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**Author of Report:** Chris Heeley, John Williamson and Lucy Bond

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**Summary:**

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#### **Reasons for Recommendations**

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

**Recommendations:**

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**Background Papers:**

**Category of Report:** OPEN





Application No.	Location	Page No.
14/00868/FUL (Formerly PP-03244760)	The Sheffield College, Olive Grove Centre, 2 Olive Grove Road, Sheffield, S2 3GE	15
14/00867/FUL (Formerly PP-03243277)	Sheffield College, Hillsborough Centre, 30 Livesey Street, Sheffield, S6 2ET	32
14/00145/LBC (Formerly PP-03120530)	Whitley Hall Hotel, Elliot Lane, Sheffield, S35 8NR	49
14/00144/FUL (Formerly PP-03120530)	Whitley Hall Hotel, Elliot Lane, Sheffield, S35 8NR	53
13/04135/FUL (Formerly PP-03055809)	72 Russell Street, Sheffield, S3 8RW	72
13/03839/FUL (Formerly PP-02991117)	Unit 5, 6 And 7 Elliot Business Park, Chambers Lane, Sheffield, S4 8DA	104
13/03814/FUL	Sheffield Ski Village, Vale Road, Sheffield, S3 9SJ	110



SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the Planning and Highways Committee  
Date Of Meeting: 03/06/2014

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.

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Case Number	14/00868/FUL (Formerly PP-03244760)
Application Type	Full Planning Application
Proposal	Erection of a four storey teaching block with a two storey atrium link extension to form an Engineering Centre, including teaching spaces and associated support, ancillary accommodation, roof top plan and associated landscaping/highway works (Amended plans received on 14/05/2014)
Location	The Sheffield College Olive Grove Centre 2 Olive Grove Road Sheffield S2 3GE
Date Received	12/03/2014
Team	South
Applicant/Agent	Race Cottam Associates 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:

0G (PL) 07B  
0G (PL) 08A  
0G (PL) 12A  
0G (PL) 13A  
ALA170L01 PL2  
All received on 14/05/2014

0G (PL)14  
0G (PL)03  
0G (PL)09  
PG (PL)10  
367122/031 Rev C  
All received on 13/03/2014

Reason; In order to define the permission.

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

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

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

- Window Reveals
- Roof parapet.

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

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

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

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

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

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

- 7 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.

- 8 The building shall not be used unless provision has been made within the site for accommodation of delivery/service vehicles in accordance with the approved plans. Thereafter, all such areas shall be retained free of all obstructions, including the storage, display and depositing of materials, packaging or other objects so that the service yard is fully available for the parking, turning and manoeuvring of delivery/service vehicles.

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

- 9 The building shall not be used unless the cycle parking accommodation for 46 spaces as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason; In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

- 10 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.

- 11 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.

- 12 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.

- 13 Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to 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.

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

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

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

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

- 16 Prior to the commencement of development, a comprehensive and detailed soft landscape scheme for the site and within the adjacent highway as indicated on the approved plans shall be submitted to and approved in writing by the Local Planning Authority.

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

- 17 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.

- 18 The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason; In the interests of biodiversity.

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

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

- 20 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.

- 21 Before the commencement of development, a report shall be submitted and approved in writing by the Local Planning Authority identifying the strategy for providing a minimum of 10% of the predicted energy needs 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. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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.

- 22 Before first occupation, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, final details of proposals for the inclusion of public art within the development, which shall follow the principles set out in the approved drawings, shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented in accordance with agreed timeframes. The project shall be retained and managed in accordance with the agreed details thereafter.

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

Attention is drawn to the following directives:

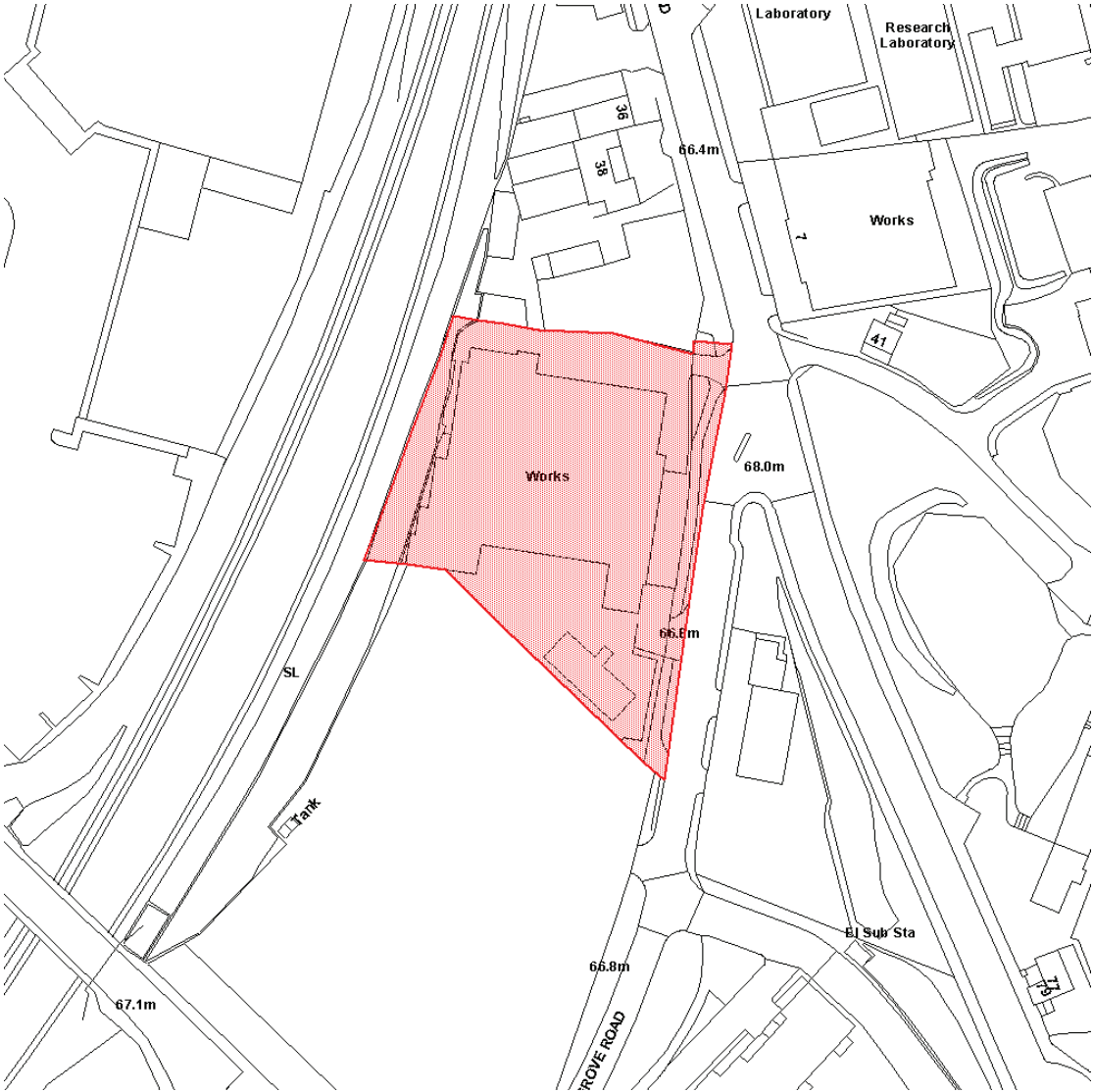
1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document "Guidance Notes for the Reduction of Obtrusive Light (GN01: 2011)". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available for download from the Institution of Lighting Professionals' website, or telephone (01788) 576492.
2. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.
3. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://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 proposal refers to the Olive Grove Centre of the Sheffield College, and engineering department building located on Olive Grove Road. The streetscene comprises of a series of business units, with an MOT garage opposite, and bus depot and car park to the South. East Bank Road, to the North, is a busy arterial road, and is the main approach from the City Centre.

The existing college buildings here are functional in design and appearance, with a metal rivet clad two-storey building on the front elevation, and a slightly taller series of workshops located behind, also metal clad. Mobile classrooms are sited in the existing grounds to the South of the site.

The frontage consists of a wire mesh fence with landscaping behind (low set bushes). The pavement in front has a grass verge, which has been damaged by on-pavement parking by cars picking up and dropping off staff and students. The road directly in front comprises of double yellow lines, although surrounding streets with no parking controls remain heavily parked throughout the day due to the proximity of the site to the City Centre.

The proposal seeks consent to replace the front section of the building with a new 4 storey building, with an internal atrium connecting the new block to the existing workshops behind. Changes to the front landscaping, including works to the pavement (also requiring highways approval) are also sought. The scheme will lead to the loss of the mobile classrooms and their replacement with a landscaped area.

Confirmation from the agent has been received that it is intended to utilise similar staff and student numbers as the existing building, with the new build replacing mobile classrooms.

## RELEVANT PLANNING HISTORY

The site is subject to several past planning permissions. Of these, the following are the most relevant:

Reference 00/02927/FUL was for a single-storey extension to a temporary building, Granted Conditionally on 02/11/2000.

Reference 99/01272/FUL relates to the installation of 2-storey mobile classrooms, Granted Conditionally on 23/08/1999.

## SUMMARY OF REPRESENTATIONS

The proposal has been advertised by two site notices and letters sent to two neighbouring properties. No representations have been received.

## PLANNING ASSESSMENT

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) has replaced a significant proportion of the previous national policy framework and sets out the Government's revised planning policies for England and how these are expected to be applied. The key goal of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

### Land Use

Policy IB6: Development in Fringe Industry and Business Area identifies educational establishments (Use Class D1: Non-Residential Institutions) as acceptable uses in such areas.

Section a) within Policy IB9: Conditions on Development in Industry and Business Areas within the UDP states that new development should not lead to a concentration of uses which would prejudice the dominance of industry and business (preferred uses) in the area.

The UDP considers such a use to be acceptable in this area and the proposal will not result in a loss of business land, essentially replicating the existing use on site. As such the proposal is acceptable in principle, in land use policy terms.

### Design & Landscape

The NPPF states that development should always seek to secure high quality design and encourages the reuse of existing resources, including the conversion of existing buildings.

Policy BE1: Townscape Design within the UDP states that a high quality townscape will be promoted with a positive approach to conservation and a high standard of new design.

Policy BE5: Building Design and Siting within the UDP states that good design and the use of good quality materials will be expected in all new buildings.

Policy BE16: Development in Conservation Areas within the UDP states that new development should preserve or enhance the character and appearance of the conservation area.

Section c) within Policy IB9: Conditions on Development in Industry and Business Areas within the UDP states that new development should be well designed and be of a scale and nature appropriate to the site.

Policy CS74: Design Principles within the Sheffield Development Framework Core Strategy (CS) states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive feature of the city.

## Layout

The new building will follow the back edge of footpath along Olive Grove Road. The exception to this is the main entrance, which is recessed back from the footway significantly behind a paved courtyard close to the junction with East Bank Road.

A key constraint with the new build is the need to provide an atrium area to connect the new build to the remaining workshops behind. Due to the constraints of orientating people through the site, the main entrance to the building will not be as prominent from the street as would be most ideal. This is tempered in part by the fact that the entrance will be upon a heavily glazed element of the building, and will be framed in part by the public square in front.

To the Southern side of the building, it is proposed to have an outside seating area and landscaped area in front of a more general parking area. Due to highway safety, the access to the car park will remain in the same place as existing. This area will be access restricted through the main building, with railings being used on the frontage, replacing the existing wire mesh.

## Scale and Massing

The proposed design will increase the scale and massing of the buildings on the site by adding two additional storeys. There are no discernable buildings of reference in the local area, with the majority of neighbouring sites comprising of low rise warehouse and business units. The additional height of the new building will result in making the site more prominent in the local area, and will give prominence to a building of greater aesthetic value than its neighbours (due to the fact that the materials are of higher quality). This should assist in defining a local area that, at present, lacks local distinction.

The massing will comprise of a series of elements that help to add interest to the front elevation, including a golden clad 'sail' and overhanging element to the front. The use of contrasting ground/first and second/third floor facing materials will further add interest, and prevent the structure appearing over dominant when seen from the street.

## Appearance

The principle materials to the building will be a combination of insulated/profiled metal cladding systems to the upper stories and golden 'sail' element, with grey masonry to the lower stories.

Metal cladding is a dominant material in the local business area, and the continuing use of this will help reflect this, whilst also being used to create a modern design for the college. The masonry will be less prominent when viewed from a distance, but is a material that will tie in with the colours used. The quality of this material is very important, and conditions for material samples will be used to gauge a suitable quality.

The main entrance will be flanked by glazing, which will assist to some extent in increasing its prominence. There is an element of concern that an entrance on the main street would be more ideal, as the location of the entrance in this case is situated behind the overhanging element and is not as prominently located as it could be. However, it is noted that this has been necessitated by the constraints of having to build a connecting area between the new and old buildings. Although the location is not ideal, this is not an issue that would warrant refusal of this application given the significant other visual benefits it offers over the existing structures.

The front elevation will have windows that are horizontally proportioned, accentuating the horizontal form of the new structure. They will be suitably levelled with the street in order to provide some animation and surveillance from a ground floor computer room.

Due to the orientation of the building, a number of more functional elements will face towards the front and side elevations (as there is no rear elevation). On the front elevation, the windows to the WCs and stair core will face towards the street. These will be partially obscured by the golden 'sail' with perforated metal being used to provide light to these windows. This will assist with the proportions of the building, as the smaller size of these windows will be obscured by the design feature, with the 'sail' fitting in well with the proportions of the main building, as a contrast to the horizontal massing of the building.

On the side elevations, efforts have been made to add glazing in order to prevent these elevations appearing overly stark or monolithic at ground floor level. Amendments received on 14/05/2014 have also added an element of additional gold cladding to these elevations and increased the length of the ground floor windows to the North in order to better animate these elevations and provide surveillance to the public courtyard to the front.

To the rear, the taller parts of the building will be visible from the rail line and wider city. The most prominent elements to this elevation will be the metal cladding and a single horizontal band of windows. This will be visually acceptable, and the simple form will not look incongruous against the existing workshop buildings to the rear. Aluminium louvres to the roof access and plant will reduce their prominence and ensure that the roof will have a simple form that will not appear incongruous.

#### Landscaping and external spaces

The scheme has taken advantage of the opportunities available through the removal of the mobile classrooms to offer a variety of higher quality external areas. This comprises of a large area to the side of the building linked to the café area. It

is considered that the materials used for these spaces are of a good quality and the inclusion of tree and shrub planting across the site is very welcome. The replacement of the front wire mesh fence with metal railings also offers an opportunity to improve the appearance. Outdoor gym equipment is also shown here, providing amenity for students. This will be in the access controlled area, reducing the propensity for vandalism.

Concrete block paving is proposed for the front public square area, which is of a reasonable visual quality in principle. The use of this material to the service access will also help increase the usable size of the square and differentiate the shared surface to reduce the prominence of the roadway and to encourage safer driving by service vehicles entering and leaving the site.

The college has indicated that they wish to make improvements to the public highway in front of the building to add trees and flower beds to the area presently occupied by the grass verges, with measures taken to prevent cars parking on the verge. After discussion, it is proposed to utilise double height kerb edges on the road to prevent vehicles being able to park on the verge, with the inclusion of planting in some verge areas. Negotiation has led to a reduction in the length of the proposed beds due to the narrow width of some reducing the likelihood for substantial sustainable plant growth. However, the remainder should help improve the appearance of the streetscene here. Precise details on the beds and nature of raised kerb edges will be reserved by condition. Consultation with Highway Adoption officers indicates a support for the proposals, subject to an agreement on commuted sums. The agreements are separate from the planning process. Although positive features, the judgement of planning officers is that these improvements are not required to make the other parts of the application proposals, within the application site, acceptable.

#### Design and Landscape Conclusion

Overall it is considered that the scheme will represent a suitable addition from a design, landscape and conservation standpoint and the scheme accords with the above design policies.

#### Flooding

Policy CS67: Flood Risk Management within the Core Strategy states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include:

- Requiring the new development to limit surface water run-off.
- Promoting the use of sustainable drainage techniques.

The site is located in Flood Zone 1, and is subject to Low Flood Risk.

As the site is less than 1Ha in size a site specific Flood Risk Assessment is not required and designs simply need to demonstrate an 'undefined' reduction in surface water run off as per section 11.21 of the Core Strategy. There is no requirement to reduce surface water run off by 30% and for the same reason (the



site being less than 1Ha in size), a full Sustainable Urban Drainage System scheme is not applicable to this development.

The scheme will include measures to reduce surface water run-off. A large area of sedum green roof is proposed in line with policy requirements which will help to reduce and attenuate surface water runoff from the new roof areas. Given that the existing site comprises almost entirely of hard landscaping, this addition will undoubtedly reduce water runoff.

## Highways

The NPPF promotes the location of developments that generate significant movement to be where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Section f) within Policy IB9: Conditions on Development in Industry and Business Areas within the UDP states that new development or change of use applications should be adequately served by transport facilities and provide safe access to the highway network and appropriate off street parking.

The scheme proposes to utilise the existing two access points for service vehicles and car parking vehicles. Vehicles being worked on by engineering students will also enter the site via the car park access. The two access points are in safe positions, with good visibility to the highway, and are considered acceptable by highway officers.

The parking provision on site is for 10 vehicles. UDP guidelines are that 1 space should be provided for every 1-4 staff, dependent on location, with 1 space per 20 students. As such, the provision here is significantly less than the guideline. However, the provision is identical to the existing provision of 10 spaces on site for 440 students and 70 staff. Given the staff and student numbers are not intended to increase significantly the proposal should not result in any significant increase in parking demands compared to the existing situation.

There is a second mitigating factor to consider the provision of 10 spaces as sufficient in that the site is in a highly accessible location, located only just outside the City Centre Boundary. The site is within 200m of a Supertram Stop, and within a similar distance of several high frequency bus routes.

Given the above the proposals are considered to comply with the relevant highway policies.

## Cycling

Policy CS55 from the Core Strategy encourages the improvement and development of the cycle network. T10 from the UDP seeks the inclusion of cycle routes in new development and the provision of cycle parking. Due to the size of the site, it is not possible to include new cycle links through the site.

The site is not on a strategic cycle link as identified by the Core Strategy. However, analysis within the supporting documents provided indicates the presence of several cycle routes and recommended cycle routes in proximity to the college site, indicating that cycle travel to the college is likely to be a key method of travel. This is especially the case considering that the age group of students (16-18) will limit demand for car use. The audit submitted with the application identifies that the site is within 200m of a recommended cycle route off Queens Road, which links up to a joint bus/cycle lane on Queens Road, which by itself links up to designated cycle lanes in the City Centre and the college site next to Granville Road. The survey shows that the site is presently accessible by cyclists using these features.

In this case, it is proposed to increase the amount of cycle spaces available for students from 16 to 46. The spaces will be covered to encourage use and security. These will be provided in two areas, with one section by the main entrance, and a second area in the car park area. Confirmation has been received that these will be available for student use via access from the secondary gateway through prior arrangement. Given that a number of students will be working in the workshop area alongside these spaces, it is logical to presume that these will be used by students based in this part of the building.

The cycle parking will be in line with T10.

#### Sustainability

Policy CS63: Responses to Climate Change within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Locating and designing development to eliminate unacceptable flood risk.
- Giving preference to development on previously developed land where this is sustainably located.

Policy CS64: Climate Change, Resources and Sustainable Design of Development within the Core Strategy sets out a suite of requirements in order for all new development to be designed to reduce emissions.

In practice, to satisfy the main body of the policy non-residential developments should achieve a BREEAM rating of Very Good. CS64 has further requirements that may fall outside BREEAM, such as designing buildings flexibly from the outset to allow a variety of possible future uses.

Policy CS65: Renewable Energy and Carbon Reduction within the Core Strategy sets out objectives to support and require renewable and low carbon energy generation and also to further reduce carbon emissions. Policy CS65 requires new developments to provide a minimum of 10% of their predicted energy needs from



decentralised and renewable or low carbon energy unless it can be demonstrated that it is not feasible and viable.

CS65 did until recently also require the generation of further renewable or low carbon energy, or the incorporation of design measures, sufficient to reduce the development's overall predicted carbon dioxide emissions by 20%. As this is now a requirement of Building Regulations it is no longer being sought as part of planning applications.

The agent has confirmed that the scheme will meet the BREEAM Very Good standard.

The agent has confirmed that a minimum 10% of the energy used by the building will be derived from low and zero carbon technologies. The site will generate on-site electrical energy using PV arrays. A substantial proportion of the heat used within the building will be derived from a high efficiency, commercial standard heat pump installation.

Thought has also been given to passive environmental design. The design and access statement confirms that actuated louvres used for natural ventilation during the day will be used at night to provide night purging (keeping windows and passive ventilation openings closed during the day, but open at night to flush warm air out of the building) Free cooling and night purging will be achieved by exposing the thermal mass of the building in accordance with targeted BREEAM credits. Other measures include the use of LED lighting and automatic sensors to limit light usage in unoccupied classrooms.

In addition to the above, the development is a previously developed site in a sustainable central location and includes a number of additional features to promote sustainable design such as a green roof, cycle parking and refuse and recycling facilities.

Given the above it is considered that the development will comfortably meet the sustainability requirements introduced by the Core Strategy.

#### Air Quality

As the proposed development will be replacing an existing surface level car park and only includes minimal car parking itself, it will not have any undue impact in terms of air quality, especially given that the student and staff demands for the use of the building should remain similar to the existing.

#### Public Art

Policy BE12: Public Art within the UDP encourages public art as an integral part of the design of major developments.

Public art is proposed as an integral part of the build, with pillars in the shape of screwdrivers proposed to accentuate the use of the building for engineering

students. This will add visual interest. The exact details will need refining, and will be conditioned.

The proposal is therefore considered to be in accordance with Policy BE12.

#### Access

Policy BE7: Design of Buildings Used by the Public within the UDP requires safe, equal and easy access for people with disabilities to buildings used by the public.

The design ensures level access to both primary and secondary entrances and the internal facilities include mobility compliant toilets and changing rooms and access lifts to all floors.

Amended details to provide two, as opposed to one, disabled parking spaces have been provided. These will be located next to a clear defined route to the entrance point next to the case.

Overall the proposals are considered to be in accordance with the above access policies.

Tactile paving, shown in the amended plans received on 14/05/2014, will improve the safety of the crossings with the road access points compared to the existing situation.

#### Amenity

Policy GE24: Noise Pollution within the UDP requires that development should not create noise levels causing a nuisance, and sensitive uses and noisy uses should not be located close together.

Section b) within Policy IB9: Conditions on Development in Industry and Business Areas within the UDP states that new development or change of use applications should not cause residents or visitors to suffer from unacceptable living conditions.

Given the location of the site away from housing, it is not anticipated that any of the above issues will occur. However, noise from the equipment can potentially cause noise disturbance for users and neighbouring business units. As such, conditions to provide more information on these will be required.

Sustainable Development, as defined by NPPF paragraph 7, requires measures to ensure that waste and pollution is minimised. The site has been subject to former industrial use, and the land is liable to contain polluting elements. The contamination information submitted to support the application is not considered satisfactory as it does not take account of the open flower beds proposed. The outline conceptual site model does not identify all potential contaminants from former uses. Issues with the information submitted are that:

1. The site has not been fully characterised. There is no investigation within the footprint of the current existing building.

2. There is no sampling and analysis for potential contaminants from the former industrial usage on site.
3. The potential risk from ground gases will require further consideration once the site characterisation has been completed.

In light of the above, the Environmental Protection Service has recommended that the full suite of standard contaminated land conditions be applied to any favourable consent. This is to ensure adequate assessment of potential risks to human health arising from ground contamination, bulk or trace gases, and potential pollution of ground or surface waters, are assessed in accordance with current LPA standards.

The above issues can be resolved by the submission of additional information received by condition. As such, a positive recommendation can be made in light of the above policies.

#### SUMMARY AND RECOMMENDATION

The proposal for a new educational building/extension on the brownfield site will accord with the relevant land use policies.

The proposed design is considered to be appropriate, as is the indicated materials palette. The scheme has taken advantage of the opportunities available to offer a variety of high quality external areas.

The limited car parking is not viewed as problematic as the location ensures the site is in close proximity to a variety of public transport links. The vehicle ingress and egress points are viewed as acceptable.

The site is considered to have excellent sustainability credentials, which includes meeting BREEAM Very Good, and meeting measures to ensure passive heating and cooling and the supply of 10% of the predicted energy needs are achieved via on site renewable sources.

The scheme has been designed to provide access for all users, which has been achieved as best allowed by the constraints of the site.

Overall the development will present an excellent and welcome addition to the local street scene, enhancing the College's educational offer within the city and is recommended for conditional approval.

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Case Number 14/00867/FUL (Formerly PP-03243277)  
Application Type Full Planning Application  
Proposal Erection of a 2/3 storey extension to College  
Location Sheffield College  
Hillsborough Centre  
30 Livesey Street  
Sheffield  
S6 2ET  
Date Received 12/03/2014  
Team West and North  
Applicant/Agent Race Cottam Associates 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:

Drawing numbers:

PL26 H

PL27 H

PL28 H

PL21 H

PL22 H

PL23 H

PL24 H

PL06 H

Flood Risk Assessment

Reason; In order to define the permission.

- 3 Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the

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

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

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

- Reveal depths
- Cill details
- Soffit details
- Curtain wall glazing

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

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

- 5 Before the development is commenced, or within 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.

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

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

- 7 Prior to the installation of the lighting scheme full details shall be submitted to and approved in writing by the Local Planning Authority

Reason; In the interests of protecting the natural environment.

- 8 Notwithstanding the submitted details, Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site

accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the local planning authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

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

Reason; In the interest of reducing dependence on the private car by facilitating and encouraging the use of alternative modes of transport and in accordance with Council policy and the NPPF.

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

- Phasing of construction works
- Site safety and segregation
- Any temporary site access for construction traffic
- Location of site compound and temporary car parking arrangements for contractors

- Times when construction works and movement of construction traffic will be restricted

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

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

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

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

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

- 13 Notwithstanding the submitted plans, prior to the development becoming occupied, suitable and sufficient, secure and sheltered bicycle/motorcycle parking accommodation (plus storage/changing/shower facilities) shall have been provided in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority (ideally avoiding the use of "butterfly" systems which have a tendency to buckle wheels). Thereafter the bicycle/motorcycle parking shall be retained/maintained for the sole purpose intended.

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

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

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

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

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

lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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 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.

- 17 No development shall commence until full details of measures to protect the existing trees to be retained including those beyond the north east boundary of the site, 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 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.

- 19 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.



- 20 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.

- 21 The proposed green roof(s) (vegetated roof system) shall be provided prior to the use of the buildings commencing. Full details of the green roof location, construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason; In the interests of biodiversity.

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

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

- 23 The surface water discharge from the site shall be restricted to 5 litres / second total. Detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. Where feasible sustainable drainage methods should be proposed.

In order to mitigate against the risk of flooding.

- 24 Prior to the development being brought into use an updates flood warning and evacuation plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason; In the interest of public safety.

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. 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](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://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.

3. With regards to condition 3 (materials) the applicant is advised that samples will be required of architectural masonry, metallic cladding, soffits, eaves and roof.
4. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
5. The developer is advised that reference should be made to Section 1 of Building Bulletin 93 'Acoustic design of Schools. A design guide', in order to promote good design and construction of classrooms and associated teaching/learning areas, in accordance with the recommended values for sound insulation, reverberation time and internal ambient noise levels.
6. The applicant is advised to have regard to the information issues by Northern Powergrid scanned under 25th May on the public file.
7. The Environment Agency has issued the following advice in relation to Groundwater and Land Contamination;

It is recommended that developers should:

- 1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- 2) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

- 3) Refer to our guiding principles on groundwater protection are set out in our document GP3 - Groundwater Protection Policy and Practice, which is intended to be used by anyone interested in groundwater and particularly those proposing an activity which may impact groundwater. GP3 is available on our website at: <http://www.environment-agency.gov.uk/research/library/publications/40741.aspx>
- 4) Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

If you have any queries, or wish to discuss these matters further, please contact me on the details below.

8. The developer is advised to have regard to the advice issued by Yorkshire Water which is available on the public file scanned 01.05.2014
9. The external lighting scheme shall be designed so that it does not compromise the river corridor which is used by nocturnal species.
10. The applicant is advised that the landscape scheme should be informed by the recommendations detailed in the ecological report.
11. 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.

12. 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: -

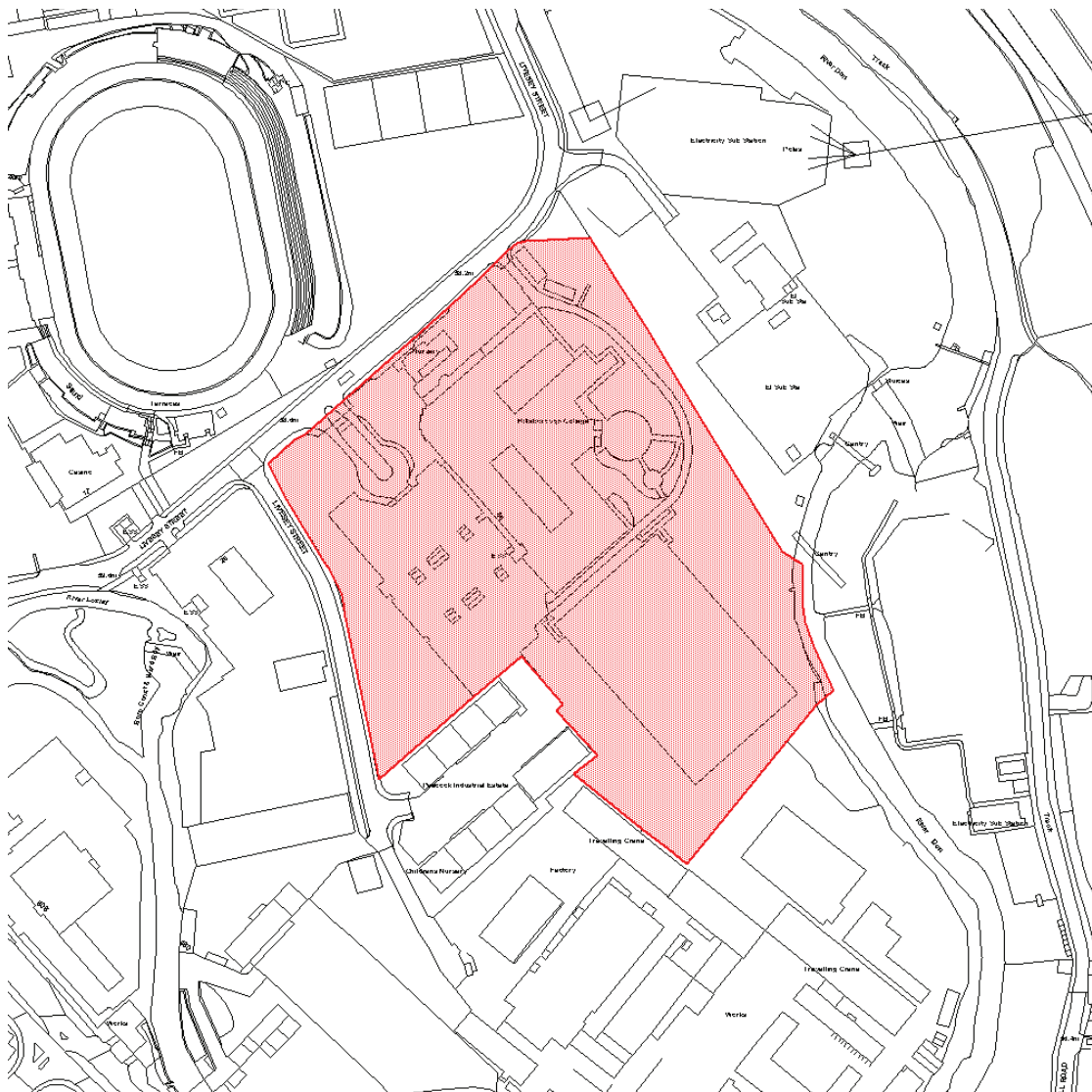
Highways Adoption Group  
Development Services  
Sheffield City Council  
Howden House, 1 Union Street

Sheffield  
S1 2SH

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

13. For advice on the preparation of Travel Plans, contact Paul Sullivan (0114 205 3073) Transport Planning.

### Site Location



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## LOCATION AND PROPOSAL

The applicant is seeking consent for a 2 / 3 storey extension to the north side of Hillsborough College which would provide 3600m<sup>2</sup> additional floor space. The extension would accommodate performing and digital arts accommodation and include theatre and studio space. The applicant details that the development represents an £8.8 million investment in this college site and is required as a result of a programme to accommodate the college's education provision across 2 sites within the city, with the closure of other sites. This will allow for more efficient use of resources and enhanced learning experience through the replacement of outdated facilities.

The site is within the existing Hillsborough College grounds that is located on Livesey Street, adjacent to the River Don, close to the Owlerton Stadium and casino complex and Penistone Road. The surrounding area is a mix of light industrial units with some heavy industry in the locality.

## RELEVANT PLANNING HISTORY

The original college building was constructed approximately 10 years ago and was approved under applications 02/00755/OUT and 03/01011/REM. In 2004 consent was also granted for the nursery to the front of the site (04/02043/FUL).

## SUMMARY OF REPRESENTATIONS

No representations have been received following publicity connected with the application.

## PLANNING ASSESSMENT

### Policy

The site is in the General Industry Area with Special Industries in the UDP. The site has an established education use and the principle of education uses in this part of the Upper Don Valley is supported by the Upper Don Valley Physical Regeneration Framework and Core Strategy Policy CS49 This principle is taken through to the Pre-submission Proposals Map as a General Employment Area (that specifies no preferred uses) but it carries limited weight because it is not being submitting it to the Secretary of State.

Policy IB9 sets out conditions on development in Industry and Business Areas. Part a) Seeks to ensure that the development would not lead to a concentration which would prejudice the dominance on Industry and Business or result in the loss of important sites. As the scheme is an extension within the existing site, it complies with this element of the policy. The remaining elements of this policy cover amenity, design, quality of environment, landscaping and highways and will be assessed in the relevant sections below.

## Flood Risk and Drainage:

The site is located in flood zone 2 and flood zone 3a, and is for an educational establishment, and so the flood risk vulnerability is classed as 'more vulnerable'. The site has previously flooded in 2007, with the college being inundated to shallow depth (less than 200mm).

Policy CS67 relates to flooding and sets out a number of criteria which must be met to ensure the extent and impact of flooding are reduced. The NFFP also provides guidance within the main document and supporting technical guidance. UDP policy GE20 is also applicable.

The development is appropriate in flood zone 2 (subject to the sequential test) and only in flood zone 3a, if the sequential and exception test are passed. The sequential test (and exception test), using the evidence provided by the applicant has been applied.

The applicant has justified the reduced search area for applying the Sequential Test. Due to the functional requirements of the development and local circumstances relating to the College. The development is an extension to the existing Hillsborough College and so the new development site needs to be within a short walking distance of the main campus. A 0.5km walking distance radius seems an appropriate boundary.

Alternative sites were considered within the search area, however these were not sequentially preferable by reason of availability, higher/the same flood risk, inappropriate infrastructure and physical limitations that would result in a walking distance greater than the 0.5km boundary. In addition, because the application is for an extension to the existing college premises, it seems reasonable to look at alternatives within the Hillsborough campus.

Various sites within the wider college site have also been subject to the sequential test. The sequential test indicates that these sites are not sequentially preferable by reason of higher flood risk, capacity and potential impacts of the development. The ST process therefore shows that there are no other reasonably available sites within the 0.5km walking distance boundary of the College, which offer a lower probability of flooding. It has been demonstrated that this development cannot be steered to Flood Zone 1 in the agreed area. The application site, located in both Flood Zone 2 and 3a, is considered to be the next reasonable location for this development, subject to the FRA. It is therefore considered that the Sequential Test has been passed.

In terms of the exception test, paragraph 102 of The NPPF sets out two elements which must be satisfied. Firstly, it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared.

The applicant has demonstrated that the development will provide wider sustainability benefits, this is because the site is part of the Upper Don Valley Physical Regeneration Framework and Core Strategy policy CS49 in which



education uses are supported. In addition, the proposal will provide training and wider economic benefits for students and members of the public. The Theatre offers some capacity for wider use out of hours and the investment in the site allows for high quality facilities, particularly in the performing and digital arts. Sheffield has the largest producing theatre complex in the country outside London. The new facilities will enable the college to expand on the existing curriculum to offer an increasing range of courses which will provide people with the skills to fill a growing regional need.

Secondly a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

The report details that the site is at risk from flooding, but this can be successfully managed by mitigation measures. These include being signed up to the flood warning scheme, having evacuation plans, barriers and flood walling. The design and access statement details that flooding has been taken on board in the design of the building with the ground floor being designed to be flood resilient, with concrete flooring and raised sockets. Equipment will be sited well above the historic flood level. The drainage strategy allows for surface water to be attenuated which will reduce the risk to others elsewhere. The green roof also contributes to the reduction in surface water run off. The Environment Agency and Council Drainage Team have raised no objection to the scheme. Based on the above then the exception test is passed.

The Emergency Planning Team has also viewed the scheme and raises no objections, particularly given the presence of evacuation plans. They state that any further development to the site will need to be included in the evacuation plan. This can be controlled by condition.

The above demonstrates that the scheme is compliant with the majority of the criteria set out in CS67. There is one element which the scheme does not meet, and for this reason the scheme is a departure from policy. Part m of CS67 requires more vulnerable uses (education) to be above ground floor. This is not the case in this instance. There is a justified need to consolidate the education provision on this site. To ensure the most efficient use of land, ensure the building visually integrates with the wider locality and existing functions on site then the building has taken its form with education uses occupying the ground floor, whilst contrary to policy the submission includes suitable flood mitigation measures, which are acceptable to the relevant Authorities and an evacuation plan. The wider benefits that the development brings to the education experience of the students and the contributing role this in turn brings to the city's economy is considered to outweigh this conflict with this element of the policy.

Overall it is concluded that the scheme is compliant with the aims of the NPPF and the thrust of policy CS67 and policy GE20.

## Design

UDP Policies BE5, IB9(c) and CS74 are applicable and seek to secure good quality design and architecture.

The existing building was constructed approximately 10 years ago and ranges between 2 and 3 storeys in height. The building is arranged with 2 wings arranged at right angles to one another either side of an atrium that houses the main secure entrance and links through to a cafeteria which opens onto amenity space to the rear. The extension is proposed to the north wing which has accommodation on two separate off-shots from the atrium. The extension would link these two off shots to create a courtyard to the existing building. Access to the new building would be via these existing wings. The extension would project towards Livesey Street and to the south east beyond the element of the building where it would link in. The land where the extension is shown to be sited is flat and occupied by tunnels and greenhouses associated with the horticultural courses. These are to be re-sited making use of permitted development criteria.

The height of the extension ranges between 2 and 3 storey and links in accordingly at the heights of the existing building. The projection of the building towards Livesey Street comes forward of the main building line of the college. There is a single storey nursery building between the college and Livesey Street, however this is not prominent. Given the lack of a strong streetscene within Livesey Street and the nature of the area, then the projection of the building towards Livesey Street is not at all harmful. It provides the opportunity for greater visual interest in the area and when travelling along the street before the road bends around.

The form of the building has been heavily influenced by the internal space requirements, which have resulted in there being a number of components to the building that have been joined together to create a visually interesting form. The 200 seat theatre space and lighting gantry have been created in a 3 storey “cube” projection that projects towards the highway. This is softened by a substantially glazed lobby that slopes down in height towards the highway, fronting the approach along Livesey Street, this then wraps around the building at a lower level in a curve. Behind that is a structure with a steeply sloping roof. There have been some reservations about the appearance of this from the street, however this would not be prominent due to it being set slightly behind the corner of the building and also its juxtaposition to the street. The extension then continues fronting the northern boundary as a three storey structures which steps down in height to two storey. The corner consists of a further box extension which accommodates a TV recording studio.

The scheme was subject to pre application discussions and over this period, various alterations have been made to refine and simplify the design. There has been some concern that the extension appears as though it would be a new entrance to the building, which would not be the case. The students enter the site at one point and route through the existing glazed entrance which is close to the gates. It would not be possible to approach the new extension as gates within the site prevent this from the main entrance. Occasionally the performance space may be open out of hours. At these times the building will be accessed via the existing



path to the front of the building, then via a lobby that links the existing building to the proposed. The entrance doors have been sited here to remove confusion about where the entrance to the college is.

The materials are mixed to express the different components of the scheme. The dark architectural masonry will ground the building. Feature metallic cladding will be laid diagonally on the theatre component and the TV recording area. Other elements of the extension consist of glazing and curtain walling. The materials are acceptable in principle with the final details and quality controlled by condition.

Other areas of reconfiguration relate to the gate house area. This is being relocated further back into the site and the drop off area reconfigured. This is acceptable in terms of design and appearance.

Overall the design and appearance of the extensions are acceptable and compliant with the above mentioned policies.

Policy BE7 sets out the expectation that that building will be designed to allow people with disabilities safe and easy access. The building has been designed to ensure level access. There are existing disabled parking bays on site. The new drop off facilities are proposed with the intention of improving drop off provision and separating vehicles and pedestrians and improving vehicular access. The scheme complies with this policy.

Policy BE12 seeks to encourage public art in areas which can be readily seen by the public. The applicant has put forward that this could be secured by colour changing lighting to the exterior of the building and manifestation of the glazing. Further discussions have concluded that this would be best achieved by concentrating on securing some decorative glass in the glazed areas and also incorporating artwork into the out of hours public entrance. Final details of this will be secured through condition.

#### Sustainability

Policy CS64 requires new buildings to be designed to reduce emissions that contribute to climate change. This scheme has been designed to make use of natural ventilation, natural light. A sedum green roof is also proposed as part of the scheme. This has the potential to provide habitat, and also reduce surface water and risk of flooding in line with policy CS67 which relates to flooding. Guideline CC1 of SPD on Climate Change and Design requires green roofs and states that they should cover 80% of the total roof area. Whilst this does not extend to 80%, this will still contribute to the wider aims of the policy and refusal could not be justified on this basis, particularly given the wider benefits of the scheme. The scheme will also achieve BREAM very good rating

Policy CS65 requires a minimum of 10 % of the developments predicted energy needs to be secured from low and zero carbon technologies. This is proposed to be achieved by a wind turbine. This would be assessed under a separate application. Secondly a heat pump is proposed. This is acceptable in principle. The 10 % provision will be secured by condition.

## Landscaping

Trees within the site in the area of the extension have previously been felled. There are trees outside the site on the northern boundary, which will be in close proximity to the new emergency access road. Conditions will be attached to secure appropriate tree protection measures.

In terms of new landscaping, then much of the area around the side is cultivated by the college's horticultural students. There is however to be an area fronting Livesey Street which would be hard landscaped and planted. A hard and soft landscaping scheme is to be controlled through condition. The scheme would however not compromise any trees of note. The scheme is compliant with policy GE15 which seeks to protect mature trees.

## Ecology

Policy GE11 seeks to ensure the natural environment will be conserved and enhanced. An ecological survey was submitted give the proximity of the development to the river. This raised no significant issues in terms of species, but made recommendations to be included into the landscaping scheme. No objection has been received from the City Ecology Unit subject to conditions which include designing the external lighting scheme so it does not impact on nocturnal species using the river corridor. Subject to the attached conditions the scheme is compliant with the aims of this policy.

## Amenity

The land to the north is utilised by an electrical substation. There are no immediately adjacent sensitive properties which would be adversely affected by the proposed development. The scheme would be compliant with element (b) of policy IB9.

The existing building is already sited within this industrial location. It is observed that the balance of uses in the area has shifted towards less heavy industry. A directive will be attached to give the college advice in terms of acoustic design

## Highways

The site is a few hundred metres from the A61 Penistone Road which is served by bus routes, cycle routes and is less than 1 km from the closest tram stop. At present there are 217 car parking spaces on site. No additional parking is proposed, however additional cycle parking is proposed to be doubled.

No significant alterations are proposed to the accesses. The emergency access to the north end of Livesey Street will be realigned to accommodate the new emergency access road that is shown to run between the new extension and the northern boundary. The other alterations are at the main entrance where there is a gatehouse controlling access, this is to be moved back into the site and the entrance is to be remodelled with the provision of a drop off area. These proposals are acceptable.

The scheme will however almost double the students and staff using the site.. Lecture times have staggered starts and finishes which disperses arrival and leaving times. On site there are 217 parking spaces. The college do not allow student parking on site, with the exception of disabled students. The college indicates the car park is under used at present, however, this will not be the case once the extension has been built. The existing number of spaces can be accepted, subject to enhancements being made to the travel plan to promote walking, cycling and car sharing, so that the extra demand for parking can effectively be managed.

Policies CS49 and CS54 sets out the aim for the pedestrian environment and links with Hillsborough Centre will be improved. Whilst the scheme would not contribute to this, the college is doubling the amount of cycle parking spaces and has indicated that they will be willing to sign a unilateral undertaking to contribute £20,000 towards developing / implementing a green route which involves upgrading an existing footpath for cycle use. This would be beneficial for staff and student living to the north of the college as it would link Livesey Street to Herries Road South. This is required to achieve compliance with policy T10 which requires new developments to include cycle links with existing or proposed routes where such an opportunity exists.

The enhanced travel plan together with improvements to cycle provision facilities within the site and routes to the site will assist in mitigating against highway safety issues. Subject the legal agreement is signed then the scheme will be compliant with the above policies and policy IB9(f) and have an acceptable impact on highway safety.

## SUMMARY AND RECOMMENDATION

The principle of extending the existing college site is acceptable and supported by policies CS49 and the Upper Don Valley Physical Regeneration Framework. The site falls within flood zones 2 and 3 but it has been demonstrated that the sequential test and exception test have been passed. It has also been demonstrated that adequate mitigation measures could be put into place to ensure that the development will be safe. Whilst the scheme includes education use at ground floor which is contrary to CS67 (m), it is concluded taking into account the mitigation measures and the wider benefits the scheme would bring that this can be accepted.

The design, appearance, scale and massing are acceptable and the scheme has been designed with inclusive access in mind. The development includes appropriate measures to address climate change and would not harm ecology in the area or cause significant detriment to existing landscaping.

Although no additional parking spaces are being provided. Conditions will secure an enhanced travel plan to encourages sustainable travel . Additional cycle parking and an indicative commitment to contributing towards cycle route improvements in the vicinity means that the scheme is acceptable from a highway safety point of view.

The applicants have not at the time of drafting this report submitted a section 106 agreement and therefore the scheme does not comply with policy T10, the application is considered acceptable in relation all other matters and compliant with policies BE5, BE7, BE12 IB9, GE11, GE15, GE20 CS49, CS64, CS65, CS67, CS74 and the NPPF and therefore a dual recommendation is appropriate in this case.

It is recommended that the Board grant planning permission conditionally subject to a legal agreement to secure a financial contribution of £20,000 towards the provision of cycle route provision in accordance with Policy T10 of the UDP.

In the event that a satisfactory S106 planning obligation covering the Heads of Term set out in the preceding paragraph is not concluded before 10th June 2014 (in order to meet the Government's target time for the determination of the application), it is recommended that the application be refused for the failure to make adequate provision in this regard.

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Case Number	14/00145/LBC (Formerly PP-03120530)
Application Type	Listed Building Consent Application
Proposal	Two-storey extension to hotel to form 18 bedrooms, function suite and spa facilities and provision of associated car parking accommodation as amended 17.3.14 and 8.4.14
Location	Whitley Hall Hotel Elliot Lane Sheffield S35 8NR
Date Received	22/01/2014
Team	West and North
Applicant/Agent	Farrar Bamforth Associates
Recommendation	Grant Conditionally

Subject to:

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

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 no. 12-C28-02A received on 22.1.14, drawing nos. 12-C28-01A and 08A received on 3.2.14, and drawing nos. 12-C28-03B, 05A, 06A and 09B received on 8.4.14

Reason; In order to define the permission.

- 3 Large scale details, including materials and finishes, at a minimum 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:

- (i)Windows;
- (ii)Window reveals;
- (iii)Doors;
- (iv)Eaves and verges;
- (v)External wall construction;

- (vi)Masonry detailing;
- (vii)Balconies and canopies;
- (viii)Entrance porch/vestibule;
- (ix)Roof and rooflights;
- (x)Ridge and valleys;
- (xi)Rainwater goods;
- (xii)Chimneys;
- (xiii)Abutment of new walls and roof to the existing gable including cross-sections;
- (xiv)External plant and equipment including vents and grilles;
- (xv)Garden walls and gates;

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

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

- 4 Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason; In order to protect the character of the original building.

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

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

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

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

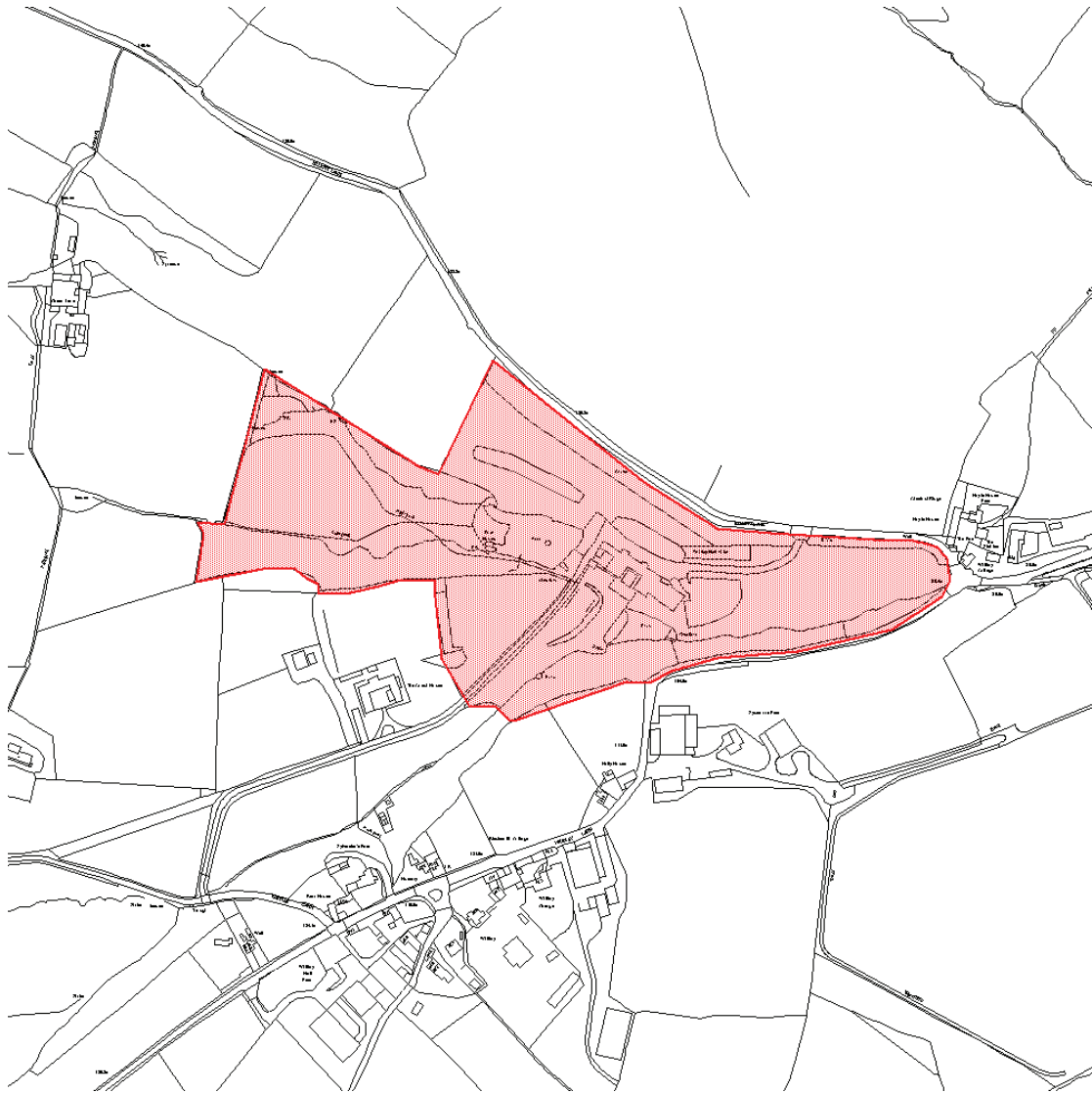
Attention is drawn to the following directives:

1. 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](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://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.

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

## Site Location



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For the Listed Building Consent report see the following application 14/00144/FUL



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Case Number	14/00144/FUL (Formerly PP-03120530)
Application Type	Full Planning Application
Proposal	Two-storey extension to hotel to form 18 bedrooms, function suite and spa facilities and provision of associated car parking accommodation as amended 17.3.14 and 8.4.14
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Date Received	22/01/2014
Team	West and North
Applicant/Agent	Farrar Bamforth Associates
Recommendation	Grant Conditionally

Subject to:

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

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 no. 12-C28-02A received on 22.1.14, drawing nos. 12-C28-01A and 08A received on 3.2.14, and drawing nos. 12-C28-03B, 05A, 06A and 09B received on 8.4.14

Reason; In order to define the permission.

- 3 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, 2012 (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.

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

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

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

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

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.

- 5 Before the development is commenced, or within 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 extension 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.

- 6 Notwithstanding the submitted plans, before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the car parking layout (particularly with regard the disabled parking, location, size of bay and logo/marking) shall have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be used unless such car parking accommodation has been provided in accordance with the approved plan, and thereafter such car parking accommodation shall be retained/maintained for the sole purpose intended.

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

- 7 The gradients of the car parking accommodation and vehicle circulation areas shall not exceed those indicated on the approved plans.

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

- 8 Notwithstanding the submitted plans, before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, details of car park barrier/method of operation, location, signage/markings of the one-way system shall have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be used unless such arrangements have been provided in accordance with the approved plan, and thereafter retained/maintained for the sole purpose intended.

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

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

Reason; In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield and Core Strategy Policies.

- 10 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.

- 11 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.

- 12 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 proposed kitchen is submitted for written approval by the Local Planning Authority. 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.

- 13 Before the use of the development hereby approved commences, details of a management scheme for the storage of waste bins, the movement, sorting or removal of waste bottles, materials or other articles, and movement of skips or bins within the site of the development including days and hours of such operations shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be operated in accordance with the approved details.

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

- 14 Before the use of the development hereby approved commences, details of a scheme of sound attenuation works shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be operated in accordance with the approved details.

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

- 15 Large scale details, including materials and finishes, at a minimum 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:

- (i) Windows;
- (ii) Window reveals;
- (iii) Doors;
- (iv) Eaves and verges;
- (v) External wall construction;
- (vi) Masonry detailing;
- (vii) Balconies and canopies;
- (viii) Entrance porch/ vestibule;
- (ix) Roof and rooflights;
- (x) Ridge and valleys;
- (xi) Rainwater goods;
- (xii) Chimneys;
- (xiii) Abutment of new walls and roof to the existing gable including cross-sections;
- (xiv) External plant and equipment including vents and grilles;
- (xv) Garden walls and gates;

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

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

- 16 Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason; In order to protect the character of the original building.

- 17 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.

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

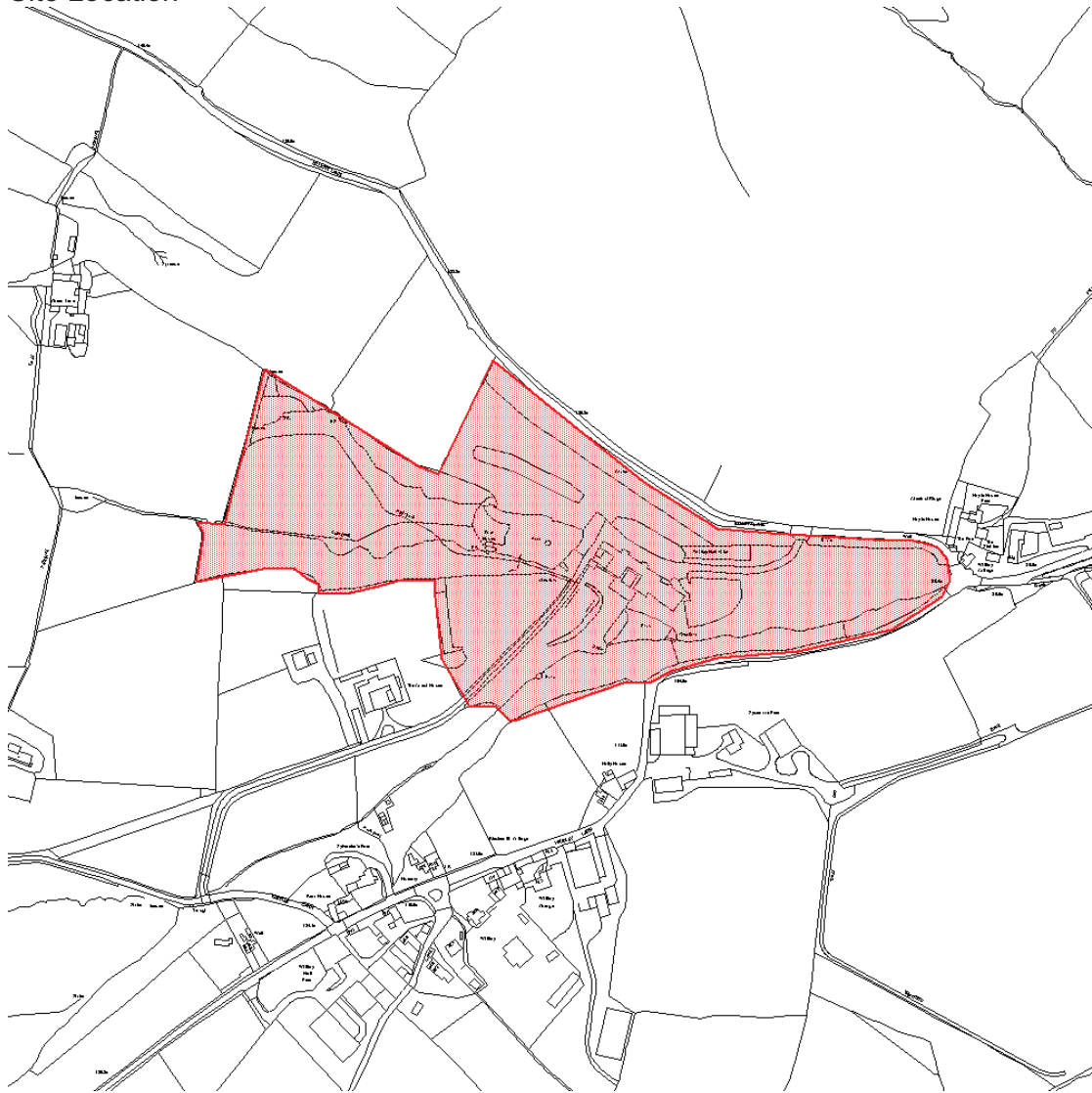
Reason; In order to ensure an appropriate quality of development.

Attention is drawn to the following directives:

1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.
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](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

Site Location



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## INTRODUCTION

This is a joint report involving a full planning application (application no. 14/00144/FUL) and an application for listed building consent (application no. 14/00145/LBC) for a two-storey extension and provision of car parking at Whitley Hall Hotel.

## LOCATION

Whitley Hall Hotel and its grounds are located on the northeast side of Whitley alongside Elliott Lane and Whitley Lane.

The main access to the hotel is via a private drive off Elliott Lane which leads down to the hotel and its car park. The hotel is set back approximately 60 metres from Elliott Lane and Whitley lane with mature tree belts between the hotel and the two road frontages.

The hotel currently provides 32 en-suite bedrooms and caters for private functions, weddings and business events/conferences.

Whitley Hall Hotel is a grade II\* listed building.

## PROPOSAL

This proposal seeks full planning permission and listed building consent for the erection of a two-storey extension off the southeast wing of the hotel to form 18 bedrooms, a function suite and spa facilities, and for provision of car parking accommodation.

The application has been amended since its submission to widen the door widths and clarify detail relating to tree protection.

The existing building has an elongated frontage running generally northwest to southeast. The proposed extension would be sited off the southeastern end of the hotel on land that is currently part of the existing car park.

The proposed extension would have a generally 'L'-shaped footprint comprising two two-storey blocks each with a double ridged roof linked by a single-storey flat roof. The proposal would extend the overall width of the existing building by approximately 31 metres.

The two-storey elements of the proposed extension would be faced in coursed natural stone with stone roof slates, oak window frames and metal balustrades. The single-storey link would comprise aluminium curtain walling with fully glazed bi-fold doors and cedar board canopy and frameless glazed balustrade.

The existing driveway through the car park would be extended further to the southeast with replacement car parking provided along its length. It is proposed to link the eastern end of this car park drive into the main driveway access into the site close to the entrance off Elliott Lane. The proposed external works include



new stone garden walls to a terrace, stone paving and landscaping including 9 new trees.

The proposal would provide 18 bedrooms on the ground floor and first floor in the proposed block adjoining the existing building, and a function room, kitchen and bar on the ground floor and first floor spa facilities in the second block, with a function room in the ground floor link with a roof terrace serving the spa above.

The applicant has stated that they are not seeking to do more weddings and will still have two function rooms. The applicant has stated that duty managers proactively use sound meters to check music and p.a. levels during weddings and other events, and do not allow use of fireworks.

The applicant has stated that the proposal would result in 11 additional full-time and 5 additional part-time employees.

The applicant has made the following submissions in support of this application:

- there is a need for high quality hotel accommodation within Sheffield and the wider South Yorkshire region so the area can compete with other cities and regions on a national basis;
- Whitley Hall is a unique listed hotel providing high quality accommodation and the extension will provide much needed additional bed space together with spa facilities for guests and day visitors;
- a hotel of this quality is expected to provide spa and conference facilities;
- the provision of these facilities will enable the hotel to compete with other such hotels in Harrogate, Blackburn and Leeds (which have similar facilities in Green Belt locations) thereby bringing tourism and the associated benefits back to Sheffield;
- the proposed development will further improve the facility increasing its attractiveness to potential visitors who may want to stay in the city for longer periods;
- the proposal would give confidence and stability to the existing established operation, assist in securing the long term future of the business and the continued use of this important and attractive grade II\* listed building;
- would result in an increase in employment opportunities within the area especially for the semi-skilled and support and improve tourist related employment;
- the proposed development can be readily accommodated within the grounds of the hotel ensuring that the extent to which the Green Belt is harmed is minimal and no conflict with the purpose of including land within the Green Belt or the objectives of green belt policy.

In addition the applicant has stated:

- the hotel has greatly increased the amount of weddings/functions;
- the proposed extension would suit the current requests for services by the guests;
- many luxury hotels have improved on the hotel guest experience by providing spa services as a key feature of a guest's stay, Whitley Hall Hotel would benefit from providing such facilities;
- the hotel currently stands out as a distinctive business to serve Sheffield and the surrounding area, and by improving the services it offers will enhance its position within a niche market for this area;



- providing additional facilities, the hotel has potentially a stronger position for guests to stay over for a longer period and explore the wider area attracting tourism;
- the existing hotel currently has two wedding function suites of which the smaller function room is to one side (directly off) of the main restaurant creating confusion between guests and diners, a larger purpose built function room with separate bar and bedroom facilities would be beneficial to the hotel, the existing restaurant can be expanded as a consequence to allow for additional guests staying or dining at the hotel;
- the design improves first impressions of the hotel, the car park will be re-sited in a more concealed area;
- providing a business model that enhances and maintains this listed building is the main focus of the proposed design scheme.

## RELEVANT PLANNING HISTORY

Several previous applications for planning permission and listed building consent have been submitted in respect of this property. The building was added to the list of buildings of special architectural and historic interest in 1969.

In 1979 planning permission and listed building consent was granted for use of the premises as hotel and restaurant and for extensions and alterations at the northwestern end of the building to form additional bar facilities, hotel and staff accommodation and manager's flat (application nos. 78/7876P and 78/8061P refer).

In 1988 planning permission and listed building consent was granted for a two-storey extension at the southeastern end of the hotel to form 16 bedrooms and ancillary accommodation (application nos. 87/2080P and 87/2246P refer). The first phase of this development to extend the service area was commenced in 1990 and completed however the subsequent phase to construct the remainder of the extension was not commenced and the permissions remained extant (application nos. 87/2080P and 87/2246P refer).

In 2007 planning permission and listed building consent were granted for a scheme of works that included an alternative proposal for the two-storey extension of a similar siting, size and mass as that remaining extant from the 1987 permissions, and that also included a single-storey extension predominantly located within the existing courtyard at the western end of the hotel. This proposal consisted of alterations and a two-storey extension to the east wing to form 12 bedrooms, wc's and lift, and for a single-storey extension to the west wing function room and alterations to manager's flat to form 3 bedrooms, landscaping works and associated car parking. The approved two-storey extension has subsequently been implemented (application nos. 06/04860/FUL and 06/04862/LBC refer).

In 2010 planning permission and listed building consent were granted for the removal and replacement of the existing entrance canopy on the front of the hotel (application no. 10/01893/FUL and 10/01894/LBC refer).

## SUMMARY OF REPRESENTATIONS

The applications have been publicised by letters of notification to nearby properties, by newspaper advert and by display of site notices.

2 representations of objection have been received relating to the following matters:

- one of the representations stated that they have no objection to the extension however they have concerns about the noise level, on fine days music level and volume the dj's have on their microphones can be a problem, restrict noise levels.
- the other objection states that the proposal will have serious consequences environmentally and socially, area is within designated Green Belt and high landscape value;
- the last development of an additional 12 bedrooms has caused a significant impact, road usage has increased significantly, noise levels from the site have increased significantly, road usage has further increased due to Aldi store at Whitley Lane/Church Street, road is already stretched to deal with current traffic volumes, damage to road and verges and their habitat, road cannot sustain further high levels of traffic;
- previous planning refusal on appeal (appeal against refusal to grant planning permission for the change of use of building to dwelling on land adjacent 280 Whitley Lane application no. 06/03863/FUL) referred to reuse of the building as an abattoir would lead to more activity and traffic, possibility of other uses...do not outweigh the harm caused to the Green Belt by the proposal (extract from paragraph 8 of Inspector's decision letter) and by removing the generation of large stock carriers/refrigerated lorries and their trips of cars of employees of the abattoir/commercial use. The lane is narrow and the generation of commercial traffic would in itself result in a change in the character of Whitley (extract from paragraph 5.19 of appellant's appeal statement);
- noise, conflict between interests of proposers and residents, the proposed car park extension currently houses rubbish bins and will extend considerably towards the junction of Elliott Lane and Whitley lane, the bin lorry and staff filling the bins can be heard distinctly at the properties, if this can be heard would be able to hear car doors, the current site generates noise, noise after 12pm at night was at an unacceptable level;
- extra function room proposed even closer to properties will cause increase of noise and an interruption to right of enjoyment of land;
- numerous accidents at Elliott Lane junction, suggest traffic counter be installed to assess the situation before any planning application is considered, natural increase of traffic using Whitley and Elliott Lane has caused oversubscription of vehicles passing through already, a development that will add significant traffic to the area will cause much disruption;
- total vehicle passes for an average Saturday equals over 400 vehicle passes, too much for a quiet lane which on parts require a car to stop to let another vehicle pass, extra traffic can only add to the existing dangers to wildlife in the area, walkers and horse riders, there are three public footpaths in the near vicinity, road is widely used by walkers and horse riders;
- traffic enters Elliott Lane cutting the corner disregarding the junction signage;
- one taxi generates four car journeys past property for each client, an additional function room will add hundreds of extra vehicle passes up and down this quiet lane each weekend;

- the properties further up Whitley petitioned for a speed reduction siting speed and traffic volume;
- settlement where Elliott Lane meets Whitley Lane is within 100 metres not 0.5 miles to the southwest;
- extra litter;
- more light pollution;
- suggest planning board visit the site.

1 representation of support has been received from the AA relating to the following matters:

- within the area of operation which Whitley Hall Hotel finds itself the market has changed significantly in recent years driven by proliferation of budget hotel chains with minimal facilities, changing requirements of leisure customers, facilities which have been added to many 4 star plus hotels throughout the country such as health spas and leisure facilities, continuing strength of wedding market and requirement to attract customers for longer breaks;
- support this application to be able to compete in a very competitive market;
- proposed extension is important to the future wellbeing and development of the business, improving standards, becoming a national player in important and developing area attracting more customers for longer periods.

Ecclesfield Parish Council have stated that they could see no grounds for objection to the application, however there was one comment on the City Council website with regard to noise levels at the hotel when weddings are taking place and ask that these comments are taken into account when making a decision about the application.

Grenoside Conservation Society are concerned that there will be increased traffic on the narrow country lanes that lead to Whitley Hall. Access from Grenoside goes through the village of Whitley and could be of concern to the residents. Also concerned that mature trees and the stream are not affected by this development.

## PLANNING ASSESSMENT

### Policy Issues

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP). The UDP Proposals Map identifies the site as being within the Green Belt, an Area of High Landscape Value, a Green Corridor and the Whitley and Wood End Area of Special Character.

The Pre-Submissions version of the Draft City Policies and Sites Document and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State. The Draft Proposals Map maintains the Green Belt Area designation and identifies the wooded areas to the north and south of the premises as being part of an ecological local nature site.

UDP Policy GE3 states that in the Green Belt, the construction of new buildings will not be permitted, except in very special circumstances, for purposes other than

agriculture, forestry, essential facilities for outdoor sport and recreation, cemeteries, and other uses which would comply with UDP Policy GE1.

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

The Government's planning policy guidance on Green Belts is contained in the National Planning Policy Framework (NPPF).

The NPPF reflects this policy guidance. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (paragraph 79, NPPF). Once defined local planning authorities should plan positively to enhance the beneficial use of the Green Belt including to retain and enhance landscapes, visual amenity and biodiversity (paragraph 81, NPPF).

The NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (NPPF paragraph 87). The NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 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 88, NPPF).

The NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include, buildings for agriculture and forestry, appropriate facilities for outdoor sport and recreation and cemeteries as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building, replacement of buildings and limited infilling (NPPF paragraph 89).

The proposed extension and its use does not fall within the uses that can be considered as exceptions under NPPF paragraph 89 and the specified uses in UDP Policy GE3. For the purposes of NPPF paragraph 89, the size and massing of the proposed extension and resultant building would be a disproportionate addition over and above the size of the original building. The proposal is not replacing an existing building and does not constitute limited infilling whether in a village or of a previously developed site.

In this instance the proposed extension comprises inappropriate development within the Green Belt. In accordance with policy guidance on development in the Green Belt, assessment is required of any harm to the Green Belt and whether there are very special circumstances.

## Impact on the Green Belt

As noted above, the proposed site lies within the Green Belt and an Area of High Landscape Value, a Green Corridor and the Whitley and Wood End Area of Special Character.

UDP Policies GE1 to GE4 seek to protect the character and openness of the Green Belt. The development plan also includes policies relating to the countryside and the rural economy. UDP Policies GE8 and GE10 seek to protect and enhance the character and appearance of areas of high landscape value and the green network respectively. UDP Policy GE7 seeks to maintain and enhance the rural economy and agriculture.

Core Strategy Policy CS71 seeks to safeguard the countryside and other open land around the existing built-up areas of the city by maintaining the Green Belt.

Policies GE1 and GE3 are outlined above.

UDP Policy GE2 states that in the Green Belt measures will be taken to maintain and enhance those areas with a generally high landscape value, and improve poor landscapes in priority areas.

UDP Policy GE4 states that the scale and character of any development which is permitted in the Green Belt should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment.

UDP Policy GE7 states that the rural economy and agriculture will be maintained and enhanced and development will not be permitted where it would result in the loss of the best agricultural land or seriously harm agricultural activities.

UDP Policy GE8 seeks to ensure that in Areas of High Landscape Value development which is permitted must protect and whenever appropriate enhance the appearance and character of these areas.

UDP Policy GE10 states that a network of green corridors and green links will be protected from development which would detract from their mainly green and open character or which would cause serious ecological damage. This policy also seeks to enhance and extend the green network.

UDP Policies BE15, BE17 and BE18 seek, amongst other matters, to protect the appearance and character of Areas of Special Character.

The site lies within a shallow valley just to the northeast of the settlement of Whitley. Parts of the grounds are wooded particularly to the northwest of the hotel and alongside the streams which flow from the northwest and west through the site. There are two ponds one on the northwest side and one on the south side of the hotel. There are mature trees within the grounds and alongside the Elliot Lane and Whitley Lane Road frontages. Whilst the main part of the settlement of Whitley lies just to the southwest of the site, there are also groups of houses just to the east on the junction of Elliott Lane and Whitley Lane. The surrounding land is

generally open countryside up to the built up fringes of Burncross, Chapeltown, Ecclesfield and Grenoside and Greno Wood.

The proposal does not involve the loss of agricultural land and will not harm the interests of agriculture.

The main building at Whitley Hall Hotel is predominantly two-storey with an elongated frontage approximately 80 metres long, and wings projecting approximately 12 metres to the rear. The 1988 and 2007 permissions added approximately 23 metres to the previous 57 metre long frontage. Its listing description describes it as 16th, 17th and 18th century with 19th and 20th century additions and alterations. The building was further extended and altered following permissions in 2007 and 2010.

The building is mainly sandstone with stone slates and tiled roof.

The proposed extension further elongates the existing building and introduces a significant projection forward of the main alignment of its front elevation. The design, massing and external materials of the proposed two-storey blocks are sympathetic to the existing building. The single-storey link has a simpler lightweight contemporary appearance.

The proposed extension would be sited close to the woodland to the rear. The proposed car parking and drive would be sited close to the group of trees alongside the existing access drive. The principle trees would be unaffected. 7 lesser trees would be removed. 9 replacement trees are proposed alongside the proposed driveway and parking areas.

The proposed extension would be visible from within and alongside the grounds of the site. The existing trees would partially screen the proposed extension. The proposed extension would not harm the Green Corridor running east-west past the site. There are no ecological objections to the proposal.

The proposed extension would be in keeping with the existing building and would not harm the woodland setting. The proposal would not harm the appearance of the street scene or the Whitley and Wood End Area of Special Character.

There are no archaeological implications.

It is considered that the proposal would not have a significant impact on the character and appearance of the area.

The essential characteristics of the Green Belt are openness and permanence. The nature, scale, bulk and site coverage of the proposed development would have an impact on the openness of this part of the site. The impact on the openness is partly mitigated by the setting of the proposed extension within the shallow valley and the surrounding trees.



## Assessment of Very Special Circumstances

The economic benefits and essential business reasons for upgrading the existing facility as proposed are recognised. The relationship and synergy between the proposed facility and the existing hotel is accepted. It is acknowledged that the proposal would increase the potential for guests to stay for longer periods within the area and contribute to the local economy and tourism within the area and that the proposal would reinforce the role of Whitley Hall Hotel in providing accommodation to support this sector of the city's economy.

It is considered that the proposal will contribute to securing a sustainable long term future for this grade II\* listed building. The potential to improve the arrangement of uses (re-siting the smaller function room) within the earlier part of the hall without impacting on the fabric of the listed building is beneficial to maintaining the historic and architectural quality of the listed building.

The distinctiveness of the hotel in serving a much wider area than the immediate locality, and the business need to upgrade the hotel are considered to be qualitative factors that in this instance amount to very special circumstances.

It is considered that the proposal will contribute to securing a sustainable long term future for this grade II\* listed building. The potential to improve the arrangement of uses (re-siting the smaller function room) within the earlier part of the hall without impacting on the fabric of the listed building is beneficial to maintaining the historic and architectural quality of the listed building.

It is considered that these matters amount in this instance to very special circumstances in assessing Green Belt policy.

## Impact on the Listed Building

UDP Policies BE15, BE17 and BE19 also seek to preserve the special architectural and historic interest of listed buildings. The guidance contained in the NPPF (paragraph 131) includes that in determining planning applications local authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses, and that great weight should be given to the asset's conservation. Substantial harm to or loss of designated heritage assets of the highest significance, which includes grade II\* listed buildings should be wholly exceptional (NPPF paragraph 132).

The proposed extension would further add to the range of extensions and alterations undertaken to this listed building. It would adjoin the most recent extension on the building with no disturbance to the earlier parts of the listed building.

The siting and massing of the proposed extension would be sympathetic to that of the existing building following similar roof lines and repeating the dual ridge roof shape.

The proposed detailing of the extension includes chamfered plinths, chimneys, oak framed entrance porches, verge roof copings and steep pitch roof. The windows would have ashlar surrounds. The spa block would have stepped gables. These features reflect similar features on the original and previously extended building.

The proposed external materials would complement the existing building. Conditions would be required to ensure appropriate detailing and samples of materials.

English Heritage has recommended that the applications be approved.

English Heritage has advised that Whitley Hall is particularly important building of more than special interest evidenced by its listing as grade II\*. Its fabric has high value for the evidence that it contains of the original form of the building, its development over time and the building techniques and practices. It has high historic interest as the hall house for a wider estate which turned into a boarding school and a family home.

English Heritage state they have been involved in pre-application discussions regarding these proposals and are satisfied that the current initiatives will help secure a sustainable long term future for Whitley Hall and that the proposed works can be carried out without harming its significance.

It is considered that the proposal would not harm the special architectural and historic interest of this grade II\* listed building.

#### Transportation and Highway Issues

The proposed increase in bedroom accommodation and improvements in the facilities at the hotel will generate additional vehicle movements to and from the site. Some of these movements will be mitigated by the guests staying overnight and prolonging their stay at the hotel.

The existing access and driveway into the site would be retained.

The proposal seeks to extend the driveway running through the lower car park and link it to the existing entrance drive to provide a loop road through the site for visitors, deliveries and other vehicles. Replacement and additional car parking would be provided alongside a proposed extended driveway running through the lower car park. Overall the proposal would provide 16 additional car parking spaces.

There are no highway objections subject to appropriate conditions to secure detailing of the parking spaces, gradients, car park barrier and cycle parking.

#### Sustainability

The NPPF states that there is a presumption in favour of sustainable development (paragraph 14), promote competitive town centre environments (paragraphs 23 to



27), and support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

The application site lies outside the built-up area of the city. Whiteley is located close to the urban fringe however the main bus routes through Grenoside to the west and Ecclesfield to the east are approximately 1 km away.

Whilst the proposed spa, function room and hotel bedrooms are included in the range of uses that are main town centre uses, it is considered that they are clearly linked to the existing use on this site and as such cannot be disaggregated and located within existing town centres. The proposal complies with the sequential approach to main town centre uses.

This is a long established tourism related business in a rural location. The proposal would support the sustainable growth and expansion of the existing business.

Core Strategy Policies on climate change include Policies CS63 to CS65.

The proposal seeks to incorporate further methods of renewable energy into the design. The applicant is investigating using hydropower and making use of the continuous flow of water from the upper pond to the lower pond, using solar panels on the south facing inner side of the double pitch roof design. Conditions are recommended to secure appropriate measures.

#### Effect on the Amenities of Residents

There are residential properties around the Elliott Lane/Whitley Lane junction to the site approximately 180 metres from the proposed extension, and off Whitley Lane approximately 130 metres to the southwest.

It is considered that there would be sufficient separation between the proposed extension and nearby residents to ensure that there would be no significant harm to the living conditions of nearby residents. Whilst there is the potential for noise and disturbance from movement of vehicles to and from the site during the evening and night-time it is considered that the increase in vehicle movements and consequent potential for disturbance would be of minor significance. Conditions are recommended to ensure there is no significant noise outbreak from the proposed function room and servicing areas.

#### CONCLUSION

It is considered that very special circumstances have been demonstrated.

The proposal will have some harm on the Green Belt due to its impact on the openness of this part of the Green Belt. Other impacts on the Green Belt, this historic building and other material planning considerations are not significant.

In this instance, the very special circumstances clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm.

It is considered that the proposal would not harm the special architectural and historic interest of this grade II\* listed building.

The proposal complies with UDP Policies GE1 to GE4, GE7, GE8, GE10, BE15, BE17, BE18 and BE19 and Core Strategy Policies CS63 to CS65 and CS71 and the Government's planning policy guidance on Green Belts contained in the National Planning Policy Framework.

## SUMMARY

Whitley Hall Hotel is a grade II\* listed building situated in the Green Belt.

In this instance the proposed extension comprises inappropriate development within the Green Belt. In accordance with policy guidance on development in the Green Belt, assessment is required of any harm to the Green Belt and whether there are very special circumstances.

The distinctiveness of the hotel in serving a much wider area than the immediate locality, and the business need to upgrade the hotel are considered to be qualitative factors that in this instance amount to very special circumstances.

It is considered that the proposal will contribute to securing a sustainable long term future for this grade II\* listed building. The potential to improve the arrangement of uses (re-siting the smaller function room) within the earlier part of the hall without impacting on the fabric of the listed building is beneficial to maintaining the historic and architectural quality of the listed building.

It is considered that these matters amount in this instance to very special circumstances in assessing Green Belt policy.

The UDP Proposals Map also identifies the site as being within, an Area of High Landscape Value, a Green Corridor and the Whitley and Wood End Area of Special Character.

The proposed extension further elongates the existing building and introduces a significant projection forward of the main alignment of its front elevation.

The proposed extension would be in keeping with the existing building and would not harm the woodland setting.

The proposal would not harm the appearance of the street scene or the Whitley and Wood End Area of Special Character.

There are no ecological or archaeological objections to the proposal.

It is considered that the proposal would not have a significant impact on the character and appearance of the area.

The proposed development would have an impact on the openness of this part of the site. The impact on the openness is partly mitigated by the setting of the proposed extension within the shallow valley and the surrounding trees.

There are no highway objections subject to appropriate conditions.

It is considered that there would be sufficient separation between the proposed extension and nearby residents to ensure that there would be no significant harm to the living conditions of nearby residents.

It is concluded that very special circumstances have been demonstrated which clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm.

It is considered that the proposal would not harm the special architectural and historic interest of this grade II\* listed building.

The proposal complies with UDP Policies GE1 to GE4, GE7, GE8, GE10, BE15, BE17, BE18 and BE19 and Core Strategy Policies CS63 to CS65 and CS71 and the Government's planning policy guidance on Green Belts contained in the National Planning Policy Framework.

#### RECOMMENDATION

It is recommended that planning permission and listed building consent is granted subject to conditions.

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Case Number	13/04135/FUL (Formerly PP-03055809)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of mixed use development with 52no residential units above ground floor ancillary residential facilities and commercial A1/A3/A4 use
Location	72 Russell Street Sheffield S3 8RW
Date Received	09/12/2013
Team	City Centre and East
Applicant/Agent	Axis Architecture
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:

Proposed Elevations (Sheet 1) - Drawing No. 26011 A(31)01 Revision C  
Proposed Elevation (Sheet 2) - Drawing No. 26011 A(31)02 Revision C  
Ground Floor Plan - Drawing No. 26011\_A(02)01 Revision E  
First & Second Floor - Drawing No. 26011\_A(02)02 Revision F  
Third & Fourth Floors - Drawing No. 26011\_A(02)03 Revision E  
Roof - Drawing No. 26011\_A(02)04 Revision D

Reason; In order to define the permission.

- 3 The works of demolition hereby authorised shall not be carried out before evidence of a contract for the carrying out of the works of redevelopment of the site hereby approved as part of this application has been submitted to and approved by the Local Planning Authority

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

- 4 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.

- 5 Prior to any above ground level construction works commencing, intrusive site investigations including an assessment of the potential for ground gas generation 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. 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.

- 6 Prior to any above ground level construction works commencing, any remediation works or gas protection measures 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. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Environmental Protection Service 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.

- 7 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.

- 8 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 Environmental Protection Service 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.

- 9 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
- The programme and method of site investigation and recording.
  - The requirement to seek preservation in situ of identified features of importance.
  - The programme for post-investigation assessment.
  - The provision to be made for analysis and reporting.
  - The provision to be made for publication and dissemination of the results.
  - The provision to be made for deposition of the archive created.
  - Nomination of a competent person/persons or organisation to undertake the works.
  - The timetable for completion of all site investigation and postinvestigation works.

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

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

- 10 No development shall take place, including any works of demolition, until details are submitted for written approval by the Local Planning Authority giving details of measures to control the emission of dust during demolition and construction.

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

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

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

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

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.

12 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.

13 The proposed green roof(s) (vegetated roof system) shall cover a minimum area of 80% of the roof and shall be provided prior to the use of the building commencing. Full details of the green roof construction and specification, together with a maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. Unless an alternative specification is approved the green roof shall include a substrate based growing medium of 80mm minimum depth and incorporating 15 - 25% compost or other organic material and the vegetation type shall be herbaceous plants. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason; In the interests of biodiversity.

14 The Local Planning Authority shall be notified upon completion of the green/brown roof at each phase of development.

Reason; In the interests of biodiversity.

- 15 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.

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

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

- 17 Notwithstanding the details submitted with the application, final large scale details, including materials and finishes, at a minimum of scale 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Windows (including windows in brickwork)  
Window reveals  
Glazing  
Entrances (including doors)  
Shopfront  
External wall construction  
Pitched roof - including eaves and openings  
Soffits and projections  
Junction between brickwork and metal cladding system  
Brickwork detailing  
Balconies and terraces (including glass balustrade)  
Infill panels proposed in the windows openings across the development.  
Rainwater goods  
Plant equipment enclosures

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

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

- 18 Prior to implementation, full details of any external signage proposed to be installed on the building shall have been submitted to and approved in writing by the Local Planning Authority. The approved signage shall be provided in accordance with the approved details.

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



- 19 Prior to installation, full details of all external lighting shall have been submitted to and approved in writing by the Local Planning Authority prior to installation and thereafter the lighting shall be installed in accordance with the approved details and shall not be altered without further permission.

Reason; In the interest of design and the amenities of the locality and surrounding occupiers.

- 20 No garage door, door, window or gate shall, when open, project over the adjoining footway.

Reason; In the interests of pedestrian safety.

- 21 The building 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.

- 22 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.

- 23 The building shall not be used unless the cycle parking accommodation for 12 cycles as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason; In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield and Core Strategy Policies

- 24 Notwithstanding the details on the approved plans, before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the following inclusive access facilities for disabled people to use the commercial and mobility units, shall have been submitted to and approved in writing by the local Planning Authority:

1. Commercial Units: Full details of access facilities for disabled people to enter the commercial buildings (including final details of ramps, entrance doors and manifestation); and

2. Residential Units: Full details to demonstrate that at least 25% of the residential units within the development shall be constructed to Mobility Housing Standards.

The buildings shall not be used unless all inclusive access 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.

25 The residential accommodation hereby permitted shall not be occupied 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.

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq 15 minutes - 30 Db; LAmx 45dB (2300 to 0700 hours),

Living Rooms: LAeq 15 minutes - 40 dB (0700 to 2300 hours),

External Amenity Areas: LAeq (16 hours) - (0700 to 2300 hours).

c) Include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound attenuation 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 future occupiers of the building.

26 Before the use of the development is commenced, a Validation Test of the sound attenuation works (including works to mitigate environmental noise ingress and site-generated noise egress and transmission) 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.

- 27 Before the use of the building for Food and Drink purposes (A3) is commenced a scheme of sound attenuation works shall have been installed and thereafter retained. Such a 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 Food and Drink use (A3) 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 3dB when measured as a 15 minute Leq,
    - iii) Be capable of restricting noise breakout from the Class A3 use to the flats above to levels complying with the following:  
Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours),  
Living Rooms: Noise Rating Curve NR35 (0700 to 2300 hours)\*,

(\*Noise Rating Curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 63 kHz to 8 kHz).

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 of the residential occupiers of the building.

- 28 No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered.

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

- 29 Deliveries to and collections from the building shall be carried out only between the hours of 0700 hours to 2300 hours Monday to Saturday and 0900 hours to 2300 hours Sundays and Public Holidays.

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

- 30 Movement, sorting or removal of waste bottles, materials or other articles, or movement of skips or bins shall be carried on in any external areas only between 0700 hours and 2300 hours Monday to Saturday and between 0900 hours and 2300 hours on Sundays and Public Holidays.

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

- 31 No amplified sound or live music shall be played in external areas of the portions of the building in commercial use, nor shall loudspeakers be fixed outside the building at any time.

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

- 32 Prior to the installation of any commercial kitchen fume extraction system, details of a scheme of works to mitigate odour and noise, including details of any scheduled maintenance requirements, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the commercial kitchen's use commencing, and shall thereafter be retained and maintained in accordance with the approved details.

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

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

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

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

Reason; In the interest of satisfactory and sustainable drainage.

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

Reason; To ensure satisfactory drainage arrangements.

- 36 There shall be no piped discharge of surface water from the development prior to the completion of the surface water drainage works relating to that phase. No buildings within the phase shall be occupied or brought into use prior to the completion of the approved foul drainage works.

Reason; To ensure satisfactory drainage arrangements.

37 The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and addendum compiled by Eastwood and Partners (dated November 2013 (May 2014 addendum)) and the following mitigation measures detailed within the FRA and supporting information to:

1. Finished ground floor levels are set no lower than 49.65 metres above Ordnance Datum and in addition be at least 300mm above adjacent road levels.
2. The property is to have no basement.
3. Residential accommodation to be on the first floor and above only.
4. Occupiers are to sign up to the EAs flood warning service.

The mitigation measures shall be fully implemented prior to the occupation of the building.

Reason; To reduce the risk of flooding to the proposed development and future occupants, and to ensure safe access and egress from and to the site.

38 No development shall commence until additional intrusive investigation works have been undertaken to establish the exact situation regarding coal mining legacy issues on the site. The findings of the works shall be subject to a Coal Mining Report and Remediation Strategy, which shall be submitted to and approved in writing before development is commenced. Thereafter all development and any associated remediation shall proceed in accordance with the recommendations of the approved documents. In the event that remediation is unable to proceed in accordance with the approved documents, or unexpected coal mining legacy is encountered at any stage of the development process, works should cease and the Local Planning Authority and the Coal Authority 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 establish the exact situation regarding coal mining legacy issues affecting the site.

39 No windows serving the commercial floor space shall be blocked up, filmed over or otherwise non transparent.

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

40 The use of the ground floor areas of the building for the purpose of a laundry, gym and cinema shall at all times remain ancillary to the main use of the building for residential accommodation purposes and shall not be used for any other purpose.

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

- 41 Notwithstanding the details contained in the applicant's Public Art Statement (April 2014), before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

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

Attention is drawn to the following directives:

1. 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. 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](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://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.

3. The applicant is advised that Yorkshire Water has confirmed that the local public sewer network does not have capacity to accept any additional discharge of surface water from the proposal site. The applicant is advised to contact the relevant drainage authorities with a view to establishing a suitable watercourse for the disposal of surface water.
4. The applicant is advised that foul water from kitchens and/or food preparation areas of any restaurants and/or canteens etc. must pass through a fat and grease trap of adequate design before any discharge to the public sewer network. The developer is required to consult with Yorkshire Water's Industrial Waste Section (Tel. 0845 124 2424) on any proposal to discharge a trade effluent to the public sewer network.
5. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the

work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

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

6. 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.

7. 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

8. 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](mailto: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.

9. 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.
10. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
11. 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.
12. You are advised that residential occupiers of the building should be informed in writing prior to occupation that:
  - i. limited/no car parking provision is available on site for occupiers of the building,
  - ii. resident's car parking permits will not be provided by the Council for any person living in the building.
13. 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.

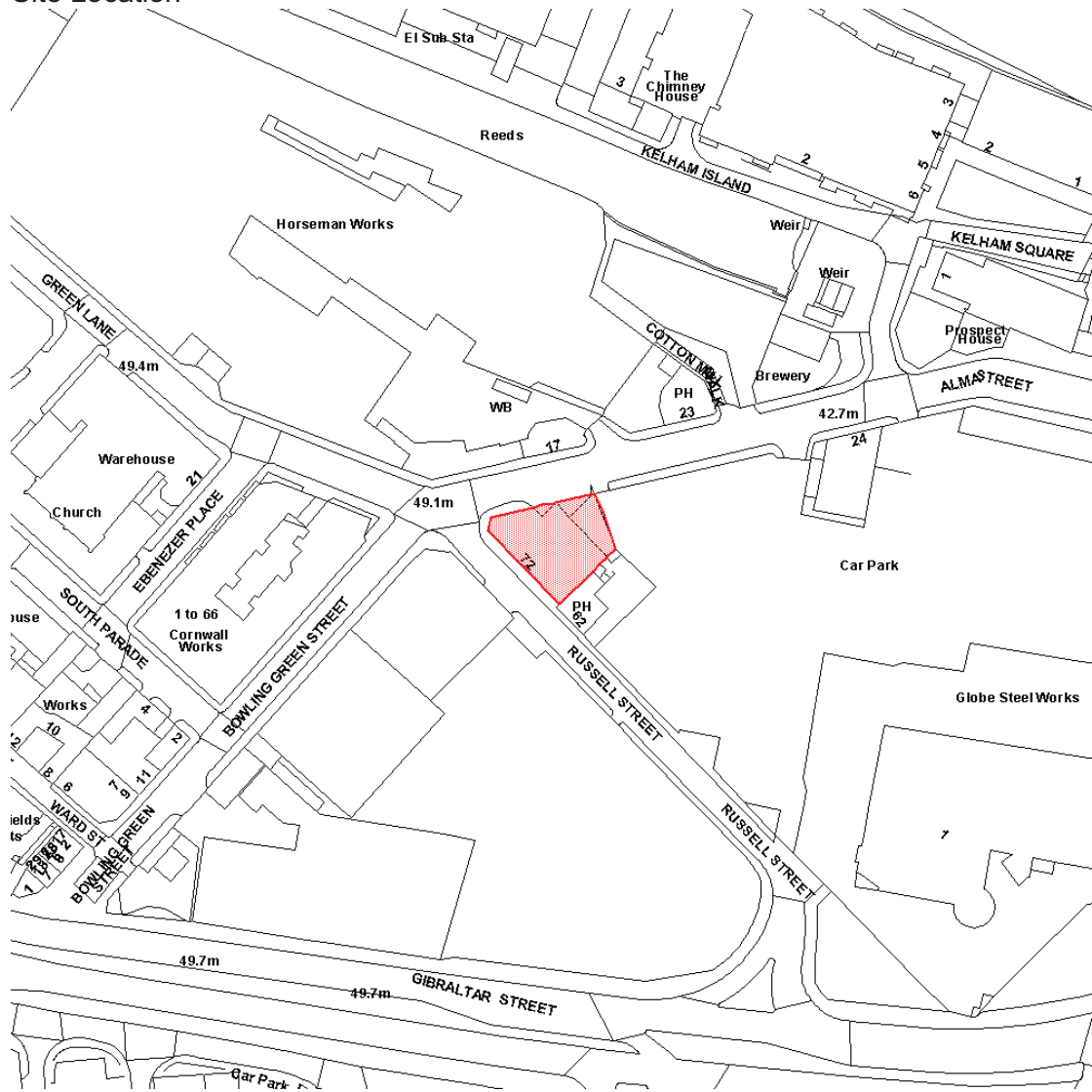


14. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document "Guidance Notes for the Reduction of Obtrusive Light (GN01: 2011)". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available for download from the Institution of Lighting Professionals' website, or telephone (01788) 576492.
15. The applicant is advised that responsibility for the safe development and occupancy of the site rests with the developer. The Local Planning Authority has evaluated the risk assessment and remediation scheme on the basis of the information available to it, but there may be contamination within the land, which has not been discovered by the survey/assessment.
16. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
17. Plant and equipment shall be designed to ensure noise levels do not exceed 10dBA (LA90) below background noise levels when measured at the site boundary.
18. 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](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://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.

19. The applicant should be aware that a legal agreement has been completed in respect of this proposal.

Site Location



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## LOCATION AND PROPOSAL

Situated in the Kelham Island Conservation Area, the application site is a corner plot that sits on the junction of Russell Street, Alma Street, Bowling Green Street and Green Lane. The site is bounded to the north by Alma Street and to the south by Russell Street, and consists of land that is currently occupied by an industrial building. This building is constructed from a mixture of brick and sheet-metal materials. The tallest element of the building is the equivalent of approximately 3-storeys high. Inside the building there is industrial, office and factory shop use, which are all related to the site's previous use as a scissor manufacturers (Kutrite).

The site occupies a prominent position. The area is evolving and it is surrounded by a variety of buildings and land uses. Dominating the rear of the site, and also abutting the eastern elevation, is a parcel of land that was previously operated by the Richardsons cutlery business. This use has now ceased and the site is now empty with residential development proposed on the land.

Opposite the north facing boundary of the site, across Alma Street, is the former Eagle Works and Green Lane Works that was previously occupied by MIBA Tyzack. The site is currently being redeveloped and will soon contain the Little Kelham scheme, comprising of zero carbon homes, office, workshops, arts space, local shops and public space.

Beyond the north-east boundary there is the Fat Cat Public House (Grade II Listed) and large-scale residential/student developments of five, six and seven storeys. Opposite the south west facing boundary, across Russell Street the land is undeveloped and comprises of various car park facilities. Beyond the north-west boundary, on the opposite side of the junction, there is the Cornwall Works development. This is a mixed-use building containing 65no. apartments and the Grind coffee shop at ground floor level.

Abutting the south eastern boundary of the site is the Kelham Island Tavern, an old and attractive public house that is considered to be an unlisted building of significant interest in the Sheffield City Centre Urban Design Compendium. This building is two-storeys high with chimneys protruding from the building's roof. There is beer garden at the rear.

The proposal seeks planning permission to demolish the existing buildings on the site and erect a mixed use development, which will be a maximum of 5 storeys high and will contain:

- 52 one bedroom studio apartments across floors 1 to 5.
- Associated resident facilities at ground floor level – including cinema room, laundry room, gym/games room, and bin/bike storage areas.
- 267m<sup>2</sup> of commercial space. This space is located at ground floor level on the scheme's Alma Street and Russell Street frontages, and is intended to be used as a single unit for either Class A1 (Shops), A3 (Restaurants and Cafes), or A4 (Drinking Establishments) purposes.

Given the design and nature of the development, it is anticipated that the units will be marketed to and occupied by students.

## RELEVANT PLANNING HISTORY

In October 2006, conservation area consent and planning permission were granted to allow demolition of the site's existing buildings and the erection of a 5 storey building comprising of 23 apartments (Floors 1 to 5), and A1/A3 uses at ground floor level. (Refs. 06/02744/FUL and 06/02746/CAC).

The consents were never implemented and the permissions expired.

## SUMMARY OF REPRESENTATIONS

The application has been advertised by site notice, neighbour notification letter, and advert in the Sheffield Telegraph.

3 representations have been received, comprising of 2 objections and 1 neutral comment. The neutral comments have been made by the Landlord of the Kelham Island Tavern PH and the objections from the occupiers of Cornwall Works. The items raised are summarised below:

### Positive items:

- Welcome the redevelopment of the site. The previous application is noted and do not object to a building of this scale at the corner.
- Welcome the creation of green space, use of brown roofs and relatively sustainable elements of the construction.
- Question the coloured panels but it does fit with the intended nature of the use.

### Negative items:

#### 1) Vehicle Parking Concerns

- The development will be detrimental to car parking in the vicinity of the site. There is a finite amount of on-street parking in the area.
- The development appears to be aimed at more affluent students who are more likely to own a car.
- The potential for a parking problem was identified as early as 2007 in the Kelham Neepsend Action Plan and it is arguably as bad as it has ever been, particularly since the closure of a nearby private car park.

#### 2) Building Size & Massing Concerns

- The proposal squeezes too much onto the site.
- The overall size is not in-keeping with some of the surrounding buildings, notably the Kelham Island Tavern. There is concern that the building will be over-bearing.
- The development may overshadow the beer garden during summer evenings.
- Concern with the large blank brick wall on the side elevation viewed from Alma Street. The original proposal included a green wall but this has been removed.

#### 3) Internal Space Concerns

- The application provides studio/bedsit units which are small.

- Policy C2(b) of the 'City policies and sites' document asks of new city-centre residential development: "does it provide enough space?". The London Housing Design Guide stipulates a gross internal area of 37 square metres for a 1-bedroom property for one person, for example.
- Given the lack of communal living space, there is concern to see rooms intended for 'complete' living as small as 17.1 square metres. It is not considered that such a small room size is sustainable in the long-term.

#### 4) Sustainable Drainage

- Does the brown roof have sufficient retention capabilities for the entire block?
- The large roof area of the development would lend itself to a wider application of green roof technologies or rainwater harvesting systems.
- Has thought been given to maintenance access for equipment that may be needed given that the designated area is not accessible from either Alma or Russell Street?

#### 5) Sustainability Issues

- The Little Kelham development on the site opposite is an example of the kind of developments that Kelham Island really needs. It provides greater open areas and promotes the highest levels of sustainable construction.

#### 6) Student Accommodation

- With the exception of the Unite building, there is not a great deal of dedicated student housing in Kelham Island and it should stay that way.
- There are other student developments closer to University buildings that would be more desirable.

#### 7) Impact on the Kelham Island Tavern (K.I.T)

- The K.I.T is a very busy public house. Therefore, assurances are required that sufficient sound proofing is installed into the planned premises and any occupier with any windows overlooking the property is informed of these points before moving in.
- The development includes balcony/outside areas. If these are openly accessible to the occupants of the building there is concern about anti-social behaviour problems for the K.I.T.
- The Balcony overlooking Russell Street is level with our chimney stack which is in use.
- The proposal does not show whether there is a gap between the proposed building and the K.I.T. If the building comes right up to the K.I.T then the output vent from the toilet air extractions system would have to be re-sited.
- The gap between the two buildings should be sufficiently wide enough to ensure that any work/maintenance to be carried out in the event of any major structural damage, which may be enhanced because of the design of the proposed building.

#### Sheffield Conservation Advisory Group

The Group considered the proposal on 18th February 2014. The Group felt the development was overdevelopment and too high and that it did not adequately reflect the scale of neighbouring development. There was no objection, in principle, to the development, provided that it was at least one storey lower and with a less

frenetic design. The Group felt that the development should have only one sign and recommended that the name of the property should incorporate the original street name.

## PLANNING ASSESSMENT

### 1. Land Use Issues

#### Unitary Development Plan (UDP)

The application site is located within a General Industry Area as defined in the UDP. Policy IB5 'Development in General Industry Areas' states that housing (use class C3) is an unacceptable use for these areas. However, the industrial character of this part of the Kelham/Neepsend area has been significantly diluted by non-industrial development in recent years. There have been a number of large, predominantly residential developments approved around the application site. As such, the vision for the area has changed since the UDP designation.

#### Sheffield Development Framework Core Strategy

The Core Strategy provides the overall spatial strategy over the period 2008 to 2026. This document was published in 2008 and contains updated policies and new visions for the City. Indeed, there are now policies supporting the changes that have occurred around the application site and actively encourage new housing in the Kelham/Neepsend area and discourage the expansion of manufacturing and industry. These are discussed below:

Policy CS 6 'Manufacturing and the City Centre' states that manufacturing in the City Centre transition areas should not expand where it would detract from the regeneration of the centre and it will be encouraged to relocate, provided that suitable alternative sites and premises are available in the city. Transition areas include part of Kelham/Neepsend.

Policy CS 17 'City Centre Quarters' sets out the distinctive and fundamental roles of different 'quarters' of the City Centre and expects that these be consolidated and strengthened. Part j. refers to Kelham/Neepsend and indicates that it is becoming a focus for new riverside housing and jobs with the Inner Ring Road being a catalyst to redevelopment. It also acknowledges that existing small businesses will continue to perform an important economic role for the City as a whole.

Policy CS 27 'Housing in the City Centre' identifies locations for further expansion of City Centre living, with a mix of tenures and sizes of unit, including affordable housing, as part of a mix of uses. Part a. refers to the Kelham/Neepsend area.

Policies CS 22 'Scale of the Requirement for New Housing', CS 23 'Locations for New Housing', CS 24 'Maximising the use of Previously Developed Land for Housing', and CS25 'Priorities for Releasing Land for New Housing' all promote residential development in Sheffield in appropriate and sustainable locations in order to assist the delivery of suitable sites for housing within the City over future years.

Overall, the application proposal is considered to be consistent with the aims of the SDF Core Strategy.

#### Draft City Policies and Sites Document

The draft Sheffield Local Plan City Policies and Sites (Pre-Submission) document identifies the site as being within a Central Housing Area, which is a new proposed allocation area. It should be noted that this Local Plan has not been submitted for final approval and it is not an adopted document. Therefore, its content has limited weight because it is only a draft but it does help to demonstrate the Council's future aspiration for the site.

Overall, the application proposal is considered to be consistent with the emerging aspirations of the Draft City Policies and Sites Document.

#### Kelham Neepsend Action Plan (2008 - 2018)

This document sets out the Council's vision for the area and presents an opportunity to manage, at a finer grain level, the transition from the UDP to the replacement Local Plan. As such, the land use allocations for the purpose of the delivery of this Action Plan's objectives follow the land use principles being established by the new Local Plan.

At Kelham Riverside, it is recognised that the majority of available sites in the area have already been developed for housing, or have approval for residential development. Therefore, to maintain a commercial presence in the area it is encouraged that proposals for large scale and single-use residential development in the area be resisted unless there are demonstrable heritage benefits.

The application is a mixed use development and although the number of residential units outweighs the size of the commercial floorspace proposed, it is considered that the heritage benefits of achieving new and compatible development on the site in the Conservation Area is the overriding consideration in this instance. There is also an overriding need for new housing given a current lack of a 5 year supply.

#### National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The key goal is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

With regard to the conflict between UDP and SDF aspirations for the site, the NPPF applies. It advises that weight should be given to the emerging residential allocation because the site's UDP allocation is based on an out-of-date planning policy. The NPPF is clear that "where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a



whole; or specific policies in this Framework indicate the development should be restricted."

In light of the above, there is considered to be sufficient national and local policy (including emerging policy) as well as an action plan to support the mix of proposed uses at this site.

## 2. Density Issues

Core Strategy Policy CS 26 'Efficient Use of Housing Land and Accessibility' requires new housing development to make an efficient use of land but accepts that the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. Therefore, a minimum density of 70 dwellings per hectare in the city centre is required.

The proposal is for 52 very small studio apartments and represents a density of over 1200 dwellings per hectare which is acceptable under the Policy CS 26. It is accepted that such a high density is the result of the small size and large quantity of residential units within the development. Whilst the items and examples raised by the objectors are noted, it is the case that the Council does not have any adopted internal space standards that can be used to set minimum levels and make developers increase the size of the units they propose. It is therefore felt that refusal of the application could not be substantiated on these grounds.

## 3. Mixed Communities Issues

Core Strategy Policy CS 41 'Creating Mixed Communities' encourages development of housing to meet a range of housing needs including a mix of prices, sizes, types and tenures. A broad range of smaller households in the City Centre is accepted but no more than half the homes in larger developments should consist of a single house type. 'Larger developments' are defined as more than 60 new dwellings so this scheme just falls short of the requirement to provide a mix of dwelling types and whilst officers have encouraged more variety the applicant has declined because it does not fit their business model for this development. In light of the above, the proposal does not conflict with the requirements of Policy CS 41 and is acceptable in this respect.

The applicant has advised that all internal partitions will be designed as lightweight, non load-bearing to allow maximum flexibility for layout changes to reflect market changes. A sketch plan has been submitted to demonstrate how the layout of the building could be reconfigured into 1 and 2 bedroom apartments.

## 4. Proposed Demolition

The development will result in the removal of the site's existing building, which is considered to be unattractive and characterless. It does not make a significant contribution to the Kelham Island Conservation Area and, therefore, the proposed demolition does not raise objection.



## 5. Design Issues

UDP Policy BE5 'Building Design and Siting' expects good overall design and the use of high quality materials. Original architecture is encouraged, but new development should also complement the scale, form and architectural style of surrounding buildings.

Policy BE16 'Development in Conservation Areas' requires new development to preserve or enhance the character or appearance of the conservation area. Core Strategy Policy CS 74 'Design Principles' reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city. Amongst other items, this includes 'views and vistas' to landmarks and skylines into and out of the City Centre and across the city to the surrounding countryside.

The proposal addresses the back edge of the footpaths on Russell Street and Alma Street. The development has undergone a number of changes since first submission. The fifth floor from the building's Alma Street wing has been removed following officer concerns that this element was too high. This has been replaced by a communal roof terrace, including planting bed at the centre. The development has also undergone a reduction in massing on the Russell Street elevation to create an improved relationship with the adjacent Kelham Island Tavern. Finally, the building's elevations have been simplified, including the replacement of the coloured laminate panels to balconies with flat panel aluminium in a mill finish. It is considered that this material responds more appropriately to the industrial character of the area.

Building heights in the area range between 2 and 5 storeys. At 5 storeys high the proposed development reflects the existing maximum, as well as the approved schemes on surrounding/adjacent sites. Furthermore, the Urban Design Compendium, which is a material consideration, advises that new development in Kelham Island should not exceed 5 storeys. The amendments to the scheme since the first submission improve the scheme and are considered to create an acceptable relationship with surrounding existing buildings and intended future developments.

The proposed development is contemporary in its architecture, responding to the context/character that is currently emerging in this area but also acknowledging Kelham Island's industrial heritage. The design purposefully utilises its corner location and materials to ensure the development appears a prominent feature addressing two key streets within the Conservation Area.

A simple palette of materials is proposed – largely red brick, glass and sinusoidal profile metal cladding – which display the simple yet robust detailing of some of the area's older industrial properties. The manner in which these materials are intended to be used is, however, considered to be thoroughly modern. For example, the most distinctive element of the design is undoubtedly its roof, which will be constructed from the black sinusoidal metal cladding and manipulated in a manner that will create a variety of pitches, setbacks and projections. This is

considered to be a bold and positive element, which will enhance the building's appearance on this prominent corner.

The remainder of the building will be constructed from red brick and contain simple detailing. The aluminium windows will be arranged in a style that reflects the regular and repetitive patterns of window treatments on industrial buildings. Juliette and projecting balconies will give interest to these elements of the elevations. The building's main signage ('Kelham Works') will be painted onto the brickwork adjacent to the residential entrance. All signage to groundfloor commercial unit will be provided internally behind the glazing. This proposed strategy is considered to be acceptable and conditions are recommended to ensure that these proposals are fulfilled.

Notwithstanding the objections received, your officers consider that the overall result of the proposal will be a bold and contemporary development, which will make a positive contribution to the character and appearance of the area, in accordance with UDP Policies BE5 and BE16 and Core Strategy Policy CS74.

## 6. Residential Amenity

UDP Policy H15 'Design of New Housing Developments' expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met.

Key issues for existing residents are outlook, privacy, outdoor amenity, and noise and disturbance.

### Outlook

All of the habitable rooms within the development have large clear openings and are proposed to be naturally ventilated with the intention of ensuring that internal living environments are well lit by daylight and comfortable for occupiers. It is considered that the outlook from units will be acceptable across all elevations of the site.

### Privacy

The layout and design of the scheme creates a circumstance whereby each studio will face outwards across Russell Street, Alma Street and the former Richardson's site at the rear. As such, it is considered that there will be no overlooking issues between habitable windows of the studios within the scheme.

It is advised that there are extant planning permissions for new apartment developments on the sites immediately opposite the application site on Alma Street and Russell Street. These proposals also intend to have habitable room windows on their street frontage elevations, thus overlooking the application site. There is approximately 11 metres between the buildings' elevations because of their back edge of footpath design. Ideally, officers would prefer this distance to be greater but there is no significant objection to the proposed distance when viewed in the

overall context of the area's design and layout. It is considered that distances are acceptable for apartment developments in a high density urban location, and that a requirement to increase this distance would have potentially negative implications on the redevelopment of the site, and the appearance of what is a key junction in the conservation area. For this reason, the development's position and resulting privacy levels are considered to be acceptable.

#### Outdoor Amenity Provision

Being an urban apartment block it is the case that outdoor amenity space for residents is limited. However, outdoor space is provided and includes:

- 1) 31 of the 52 apartments have their own balcony space, which despite being quite small will ensure that the majority of residents have their own private outdoor space. The balconies project from the main elevation of the building. The flats that do not have projecting balconies will have Juliette balconies instead.
- 2) Two roof terraces at third floor and fourth floor level. These terraces will be communal spaces and available for use by residents. The terrace at third floor level is positioned on the south-east side of the building, adjacent to the Kelham Island Tavern PH, and will have an area of approximately 19m<sup>2</sup>. The terrace on the fourth floor is situated on the roof of the north-east portion of the building and will have an area of approximately 79m<sup>2</sup>.

Overall, the outdoor amenity provision is considered to be of an appropriate standard for a development of this type on such a restricted urban site.

#### Overshadowing

It is considered that the proposed development will not overshadow surrounding residential buildings to an unacceptable level. It is the case that the development will result in some overshadowing to the Kelham Island Tavern's beer garden during the late evening owing to its height and position. However, this impact may not be so bad owing to the fact that the building is situated to the north-west of this garden space. Furthermore, it must be noted that this is a commercial space and therefore cannot be afforded the same level of protection as a residential garden, and the potential impact of the new development on the quality of this space is not a sufficient reason to refuse the application. Any development on this site would inevitably impact on this beer garden.

#### Noise and Disturbance

The amount of industrial activity in the area has reduced over recent years as the character of the area has evolved. Since the previous 2006 application, the Richardsons Cutlery site and MIBA Tyzack Ltd. no longer exist and are now proposed to be used for residential land use, which is more compatible with the proposed development.

The Kelham Island Tavern is the closest commercial building to the application site, being immediately adjacent, and it has a beer garden at the rear and licence to open from 9.00am to 02.30am (7 days a week), and can play live/recorded music until 01.30am.

The applicant has submitted a noise impact assessment with the application. This report assesses environmental noise, including pub noise.

Following assessment, it is considered that the report may underestimate the potential for noise from these sources to a small degree, as the daytime survey was not done at peak traffic times, and the night time survey sampled the pub noise at the end of trading on a Sunday, again not a peak time. Additionally, it is likely that customer noise from users of the pub's outdoor facilities (namely its beer garden) will be significantly higher in the summer (the noise assessment having been conducted in December). However, it is not anticipated that the development will be subjected to unusually high levels of noise, compared to other city centre developments. In addition, it should be noted that planning permission has been granted for the redevelopment of this site previously (2006) and to the immediate surroundings of the application site for residential use.

In light of the above, it is considered that a conservative approach to the specification of noise mitigation measures and the recommendations of the noise impact assessment should be adopted. It is recommended that these measures be secured by relevant conditions.

Furthermore, it is noted that the commercial use areas of the development have the potential to affect both residential occupiers of the upper floors and users of neighbouring properties from a noise and odour point of view. Again, it is recommended that sound attenuation measures and controls over plant/equipment/servicing/music are secured by conditions.

For these reasons, it is concluded that the proposed development will provide an acceptable living environment for future residents, in accordance with relevant UDP policies.

## 7. Disabled Access & Mobility Housing

### Ground Floor Area

UDP Policy BE7 'Design of Buildings Used By The Public' expects that all buildings which are used by the public allow people with disabilities safe and easy access to the building and to appropriate parking spaces.

Following amendments to the plans, the design of the building's ground floor area is considered to be acceptable from a disabled access perspective. Access into the commercial and residential elements of the building is proposed through level thresholds and internal ramps on the Alma Street elevation. The entrance door leading to the commercial space is will be an automatic sliding door set offering the required effective clear width and manifestation.

This is a car free development and there is no space within the development to be able to accommodate disabled car parking provision.

Subject to final details being agreed by condition, the disabled access provision to the ground floor area is considered to be acceptable and compliant with Policy BE7.

#### Residential Accommodation

UDP Policy H7 'Mobility Housing' seeks to ensure that a proportion (25%) of mobility housing will be encouraged as part of new developments except where the physical characteristics of a site or existing buildings make it difficult.

The applicant has demonstrated that each studio will include a wet room. It has been confirmed that these rooms will be of sufficient size to be able to accommodate a wheelchair turn. Whilst bathrooms with a choice of bathing facilities would be preferred (baths and/or showers), it is concluded that the proposed layouts are acceptable from a mobility housing perspective.

Given that lift access is available to all floors and accessible wet rooms and kitchen facilities are proposed in all studios, it is possible that all of the apartments could be occupied by a disabled person. Such provision is considered to be compliant with the aspirations of UDP Policy H7.

Subject to final details being agreed and secured by condition, the mobility housing provision is considered to be acceptable.

#### 8. Highway Issues

UDP Policy IB9 'Conditions on Development in Industry and Business Areas', part (f), states that new development or change of use will be permitted provided that it would be adequately served by transport facilities and provide safe access to the highway network and appropriate off-street parking.

Core Strategy Policy CS23 'Locations for New Housing' states that new development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. The main focus will be on suitable and sustainably located site.

Core Strategy Policy CS53 relates to 'Management of Demand for Travel' and part b. encourages the promotion of good quality public transport and routes for walking and cycling to broaden the choice of modes of travel.

The site is well located to be served by bus services on Shalesmoor and Corporation Street (4 buses every 15 minutes), the Shalesmoor tram stop is approximately 500m away, and it is within walking distance of the city centre. South Yorkshire Passenger Transport Executive (SYPTTE) welcomes the development because it will provide centrally located, high density residential. The site is therefore considered to have an accessible and sustainable urban location in transport terms.

The scheme provides no car parking spaces for the 52 residential units and commercial space. It does, however, intend to provide a secure cycle store area that is currently showing space for 12 bikes.

The objections received about car parking problems in the area are noted and it is acknowledged that vehicles park on the surrounding highway network, which as a result can become congested. However, bearing in mind the sustainable location of the site, the intention for no car parking provision within this scheme is considered to be acceptable. It reflects the car parking guidance set out in the City Centre Living Strategy (Guideline 15), which states that up to one space per unit will be acceptable. Furthermore, it is considered that the provision of residential accommodation in locations such as this provides people with a choice of means of transport, places them close to employment and other facilities (e.g. city centre and its amenities), and thereby can reduce the need to own a car. It is also noted that public pay and display car parks are situated within close proximity of the application site. Therefore, it is considered that the level of car parking is wholly in accordance with the spirit of planning policy that is designed to encourage alternative and more sustainable forms of travel.

Given that this is a car free development, a directive is recommended to ensure that arrangements be put in place by the applicant to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone, which may be in force in the city at any time.

It is confirmed that highway improvements will be required as part of this development. Specifically, all footways adjacent to the site for its entire frontage on Alma Street and Russell Street will have to be fully reconstructed in the primary palette material specified in the Urban Design Compendium. It is considered that such work will help to improve the appearance and quality of the Conservation Area.

In light of the above, it is considered that the development is consistent with the requirements of policies IB9, CS23 and CS53.

## 9. Archaeology

UDP Policy BE22 relates to 'Archaeological Sites and Monuments' and states that these will be preserved, protected and enhanced. Where disturbance of an archaeological site is unavoidable, the development will be permitted only if (a) an adequate archaeological record of the site is made; and (b) where the site is found to be significant, the remains are preserved in their original position.

This site lies over part of what was the Russell Works, a mid-19th century steelworks. Given that the site has not been as intensively and repeatedly developed it is considered that buried remains from pre and post 19th century development could still exist. Depending on the age and condition of the remains, together with their original importance within the complex, surviving evidence could be of local or regional importance.



As the site has standing buildings on it, we are currently unable to establish whether and what archaeological features survive on the site in advance of the site works. A condition is, therefore, necessary to be attached to any approval which would secure investigation and recording.

Subject to the recommended condition being imposed, it is concluded that the requirements of Policy BE22 are satisfied.

#### 10. Public Art

UDP Policy BE12 'Public Art' encourages the provision of works that can be readily seen by the public and can be an integral part of the design of major developments. Given the design of the proposal it is considered that there is the opportunity to integrate public art as part of the mill-finished aluminium panels that are proposed to be situated adjacent to the windows at first floor level.

A Public Art Statement accompanies this application and aims to clarify the public art proposals for this development. It is the intention to provide public art on the building and the aluminium panels adjacent to the windows at first floor level on both the Alma Street and Russell Street elevations have been identified. Whilst the principle of this idea is considered acceptable, the proposed execution and design is not at this stage. Officers have subsequently provided further advice and ideas, which have received a positive response from the applicant's architect.

In light of the above, and in order to comply with Policy BE22, it is recommended that the final public art works be agreed and secured by condition. The agreed art scheme shall be implemented on site prior to the occupation of the development.

#### 11. Flood Risk Issues

The application site falls within Flood Zone 2, which means that it has a medium risk of flooding. Core Strategy Policy CS 67 relates to 'Flood Risk Management' and seeks to reduce the extent and impact of flooding. The policy permits housing in areas with a medium flood risk probability, subject to a sequential test being passed and an acceptable Flood Risk Assessment.

The sequential test for this site has been passed as it demonstrates that there are no reasonably available sites, which offer a lower probability of flooding in the Kelham/Neepsend area.

The Environment Agency (EA) originally objected on the basis that the submitted Flood Risk Assessment did not consider how the proposed basement area would be kept safe from the flood hazards identified. In response, the applicant has removed the basement area and consolidated the space at ground floor level. The EA has now withdrawn its objections subject to a condition specifying a finished ground floor level and other mitigation measures.

In light of the above, it is concluded that the flood risk management issues have been appropriately addressed and the proposal complies with Policy CS 67.

## 12. Affordable Housing Issues

Core Strategy Policy CS 40 'Affordable Housing' states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. It proposes a target of 30 - 40% affordable housing on sites of more than 15 units.

The Council is currently in the process of updating its Affordable Housing Interim Planning Guidance (IPG, 2014) and implementation of the updated document is now anticipated to be mid-June 2014. Therefore, the requirements of the existing Affordable Housing IPG (June 2009) still apply but it has to be recognised that we are in a state of transition.

The applicant has confirmed as part of their application that it is not financially viable to provide affordable housing as part of this development. However, in light of the proposed changes to the IPG, they have withheld from having their full financial appraisal independently appraised by the District Valuation Office. It has, therefore, been requested that the Affordable Housing issue be resolved by the inclusion of clauses within the Unilateral Undertaking, requiring the Owner to undertake and submit a Financial Viability Appraisal to the Council and District Valuation Office. The Appraisal would establish the expected level of gross profit from the development proposal, and from that any contribution for the purposes of affordable housing can be ascertained. The trigger for the assessment is proposed to be prior to the commencement of the casting of the building's first floor slab – this being the first residential level in the development.

In light of the impending changes and the existing delays incurred it is considered that this is an acceptable solution, in relation to Policy CS 40.

Finally, it is advised that your officers are currently negotiating with the applicant regarding the appropriate wording of the clauses in the unilateral undertaking and members will be updated on progress at the Planning Committee meeting.

## 13. Open Space Enhancement

UDP Policy H16 'Open Space in New Housing Developments' requires that the developer makes a contribution towards the provision or enhancement of public space on or within the vicinity of the application site.

Core Strategy Policy CS 45 'Quality and Accessibility of Open Space' states that safeguarding and improvement of open space will take priority over creation of new areas.

Core Strategy Policy CS 46 'Quantity of Open Space' encourages that as opportunities arise, new open space will be created where a quantitative shortage of open space is identified and where it is required for extending the City's Green Network.



Therefore, it is expected that this scheme provides a contribution towards open space in the local area of £67,207.50 This will be secured by the applicant entering into a unilateral undertaking (S106 Agreement) and, subject to this occurring, it is considered that the development will comply with policies H16 (UDP), CS 45 and CS 46 (Core Strategy).

#### 14. Sustainability Issues

Core Strategy Policy CS64 relates to 'Climate Change, Resources and Sustainable Design of Developments' and requires all new buildings to be energy efficient and to use resources sustainably. It also advises that all new significant developments (5 dwellings or more) should achieve Code for Sustainable Homes Level 3, or equivalent.

Policy CS 65 relates to 'Renewable Energy and Carbon Reduction' and requires new significant developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy.

The submission indicates that the proposed building's design provides the opportunity to install a photovoltaic system. This would be mounted on the pitched roof areas of the building and positioned at the optimum angle to maximise energy generation to meet the 10% on-site renewable energy generation requirements.

Additionally, it has been confirmed that the development will be constructed to Code for Sustainable Homes Level 3 standards (CSH). This is acceptable, however, given the nature of the development it may be the case that an appointed assessor may consider that the nature of this development means that it qualifies as a multi-residential scheme and, therefore, a BREEAM assessment rather than CSH may be the most appropriate sustainability measure.

An appropriately worded condition is recommended in order to ensure that these policy requirements are fulfilled. It is concluded that the proposals will comply with the requirements of CS 64 and CS 65.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into large scale developments, if appropriate.

There is a small area of brown roof system proposed as part of this development, which is welcomed. Given the design/shape of the main roof and the conservation context it is accepted that the space available for a green/brown roof is limited, particularly given the communal terraces.

A green wall on the blank side elevation overlooking the former Richardson site on Alma Street has been removed from the design during the application. This is has occurred because of concerns about potential conflicts with the houses on the adjacent development, which were moved closer to this elevation in order to tighten the urban grain and relationship between buildings. Given the revised position, it was considered that such a green wall would not receive an appropriate amount of sunlight to survive.

## RESPONSE TO REPRESENTATIONS

### 1. Vehicle Parking Concerns

The main concerns have been addressed in this report.

### 2. Building Size and Massing Concerns

These concerns are noted, however officers consider that the design of the building is acceptable and these are discussed in this report.

### 3. Internal Space Concerns

It is accepted that the size of the studios are small and larger units would be preferred. However, as discussed in this report the Council does not have any adopted internal space standards.

### 4. Sustainable Drainage

Matters relating to drainage and flood risk have been addressed in this report.

### 5. Sustainable Issues

The proposal addresses the relevant policies relating to sustainability and climate change, as described in the report.

### 6. Student Accommodation

The main concerns have been addressed in this report.

### 7. Impact on the Kelham Island Tavern (K.I.T)

It is considered that the concerns relating to noise and the impact of the K.I.T on the development have been addressed. The application has been assessed by the Environmental Protection Service and conditions are recommended in order to ensure that an acceptable noise environment is secured for future occupiers. The concerns relating to the behaviour of future residents and their misuse of the proposed balconies are not a planning issue. It is a management issue that will be the responsibility of the future occupiers of the flats and the owner/operator of the building once it is in use.

There are no planning issues relating to the position of the building immediately adjacent to the K.I.T. Matters regarding maintenance and the need to reposition air vents will be a private matter that will need to be resolved between the owners of each site. It is understood that a representative of the applicant has already visited the K.I.T to discuss these concerns.

## SUMMARY AND RECOMMENDATION

In summary, the proposal represents a substantial redevelopment, for mixed commercial and residential purposes, of a previously developed site in a sustainable location and in a manner that will contribute positively to the character and appearance of the Kelham Island Conservation Area. The proposed development will replace an unattractive building that has no characteristics of historical or conservation interest and therefore its demolition is accepted.

The development is a maximum of 5 storeys with lower elements to respect adjacent sites. The range of storey heights within the scheme reflects the character of the conservation area and the principles set out in the Urban Design Compendium. The detailed design incorporates an appropriate blend of contextual materials in a modern contemporary design that is enhanced by the prominent corner feature. It is therefore considered that the scheme will make a positive contribution to the character and appearance of the conservation area. As described in this report, the proposal raises no detrimental concerns in relation to land use, amenity, sustainability, highways, flood risk and archaeological matters, subject to appropriate conditions. Therefore, it is concluded that the development complies with the relevant policies highlighted in this report. Members are advised that the applicants have not at the time of writing this report submitted the Unilateral Undertaking (S106) and, therefore, the scheme does not comply with the relevant open space and affordable housing policies. This planning application is considered to be acceptable in relation to all other matters and, therefore, a dual recommendation is believed to be appropriate in this case. It is recommended that the application be granted conditionally, subject to a legal agreement including the following Heads of Terms:

#### Heads of Terms

1. A financial contribution in the sum of £67,207.05 towards the provision or enhancement of recreation space in the locality of the Site and provided in accordance with the principles set out in the Council's Supplementary Planning Guidance 'Open Space Provision in New Housing Development'.
2. Prior to the commencement of the casting of the building's first floor slab, the Owner shall undertake and submit a Financial Viability Appraisal to the Council and the District Valuation office to establish the expected level of gross profit from the development proposal, and from that any contribution for the purposes of affordable housing to be ascertained.
3. The developer ensuring that future occupiers of residential accommodation on the site are made aware that should they choose to open windows to the accommodation, they could be subject to noise from traffic and businesses in the area surrounding the site, and that the scheme has been designed to minimise noise nuisance provided that the windows are kept closed.

In the event that a satisfactory unilateral undertaking covering the Heads of Terms set out in the preceding paragraph is not concluded before 27th June 2014 (the date agreed by the applicant and Council for the determination of the application), it is recommended that the application be refused for the failure to make adequate provision in this regard.

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Case Number	13/03839/FUL (Formerly PP-02991117)
Application Type	Full Planning Application
Proposal	Retention of 2 No. buildings to be used for storage (Use class B8) and 1 building for auto electrical works (Use class B1) (retrospective application)
Location	Unit 5, 6 And 7 Elliot Business Park Chambers Lane Sheffield S4 8DA
Date Received	12/11/2013
Team	City Centre and East
Applicant/Agent	Peter Wade Consultancy
Recommendation	Refuse with Enforcement Action

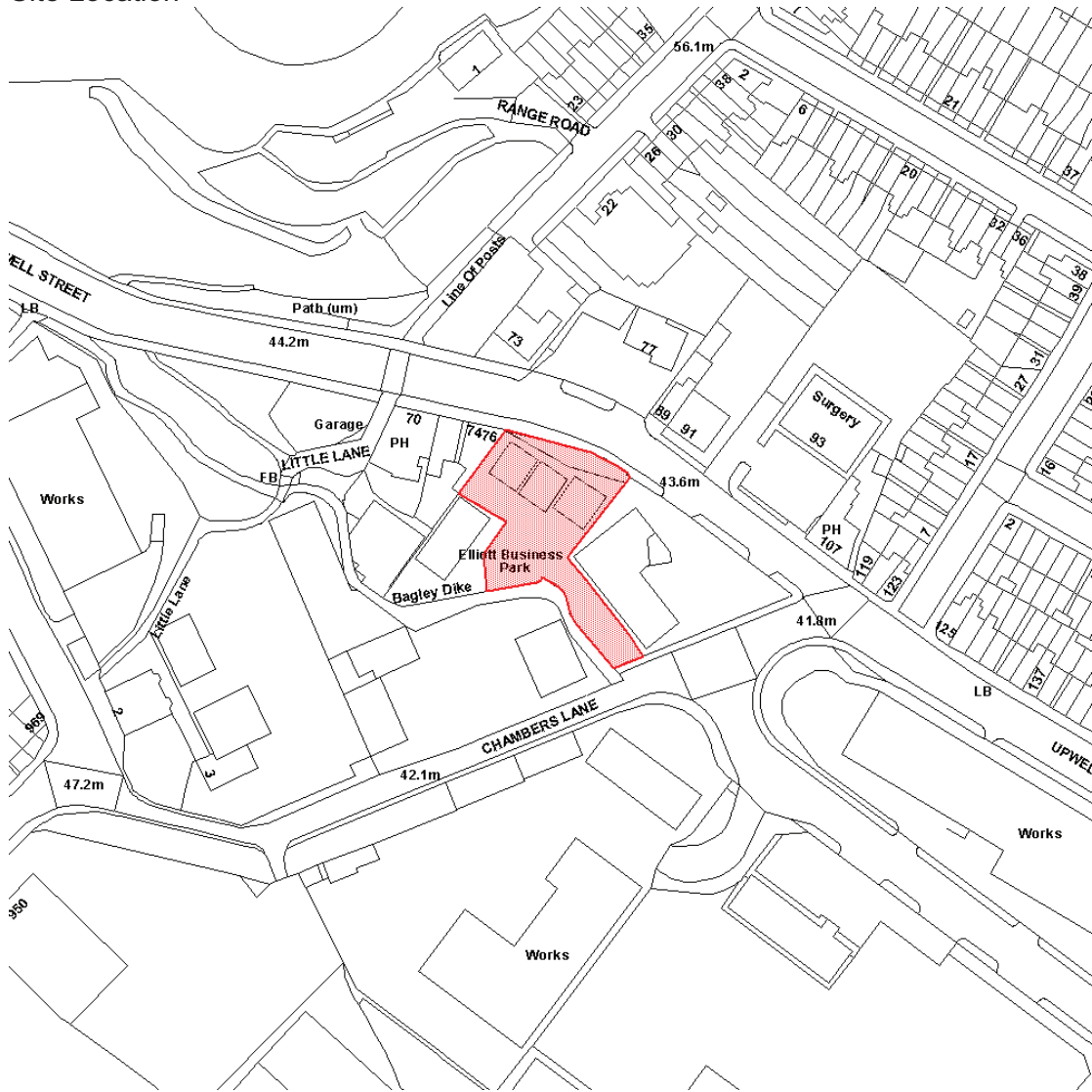
Subject to:

- 1 The Local Planning Authority considers that when viewed from Upwell Street to the north the proposed structures represent poor additions in the street scene and are not suitably reflective of the established character. The proposals are therefore contrary to Policies IB9 (Conditions on Development in Industry and Business Areas) & BE5 (Building Design and Siting) within the adopted Sheffield Unitary Development Plan and Policy CS74 (Design Principles) within the Sheffield Development Framework Core Strategy.

Attention is drawn to the following directives:

1. The applicant is advised that the following plans are relate to this refusal:  
  
Site Plan (Ref: 8081/LP) dated 23 December 2013.  
Building Type One (Ref: 8081/01) dated 23 December 2013.  
Building Type Two (Ref: 8081/02) dated 23 December 2013.
2. The Director of Regeneration and Development Services or 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 application buildings. The Local Planning Authority will be writing separately on this matter.

Site Location



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## LOCATION AND PROPOSAL

This application relates to the proposed retention of three freestanding commercial buildings. The applicant is seeking to use two of the buildings for storage (Use Class B8) and the remaining unit for a light industrial purpose (Use Class B1). Each of the units is constructed in corrugated metal and has a curved roof that reaches 4.825 metres in height. The largest unit will measure 8.97 metres in width and 9.15 metres in length.

The buildings have a presence within two distinct environments. Principally, they are set within a small industrial estate that is accessed via Chambers Lane. This area houses several industrial/commercial structures of varying character, including other structures akin to the application buildings.

The structures are also viewed from Upwell Street to the north. Although there are some commercial buildings along this frontage, the main character is defined by more traditional red brick two storey buildings. These tend to house residential and/or commercial uses. It is noted that the application buildings are screened from Upwell Street to a degree by the presence of a fence and three hoardings. However discontinuance action is currently being pursued to have the hoardings removed.

The building is located within a Fringe Industry and Business Area as defined by the adopted Sheffield Unitary Development Plan (UDP). Flood Zone 2 is set to the immediate south of the site.

## RELEVANT PLANNING HISTORY

None

## SUMMARY OF REPRESENTATIONS

None received

## PLANNING ASSESSMENT

Land Use

Policy IB6 (Development in Fringe Industry and Business Areas) within the UDP lists a number of uses that are regarded as preferred, acceptable and unacceptable in such areas.

Section a) within Policy IB9 (Conditions on Development in Industry and Business Areas) within the UDP states that new development should not lead to a concentration of uses which would prejudice the dominance of industry and business in the area.

Light industrial uses (B1) and storage uses (B8), excluding outside storage, are considered to be preferred uses in such areas. As external storage is not proposed the uses are considered to accord with Policies IB6 and IB9.

## Design

Policy IB9 (Conditions on Development in Industry and Business Areas) within the UDP states that new development should be well designed and be of a scale and nature appropriate to the site.

Policy BE5 (Building Design and Siting) within the UDP promotes good design in all new development.

Policy CS74 (Design Principles) within the Sheffield Development Framework Core Strategy (CS) states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

This type of structure is very familiar in industrial areas and there is no objection when the buildings are viewed from within the site or from the industrial area to the south.

The concern in this case from a design perspective is when the structures are viewed from Upwell Street to the north. Although there is some variety, the character is principally defined by two storey red brick buildings, which are used for residential and/or commercial purposes. There are a few exceptions to this, most notably two car repair businesses set to the immediate north and east of the application buildings. However, these buildings are poor additions to the area and do not define the context.

It is noted that the buildings are largely screened from Upwell Street by the presence of a screen fence and hoardings. The fence is of a limited scale so offers minimal screening as the buildings reach 4.825 metres in height. The hoardings do offer good screening, but they do not benefit from advertisement consent and are also not considered to be appropriate structures in the context. As discontinuance action is currently being pursued to have them removed, any screening offered is not a material consideration.

With the above in mind, it is not viewed as desirable for the application buildings to have a presence in the established street scene, as viewed from Upwell Street, and the proposals are therefore considered to be contrary to Policies IB9 (Conditions on Development in Industry and Business Areas) & BE5 (Building Design and Siting) within the adopted Sheffield Unitary Development Plan and Policy CS74 (Design Principles) within the Sheffield Development Framework Core Strategy.

## Amenity

Section b) within Policy IB9 (Conditions on Development in Industry and Business Areas) within the UDP states that new development or change of use applications should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.



Although there are residents in close proximity, the buildings are located on an existing industrial site and the uses proposed are not likely to give rise to any notable noise nuisance. In addition, the applicant has applied to only operate during the daytime, which further reduces any potential conflicts.

The buildings are set a sufficient distance from surrounding sensitive uses to ensure dominance and overshadowing does not occur.

The proposals are therefore considered to be acceptable from an amenity perspective.

### Highways

Section f) within Policy IB9 (Conditions on Development in Industry and Business Areas) within the UDP states that new development or change of use applications should be adequately served by transport facilities and provide safe access to the highway network and appropriate off street parking.

Suitable access to the site is already established via Chambers Lane and there is ample space within the site for servicing to take place. The plans indicate four dedicated parking spaces for the three units and additional space is available on road or within the unit if needed.

In light of the above the proposal is considered to be acceptable from a highways perspective.

### SUMMARY AND RECOMMENDATION

The proposed uses are preferred in this Fringe Industry and Business Area and the scheme is therefore acceptable from a land use perspective.

Ample space is provided to accommodate servicing and sufficient car parking, while the access is already established.

Given the nature of the uses they will not create any undue noise and disturbance.

Although not out of context with the industrial uses to the south, the proposed structures are not considered to be appropriate when viewed from Upwell Street to the north. As, although there is some variety, the character is principally defined by two storey red brick buildings, which the application buildings fail to reflect or complement this character.

It is noted that there are hoardings screening the buildings at present. However, these hoardings do not benefit from advertisement consent and are also not considered to be appropriate structures in the context. As discontinuance action is currently being pursued to have them removed, any screening offered is not a material consideration.

It is therefore recommend that the application is refused and Enforcement Action authorised.



## ENFORCEMENT

In light of the above the following is requested:

(a) That authority be given to the Director of Regeneration & Development Services or Head of Planning to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the 3 buildings known as Unit 5, 6 And 7 Elliot Business Park, Chambers Lane, Sheffield, S4 8DA.

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

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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.

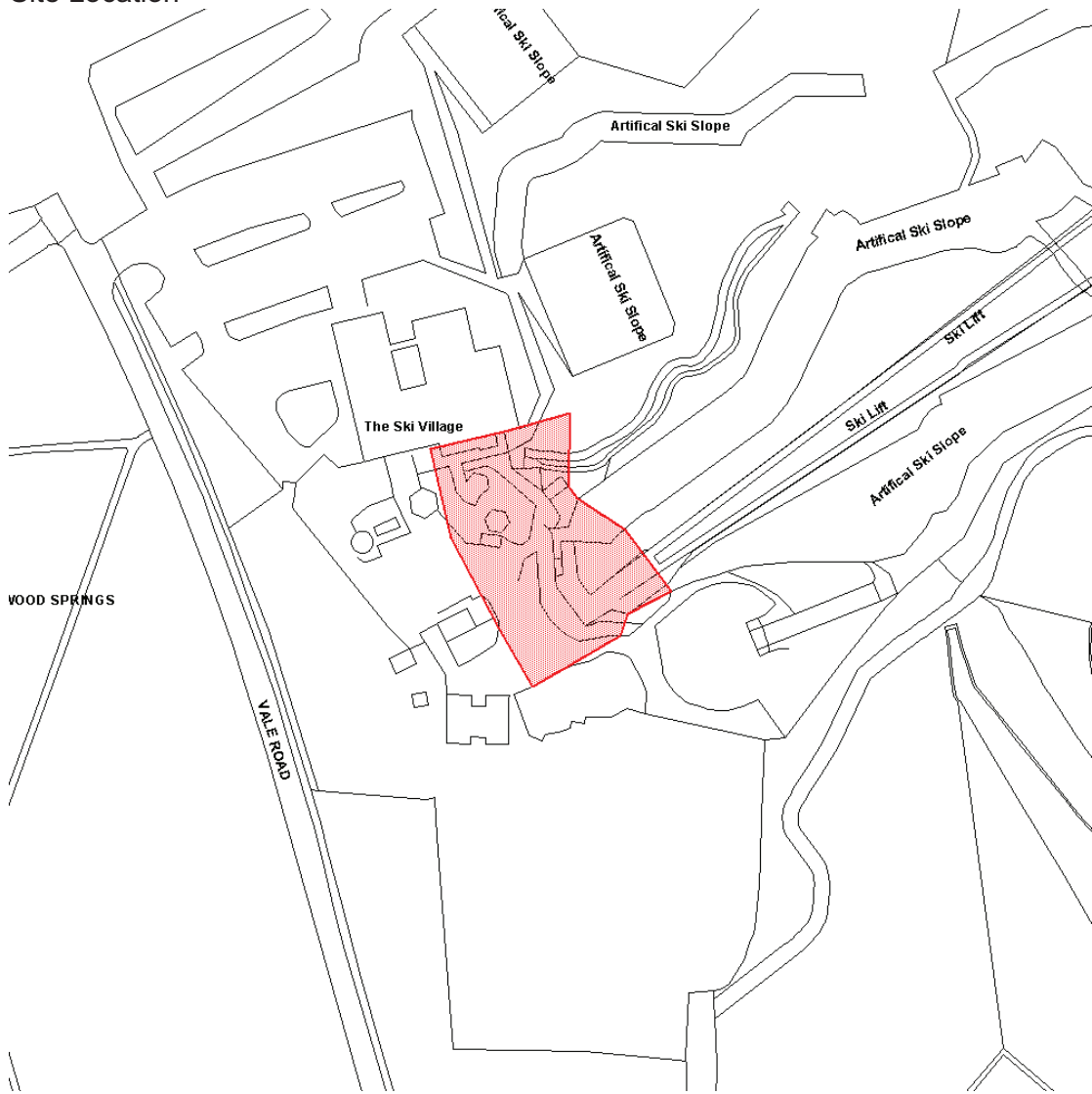
Attention is drawn to the following directives:

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](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://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.

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## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Regeneration & Development Services

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**Date:** 3 June 2014

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

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

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**Summary:**

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

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO PLANNING &  
HIGHWAYS COMMITTEE  
3 June 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 City Council to refuse planning permission with enforcement action for an application to establish lawful development of a builders yard, office and store (Application Under Section 191) at Store At Rear Of 69 Baslow Road Sheffield S17 4DL (Case No 13/01263/LD2)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to Grant Conditionally with a Legal Agreement Consent for use of ground floor as A1 (retail) and conversion of upper floors to form 5 self-contained flats (as per amended drawings) at 254 London Road And Ground Floor 250 London Road Sheffield S2 4LW (Case No 13/02602/FUL)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for single-storey front and side extensions to dwellinghouse at 185 Long Line Sheffield S11 7TX (Case No 14/00091/FUL) has been dismissed.

#### Officer Comment:-

The Inspector considered that as the site is within the Green Belt, the main issues were:-

- i) Whether the proposal is 'inappropriate development' as described in the NPPF;
- ii) The effect of the proposal on the openness of the Green Belt; and
- iii) Whether harm, including by inappropriateness, is outweighed by very special circumstances.

In terms of i) he noted para 89 of the NPPF regards new building in the Green Belt as inappropriate but allows exceptions including where extensions are

not disproportionate to the main building. He also noted the Council's Supplementary Planning Guidance (SPG) that sets defined limits for the size of domestic extensions in the Green Belt (one third for smaller properties). The extension represented an increase of 49% in volume.

He considered the extension to be disproportionate, and therefore inappropriate and by definition harmful.

In terms of ii) he felt the design was acceptable, but it added significantly to the built development on the site (extra mass, enlarged footprint), and would reduce the openness of the Green Belt.

For iii) he did not accept the appellant's view that the scale of buildings was modest in the context of the plot, and did not consider that this amounted to very special circumstances.

He therefore concluded that the proposal conflicted with national Green Belt policy and also with the Council's guidelines and policies and dismissed the appeal.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for the erection of subterranean extension with ground floor extension above to rear of dwellinghouse at 32 Mildon Road Sheffield S6 4AU (Case No 13/02871/FUL) has been dismissed.

Officer Comment:-

The Planning Inspector considered that the main issues were the effect of the proposal on the living conditions of the neighbours with particular regard to outlook and natural light and whether the proposal would provide a satisfactory living environment for the occupiers of the proposed extension.

No. 34 is set back from the shared boundary and sites at a slightly higher level. For these reasons, the Inspector felt that there would be no significant effect on that property by the single storey extension.

The single storey extension would be to the north of No. 30 but the Inspector was not persuaded that there would be no impact on natural light to the property. However, it was concluded that the extension would be unacceptably overbearing due to its height, length and proximity to the boundary of the site.

The Inspector was also of the view that the extended raised patio over the subterranean extension with the proposed screening, when added to the height of the new building/patio would cumulatively have an intrusive and unacceptably overbearing impact on the lower garden areas of both adjoining properties. The removal of trees and vegetation from the boundaries would exacerbate the visual impact on the neighbours.

Turning to the prospective living conditions within the subterranean extension. the Inspector noted that the kitchen and family room would receive natural light and have an outlook through windows and a patio door. However the bedrooms do not contain a source of natural light or outlook. It may be possible to provide light through the use of “sun tubes” or “glass slabs “ to the bedrooms but these were not shown on the plans and so their effectiveness could not be judged. In any event, this would not address the matter of the lack of any outlook which is a valid concern As such, the Inspector considered that the proposal would fail to provide s satisfactory living environment for the occupiers of the extension.

For these reasons, the Inspector dismissed the appeal.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning consent with enforcement action for retention of 1 non-illuminated free-standing V shaped sign at Curtilage Of 79 Dore Road Sheffield S17 3ND (Case No 13/00337/HOARD) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the advertisement on the visual amenities of the area.

He noted the advertisement hoarding was contrary to UDP Policy BE13 which states that such signs are not permitted in a Housing Area.

He considered the signs prominence, size and position was such that it was an ‘unduly obtrusive and incongruous feature’ in the attractive street scene, and concluded that it detracts markedly from the visual amenities of the area.

He did not consider the appellants offer to remove the sign in October 2014 to overcome or lessen the degree of harm, and dismissed the appeal.

#### 4.0 RECOMMENDATIONS

That the report be noted

Maria Duffy  
Acting Head of Planning

3 June 2014