

Planning and Highways Committee

Tuesday 2 February 2016 at 2.00 pm

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

The Press and Public are Welcome to Attend

Membership

Councillors Alan Law (Chair), Peter Rippon (Chair), Nasima Akther, David Baker, Jack Clarkson, Tony Damms, Roger Davison, Adam Hurst, Ibrar Hussain, Bryan Lodge, Peter Price, Denise Reaney, Chris Rosling-Josephs, Garry Weatherall and Joyce Wright

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

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

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

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

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

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

FACILITIES

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

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

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
2 FEBRUARY 2016**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 8)
Minutes of the meeting of the Committee held on 19 January 2016
- 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 9 - 54)
Report of the Director of Regeneration and Development Services
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 55 - 58)
Report of the Director of Regeneration and Development Services
- 9. Date of Next Meeting**
The next meeting of the Committee will be held on 23 February 2016

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

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

You have a personal interest where –

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

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

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

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

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

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 19 January 2016

PRESENT: Councillors Alan Law (Chair), David Baker, Jack Clarkson, Tony Damms, Adam Hurst, Bryan Lodge, Peter Price, Denise Reaney, Peter Rippon, Chris Rosling-Josephs, Garry Weatherall, Joyce Wright and Vickie Priestley (Substitute Member)

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1. APOLOGIES FOR ABSENCE

- 1.1 An apology for absence was received from Councillor Roger Davison and Councillor Vickie Priestley attended the meeting as the duly appointed substitute. An apology for absence was also received from Councillor Ibrar Hussain but no substitute was appointed.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of the previous meeting of the Committee held on 22 December 2015 were approved as a correct record.

5. SITE VISIT

- 5.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with a Co-Chair, be authorised to make arrangements for a site visit on Monday, 1 February 2016, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

- 6.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee for this date and as amended 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) following consideration of additional comments from a local resident and an officer response, as outlined in a supplementary report circulated at the meeting, an application for planning permission for demolition of existing building and erection of three dwellinghouses and garages (resubmission of Case No. 15/02390/FUL) at South Yorkshire Police, Rotherham Road, Halfway (Case No. 15/03924/FUL) be granted, conditionally, (ii) the Director of Regeneration Services or the Head of Planning be authorised to take all necessary steps, including, enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised fence and gates, and (iii) the Head of Planning, in liaison with a Co-Chair of this Committee, be authorised to vary the action to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control;

(c) following consideration of additional comments from a previous objector and from the Broomhall Park Association and an officer response, as outlined in a supplementary report circulated at the meeting, and following consideration of representations at the meeting from (i) a local resident and a local Ward Councillor opposing the application and (ii) the applicant and the applicant's agent speaking in favour of the application, an application for planning permission for demolition of existing building and erection of 2 dwellinghouses at Broomgrove Club, 74 Broomgrove Road (Case No. 15/03499/FUL) be granted, conditionally; and

(d) following consideration of additional comments from the applicant's agent and an officer response, as outlined in a supplementary report circulated at the meeting, and following consideration of additional representations at the meeting from the applicant's agent speaking against the recommendation to refuse the application, an application for planning permission for change of use from retail (Use Class A1) to a betting shop (Sui Generis) including minor external alterations (as per amended plans received 06/11/15) at site of Pasha, 190 London Road (Case No. 15/03286/FUL) be refused as the Committee considered that the use of the premises as a betting office will result in the loss of an additional A1 retail unit reducing the dominance of such premises in the immediate vicinity to a level reducing the vitality and viability of this parade of shops and so threatening its function as a District Centre and as such, was contrary to Policy S10(a) of the Unitary Development Plan.

7. ENFORCEMENT OF PLANNING CONTROL: 183 TO 187 ABBEYDALE ROAD

- 7.1 The Director of Regeneration and Development Services submitted a report informing Members of an amendment required to be made to the authority granted by this Committee at its meeting held on 10 November 2015 in relation to the taking of appropriate action to secure the removal of the unauthorised canopy at 181-185 Abbeydale Road.
- 7.2 The report stated that on 10 November 2015 this Committee had authorised the Director of Regeneration and Development Services, or Head of Planning, to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of an unauthorised canopy at 181-185 Abbeydale Road.

7.3 Following the granting of this authorisation, fresh evidence had come to light which suggested that the original address was incorrect and that the supermarket concerned actually occupied 183-187 Abbeydale Road.

7.4 **RESOLVED:** That the authorisation granted by this Committee on 10 November 2015 in relation to the taking of appropriate action to secure the removal of an unauthorised canopy at premises at Abbeydale Road be amended to take account of the address of the supermarket (Nos. 183-187) and not that stated in the original report (181-185).

8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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

9. DATE OF NEXT MEETING

9.1 **RESOLVED:** That it be noted that the next meeting of the Committee will be held on Tuesday 2 February 2016 at 2.00 pm, at the Town Hall.

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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Report of: Director of Regeneration and Development Services

Date: 02/02/2016

Subject: Applications under various acts/regulations

Author of Report: Chris Heeley 2736329 and Lucy Bond 2734556

Summary:

Reasons for Recommendations

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

Recommendations:

Background Papers:

Category of Report: OPEN

Application No.	Location	Page No.
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15/04448/ADV (Formerly PP-04684325)	259 Abbeydale Road Sheffield S7 1FJ	13
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15/03318/FUL (Formerly PP-04476473)	Ravenscroft Resource Centre Smelter Wood Drive Sheffield S13 8RL	23
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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 02/02/2016

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

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

Case Number	15/04448/ADV (Formerly PP-04684325)
Application Type	Advertisement Consent Application
Proposal	Retention of 2 illuminated digital display screens
Location	259 Abbeydale Road Sheffield S7 1FJ
Date Received	08/12/2015
Team	South
Applicant/Agent	Cero Architecture
Recommendation	Refuse with Enforcement Action

Subject to:

The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

- 1 The Local Planning Authority considers that the proposed signage, by virtue of its scale, size, method of illumination and moving images would be out of character with the scale and built form of the original building and the character of the wider area. The impact upon the visual amenities of the

street would, therefore, be contrary to Unitary Development Plan policy BE13 and National Planning Policy Framework paragraph 68.

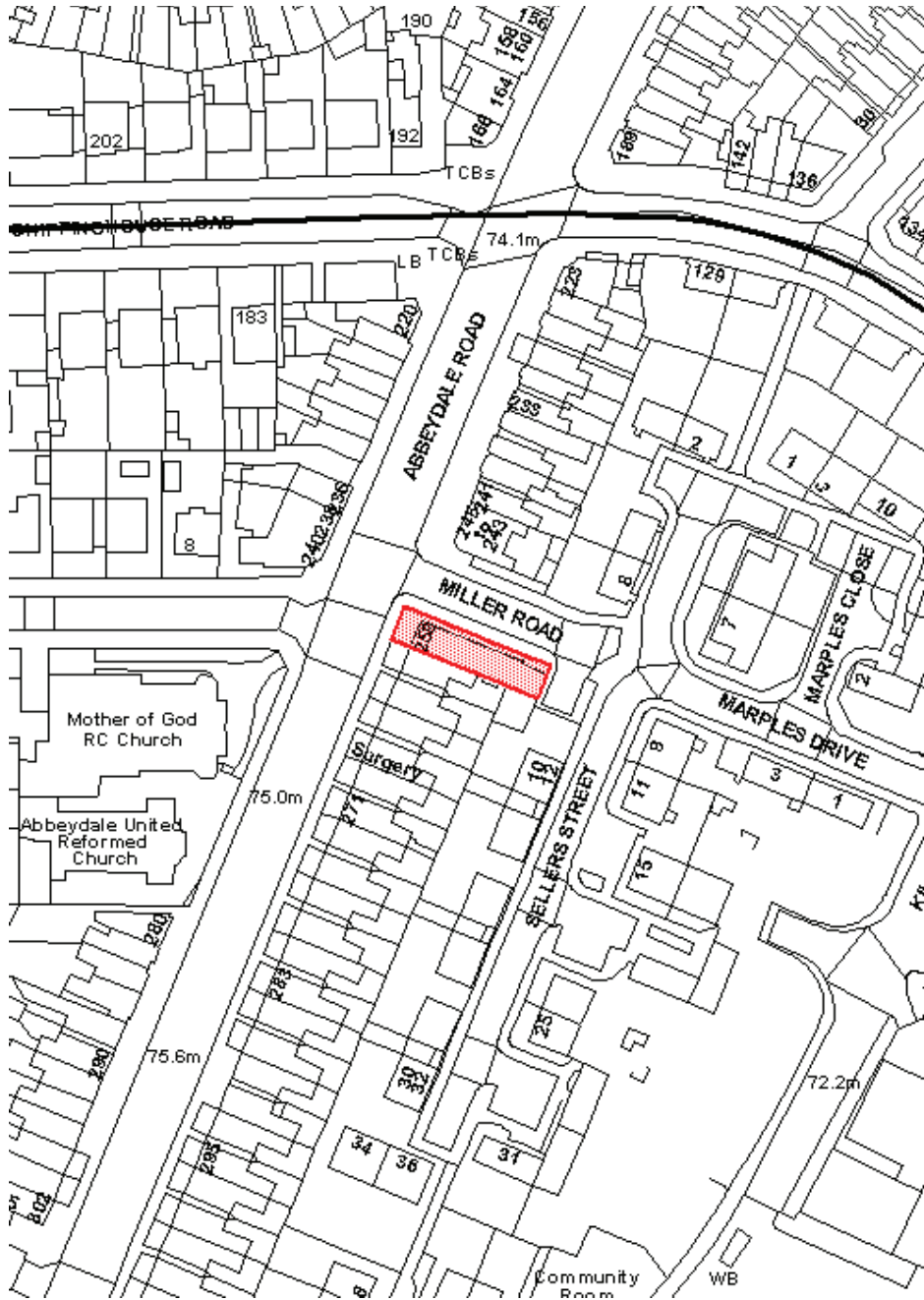
- 2 The Local Planning Authority considers that the proposed signage, by virtue of its scale, size, method of illumination and moving images would be distracting to passing vehicles which, at this point on Abbeydale Road, are already concentrating on bus lane movements and existing pedestrian crossings and signages. The distraction of the bright digital displays which project both static and moving images would be detrimental to the safety of the public highway and therefore contrary to the Unitary Development Plan policy BE13 and National Planning Policy Framework paragraph 68.
- 3 The Local Planning Authority considers that the proposed signage, by virtue of its scale, size, method of illumination and moving images would have significant potential to disturb and cause annoyance to the occupants of the neighbouring residential units. The distraction of the bright digital displays which project both static and moving images would be detrimental to the residents' amenities and are therefore contrary to the Unitary Development Plan policy BE13 and National Planning Policy Framework paragraph 68.

Attention is Drawn to the Following Directives:

1. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

08-0115-SK2.10A
08-0115-OS1A
2. Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner it was not possible to reach an agreed solution in negotiations.
3. The Director of Development Services or the Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the signage. The Local Planning Authority will be writing separately on this matter.

Site Location



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LOCATION AND PROPOSAL

The application relates to an oblong shaped retail unit which is set on Abbeydale Road. The property is on a corner and the northern edge of the building faces Millers Road. The property is a single storey flat roofed building which contrasts greatly with the overall built form of the surrounding area. The property is not set within any grounds and is accessed from the public footways of Abbeydale Road and Millers Road.

The building has been recently refurbished and it is clad with a black stone effect system and has a London taxi sited on the roof. The taxi has been painted gold and has been illuminated by spot lights. The applicant has also installed two large digital LED illuminated advertisement display screens which can display static and moving adverts. (Different types of advert have been witnessed since the units were installed by the case officer.) The two display units project from the facades of the building by 0.10 metres and have a height of 1.0 metres. The display which faces Abbeydale Road spans 5.35 metres and the sign facing Miller Road has a width of 7.0 metres. These advertisements are the subject of this retrospective express advertisement consent application.

The property is situated within a Housing Area as identified by the Unitary Development Plan. Although it is set within a Housing Area, the wide road is interspersed with properties which vary in terms of their use. Many retail properties are set along Abbeydale Road in amongst various residential properties and community facilities, such as places of worship. A significant number of retail properties within the area also have residential units above them.

The street comprises of a mixture of property styles and sizes, although a significant number are brick built terraced properties. The subject building is surrounded by a row of unusual three storey terraced properties directly to the south and more traditional two storey terraces to the north and west. To the southwest of the site there is the Mother of God Church, which is addressed as St Ronans Road. This is a Grade II listed building which is set behind a low stone wall and iron railings.

PLANNING HISTORY

The application is a retrospective application for advertisement consent, however, planning permission has been granted for the change of use of the building and some of the alterations that have been carried out, including the siting of the taxi on the roof of the building.

The original application 15/00680/FUL granted consent for the change of use of the building to an A2 use and the siting of the taxi on the roof, together with the new shop frontage and the recladding of the entire unit.

The works have not been carried out in accordance with the original planning permission and the black stone cladding was not agreed during the application stage, nor have the lights which up light the taxi. The physical changes which have been carried out and do not have planning permission are the subject of an ongoing enforcement investigation and these were proposed to be regularised in a non-material amendment application 15/04447/NMA. This application was refused

as the changes were not considered to be non-material. The applicant has been made aware that consent is required for the changes, but as yet no full planning consent application has been submitted. This application is for the display of two large illuminated signs only and the other alterations to the building are not therefore assessed in the subsequent application.

This application for the erection of two large digital LED illuminated advertisement display screens is retrospective and the signs have already been installed. During the construction phase of the change of use application, officers made the applicant aware that further planning consent was required; this contact was made when it was clear that the taxi on the roof of the premises was not being erected in accordance with the approved plans of application 15/00680/FUL. There is an ongoing enforcement case which relates to this site and the changes which have been made which are not approved in the application 15/00680/FUL.

The site has not been the subject of any previous enforcement cases prior to Mr Compensator occupying the premises. However, it is worth noting that enforcement action has been taken against the occupants of other shop units within the street where they have displayed illegal signage which was overly large and/or out of character with the area. This includes action taken against the owner of a retail unit directly opposite the subject property, at the time Mr Compensator, and after the owner was prosecuted for the erection of illegal signs, such signs were removed.

SUMMARY OF REPRESENTATIONS

This advertisement consent application has been received after the Local Planning Authority's enforcement team contacted the applicant following on from enforcement enquiries from 12 neighbouring residents and shop owners. The enforcement team were asked to investigate whether the signs and other alterations had consent. The representations to the enforcement officer outlined their objections to the proposal and these objections were based around the signs being out of character with the surrounding area.

This application was made valid and a site notice was posted outside the property after the immediate neighbouring properties were informed of the proposal by an initial letter. The consultation process has resulted in 3 representations being received from the public and one representation from a local Councillor, Nikki Bond.

The representations from the public object to the proposal and can be summarised as raising the following material planning concerns:

- The proposed signs are out of character with the Antiques Quarter;
- The proposal has ignored the original planning permission conditions and it is an eyesore both in terms of the gold painted taxi and the video display boards that are being used as signage;

Councillor Nikki Bond also objects to the proposal stating that the signage is out of character with the Antiques Quarter. This issue is discussed further in the

subsequent report. Councillor Bond also raises concerns that the proposal would be a catalyst for anti-social behaviour. This is not a material planning consideration given that such an issue is conjecture and separate legislation exists to deal with such an issue should it ever arise.

The representations have also stated that the signage is contrary to class four of the guidance on outdoor signs and advertisements which states that illuminated advertisements cannot have moving features, intermittent light source or animation. This is correct and is why the proposed signage requires express planning consent which has been applied for. The comments relate to the advertisement control regulations which outline what can be erected without the need for a formal planning application to be submitted. The submission of this application allows the Local Planning Authority to formally assess the proposal and determine the application against local and national planning policies. This has been done in the subsequent report.

PLANNING ASSESSMENT

The signage is to be located on a flat roofed building which is fairly prominent within the street, exacerbated by the fact that a gold coloured taxi has been installed on the roof, which draws attention to it. The property is set within a Housing Area, as defined in the Unitary Development Plan. Policy H14 is relevant and whilst this does not specifically relate to advertisements, it states that all policies relating to the Built and Green Environment should be complied with. Policy BE13 is therefore most relevant.

UDP Policy BE13 (Advertisements) states that advertisements will only be permitted if they are not a traffic hazard and are well-designed and relate to the character or appearance, scale and design of the locality.

The National Planning Policy Framework makes a presumption in favour of sustainable development but provides guidance on how sustainable development should be achieved. The above local planning policies have been considered to be sound when viewed in the context of the NPPF. Paragraph 68 of the NPPF links perfectly with the above local planning policies and weight is given to it.

The NPPF states in paragraph 68 that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. It further states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.

The definition of amenity is not exhausted in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. However, in the national Planning Practice Guidance it states that amenity can mean aural and visual amenity which can be relevant to the general characteristics of the locality, including the presence of any feature of architectural, cultural or similar interest. (Regulation 3 (2)(a)).

It further states in the guidance that it is for the Local Planning Authority to interpret what is, and what is understood, to be the amenities of the immediate area.

However the guidance states that in practice amenity is the effect on the visual and aural amenity in the immediate neighbourhood. It then further states that in assessing amenity, the Local Planning Authority should always consider the local characteristics of the neighbourhood and whether the proposed scale and design of the advertisements is in keeping with these features.

Design of the Proposal

The application seeks consent to display two large digital LED illuminated advertisement display screens. The two display units project from the facades of the building by 0.10 metres and have a height of 1.0 metre. The display which faces Abbeydale Road spans 5.35 metres and the sign facing Miller Road has a width of 7.0 metres. The signs can display sequences of various images/ adverts and currently the display rotates through images and slogans associated with the occupant's business.

The premises which this application relates to are not typical of the surrounding environment. The retail properties within the street have various sized signs, but the majority of those which have been granted consent recently, are sympathetic to the window proportions and the styles of the various shop frontages. Whilst some are illuminated they are not lit up as brightly as the proposed LED displays. Although there are signs which are as big as those which are proposed, generally, they are not illuminated to the same extent as those which are proposed.

The large digital LED illuminated advertisement display screens dominate the fascia of the building due to their overall size, and the fact that the advertisements flick between images and signs which vary in the amount of the display that they use. The rotation of images and the overall size of the displays are considered to be incongruous and do not reflect the proportions of the shop frontage/ entrance. The signs are viewed in their unique context on the frontage of a prominent building. When the taxi was approved consent it was considered that on balance this element could be acceptable, provided that it was not illuminated and the frontage and signage complemented it and were simple and not outlandish. The cumulative impact of the incongruous signs and a prominent local feature of the taxi, is considered to have a negative overall impact upon the character of the original building and the wider street.

The size and appearance of the signage is not considered to be reflective of good design practices. On the opposite side of the road there are various new shops which have un-intrusive signage which is indicative of how Abbeydale Road is evolving (Mr Pickles, La Mama's, Below amongst others). These aforementioned properties generally define the nature of the area which is part of the Sheffield Antiques Quarter, with this section of Abbeydale Road forming the western leg of the Antiques Quarter Trail. The original retail unit adopted a style which was similar to others within the street and the small signage above the door was lit by swan down lights.

Although the building was originally not typical of local character, with its flat roof and two main facades, its visual intrusion upon the street was considered to be negligible. The design principles that have been adopted, in this instance, create

frontages which are unstructured and very prominent within the street. Furthermore, given that the building now has a taxi on the roof, the visual prominence of the signs is exacerbated and the cumulative impact of the building's design and the intrusive lighting, are considered to be harmful to the visual amenities of the original building.

The LED displays would be unique within the street and they are not reflective of the character of the wide area. They do not enhance the design and built form of the original building by virtue of their size and type of display. They are considered to be harmful to the appearance of the building and also, therefore, deemed to be incongruous within the context of the street. The advertisements are an unwelcomed addition to the building which can only be harmful to the amenities of the wider area.

There are no public benefits to the proposal that could outweigh the harm caused to the subject property or the wider area. Accordingly, in light of the above reasons, the proposal is not considered to comply with UDP policies H14, BE13 and the NPPF.

Amenity

The proposed adverts are internally illuminated (by the nature of the signs as digital displays) and set within a street which has various residential properties situated on it. There are residential properties which adjoin the subject property and above retail units on the opposite side of both Miller and Abbeydale Road. The residential units are at a similar level to the height of the advertisements.

The digital LED illuminated advertisement display screens have capacity to show a static image and/ or flashing imagery/ motion pictures, due to the digital nature of the screens. At various stages of the application, and since the initial enforcement complaints were received, planning and enforcement officers have witnessed a number of different images and adverts; some of the images were enhanced by flashing background lights and moving words and images.

The movement and lighting of images can vary and images have been witnessed to move quickly or slowly and as such, there can sometimes be no rhythm to the image sequencing. This is considered to intensify the impact of the signage and make the advertisement more distracting, especially after dark. The images can be seen clearly from the other side of Abbeydale Road and across Miller Road and light is more intense than typical car headlights or a street light which is either on at night or not. The living accommodation is also on a similar level to the signs due to their location above retail units. The typical movement, intensity of illumination and different colouring of the adverts that have been witnessed are considered to have significant potential to disturb or annoy residents and therefore have a significant impact upon the living conditions of occupiers of those neighbouring properties. Accordingly, for this reason, the proposal is again, considered to be contrary to UDP policy BE13.

Highways Issues

The signs are located on a frontage of a building which faces a wide, main arterial route into Sheffield city centre. The lights are wholly illuminated and flash as the images rotate. The illuminated displays are set under a gold painted taxi, which although on its own is not of concern, has been lit by spot lights. (These lights are the subject of a separate enforcement case as the original application conditioned that the taxi would not be illuminated.)

The taxi indicates the type of business operated on the premises and this has been recognised in the original planning application. However, the signs make the taxi more prominent and similarly, attention is also drawn to the flashing signage. The adverts are prominent and highly visible from a number of view points along the street.

The property has a bus lane in front of it which operates at certain times of the day. When it is not in operation, it is often used for on street car parking for people visiting the retail units along the street. People have to navigate around parked cars or manoeuvre out in to the bus lane. At very busy times of the day, traffic can often be reduced to a stand-still along this stretch of the road; buses therefore use the bus lane and undertake the standing traffic. It is considered that the proposed flashing displays would prove to be distracting, especially on a street where drivers have a lot to take in visually given that there are numerous essential highways information signs and pedestrians crossing close by. Lapses in concentration as a result in being distracted by bright flashing signage, is considered to be detrimental to highway safety.

As outlined above, the proposed advertisements are considered to be detrimental to public safety due to the cumulative impact of the signage and siting of the illuminated taxi on the roof. It is therefore contrary to the aims of the NPPF and BE13 of the Local Planning Authority's UDP.

Enforcement Issues

The application seeks permission to retain two illegal signs. As outlined in the reasons above, the signage is considered to be harmful to the character and visual amenities of the original building and the wider area. Accordingly, any refusal of consent will have to be followed with enforcement action to seek the removal of the signage.

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

SUMMARY AND RECOMMENDATION

Due to the size of the LED signage, its illumination and moving imagery, it is considered that the advertisements that have been erected on the subject building are significantly harmful to the character of the original building and that of the wider area. Furthermore, by virtue of the size and design of the signs, the proposal

is also considered to be distracting to users of the public highway and detrimental to the safe flow of vehicular traffic along Abbeydale Road.

In addition, the method of illumination, and moving images have significant potential to disturb and annoy occupiers of neighbouring residential property above retail units on Abbeydale and Miller Road, opposite the site, which would be detrimental to their amenity.

It is therefore considered that due to the siting and design of the signs, the proposed retention of the signage is considered to wholly conflict with the requirements of UDP policy BE13 and paragraphs 68 and of the NPPF.

It is therefore recommended that the proposed signage be refused Advertisement Consent and that the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action, including if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signage.

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

Case Number	15/03318/FUL (Formerly PP-04476473)
Application Type	Full Planning Application
Proposal	Erection of a care centre (99 beds) (Use class C2) with ancillary rehabilitation facilities/service (delivering physiotherapy, aqua therapy, occupational therapy and speech therapy) and other ancillary elements (including cafe, library, cinema and hair and beauty salon), parking and outdoor, landscaped amenity space
Location	Ravenscroft Resource Centre Smelter Wood DriveSheffieldS13 8RL
Date Received	08/09/2015
Team	City Centre and East
Applicant/Agent	Crowley Associates
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:
Proposed Site Plan - Ref. 2013-07-09, Drawing No. R 101, Rev. 2015-12-14, Received 21.01.2016

Elevations 1 of 2 - Ref. 2015-11-26, Drawing No. R 1311 - received 16.12.2015
Elevations 2 of 2 - Ref. 2015-10-23, Drawing No. R 131 - received 16.12.2015

Floor Plans - Sheet 1 of 5 - Drawing No. R-151, Rev. 2015-10-23
Floor Plans - Sheet 2 of 5 - Drawing No. R-151, Rev. 2015-10-23
Floor Plans - Sheet 3 of 5 - Drawing No. R-151, Rev. 2015-10-23
Floor Plans - Sheet 4 of 5 - Drawing No. R-151, Rev. 2015-10-23
Floor Plans - Sheet 5 of 5 - Drawing No. R-151, Rev. 2015-10-23

Site Sections Plan - Sheet 1 of 3 - Drawing No. R110, Rev. 2015-08-17
Site Sections Existing - Sheet 2 of 3 - Drawing No. R110, Rev. 2015-08-17
Site Sections Proposed - Sheet 3 of 3 - Drawing No. R110, Rev. 2015-08-17

Sun Terrace - Sheet 1 of 2 - Drawing No. R999, Rev. 2015-11-06
Sun Terrace - Sheet 2 of 2 - Drawing No. R999, Rev. 2015-11-06

Site Access & Internal Swept Path Analysis - Ref. LTP/2029/01/001 00
Rev.0

Reason: In order to define the permission.

Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)

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

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

4. 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.

5. 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. No development shall commence until the replacement parking works listed below have either;

- a) been carried out; or
- b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such replacement parking works will be carried out before the existing parking spaces serving the Ravenscroft Bungalow have been de-commissioned

Replacement Parking Works:

The provision of 2no. car parking spaces (including 1no. disabled car parking space) positioned on land in front of the Ravenscroft Bungalow to a specification (including drainage, materials, and dropped kerb proposals) to be first confirmed by Sheffield City Council and for sole use by the bungalow facility.

Reason: To compensate for the loss of existing car parking provision associated with the Ravenscroft Bungalow that will be lost as a consequence of the proposed development and to minimise the impact of the development on the free and safe flow of traffic on the public highway it is essential that this condition is complied with before the existing car parking is removed

7. No development shall commence until full and final details of the proposed surface water drainage works have been submitted to and approved by the Local Planning Authority. The works shall include:

1. Full calculations and engineering drawings (using the BRE 365 method) to demonstrate the proposed design and the infiltration capabilities of the ground where such infiltration is proposed;

2. Details of any balancing works or off-site works; and

3. Full details of the implementation, adoption, maintenance and management of the proposed surface water drainage works. Including, a timetable for its implementation, and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime;

The development shall thereafter be carried out in accordance with the approved details and there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure satisfactory drainage arrangements and the development includes appropriate surface water flooding and pollution management.

Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)

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 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.

9. Notwithstanding the details on the approved plans, before the development is commenced full and final details of the following car parking details shall have been submitted to an approved by the Local Planning Authority:
 1. The proposed levels of the car park;
 2. The proposed quantity, specification and position of the electric charging points (as discussed in the submission); and
 3. Details of the proposed car sharing and bicycle subsidy schemes.

The approved details shall be provided in accordance the agreed information and retained thereafter.

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

10. Notwithstanding the details on the approved plans, a comprehensive and detailed hard and soft landscape scheme for the site shall have been submitted to and approved in writing by the Local Planning Authority. 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 five year period shall be replaced unless otherwise approved by the Local Planning Authority.

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

11. The Local Planning Authority shall be notified in writing when the landscape works for each phase are completed.

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

12. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' (or equivalent) 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. Notwithstanding the details on the approved plans, final details, including samples, of the proposed material/s the scheme shall be submitted to and approved in writing by the Local Planning Authority before the corresponding phase of development is commenced. Thereafter, the relevant phase shall be carried out in accordance with the approved details.

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

14. 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.

15. Notwithstanding the details on the approved plans, the design of the entrance canopy is not approved. Before the development of this element is commenced full final details of the proposed entrance canopy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

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

16. Before the development is commenced, full final details of all means of site boundary treatments, fences and gates shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

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

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

Windows,
Window reveals (at least 100mm reveal depth)
Window cill and blanking panel details
Doors
Eaves and verges
Brickwork detailing
Balconies (if appropriate)
Rainwater goods

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

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

18. Prior to implementation, 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.

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

19. Prior to implementation, full details of any external signage proposed to be installed on the building or within the curtilage of the site 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.

20. 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.

21. 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.

22. 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 final details of the access and facilities for people with disabilities, as shown on the plans, shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- The design of the main entrance into the building;
- The design of the vehicle drop-off/pick-up area;
- The provision of 1.8m wide pedestrian footpaths (minimum) throughout the site;
- The design of all ramps and steps (including gradients and handrails); and
- The design of amenity spaces and terrace areas (including seats).

The buildings shall not be used unless such access and facilities have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

23. 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 relating to that phase 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 the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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.

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 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 buildings within that phase 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 and appropriately design of equipment.

25. The proposed green/brown roof (vegetated roof system) shall be provided on the roof(s) in accordance with locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/brown roof(s) shall be provided prior to the use of the building commencing. 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.

26. No externally mounted and/ or fixed plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

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

27. Before the development is commenced, or an alternative timescale to be agreed in writing by the Local Planning Authority, final details of the position and design of 5no. bird and 3no. bat boxes to be provided around the site shall have been submitted to and approved in writing. Thereafter, the provision of these boxes shall be carried out in accordance with the approved details.

Reason: In the interests of the ecological amenity of the site.

28. Before the installation of any commercial kitchen fume extraction system, full details including a scheme of works to protect the occupiers of surrounding land uses shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) Plans showing the location of the fume extract terminating 1 metre above eaves and include a low resistance cowl;
- b) Acoustic emissions data;
- c) Details of any filters or other odour abatement equipment; and d) Details of the systems required cleaning and maintenance schedule.

Thereafter, the approved equipment shall then be installed in accordance with the approved details and retained.

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

Other Compliance Conditions

29. 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.

30. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the building shall be used solely for the use hereby permitted and shall not be used for any other purpose within Class C2.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property

31. The use of the building for the purpose of a library, kitchen, aqua pool and cinema shall at all times remain ancillary to the main use of the building for Use Class C2 purposes and shall not be used for any other purpose.

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

32. Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

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

33. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried on only between the hours of 0730 to 2000 Mondays to Saturdays and between the hours of 1000 to 1800 on Sundays and Public Holidays.

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

34. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0730 to 2000 on Mondays to Saturdays and between the hours of 1000 to 1600 on Sundays and Public Holidays.

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

35. The building shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be available for use by all visitors, residents and staff without restriction and 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.

36. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.

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

37. Only the following trees shall be removed, in accordance with Page 30 of the 'Ravenscroft Design and Access Statement', prepared by Crowley Associated Ltd (September 2015):

T4, T5, T6, T16, T18, T19, t20, T21, T29, T30, T31, T32, and T33.
(Cross-referenced with the submitted Tree Survey and Plans)

No other trees shall be removed from the site.

Reason: In the interests of the visual amenities of the locality and biodiversity.

38. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall be capable of achieving the following noise levels:

- Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
- Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
- Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
- Bedrooms: LAFmax - 45dB(2300 to 0700 hours).

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

39. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 unless otherwise approved by the Local Planning Authority.

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

40. 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 plan. 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.

41. 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.

42. There shall be no gates or barriers erected at the means of access to the site.

Reason: To ensure access is available at all times.

Attention is Drawn to the Following Directives:

1. 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.

2. With regard to the commercial kitchen fume extraction system, the applicant is advised that the details submitted should consider and make reference to the following DEFRA document: Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems. Submissions to the LPA should be based on Annex B of the aforementioned Defra document; Information required to support a planning application for a commercial kitchen.
3. 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.

4. 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

5. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council
Highways and Transport Division
Howden House
1 Union Street
Sheffield
S1 2SH

For the attention of Mr P Vickers

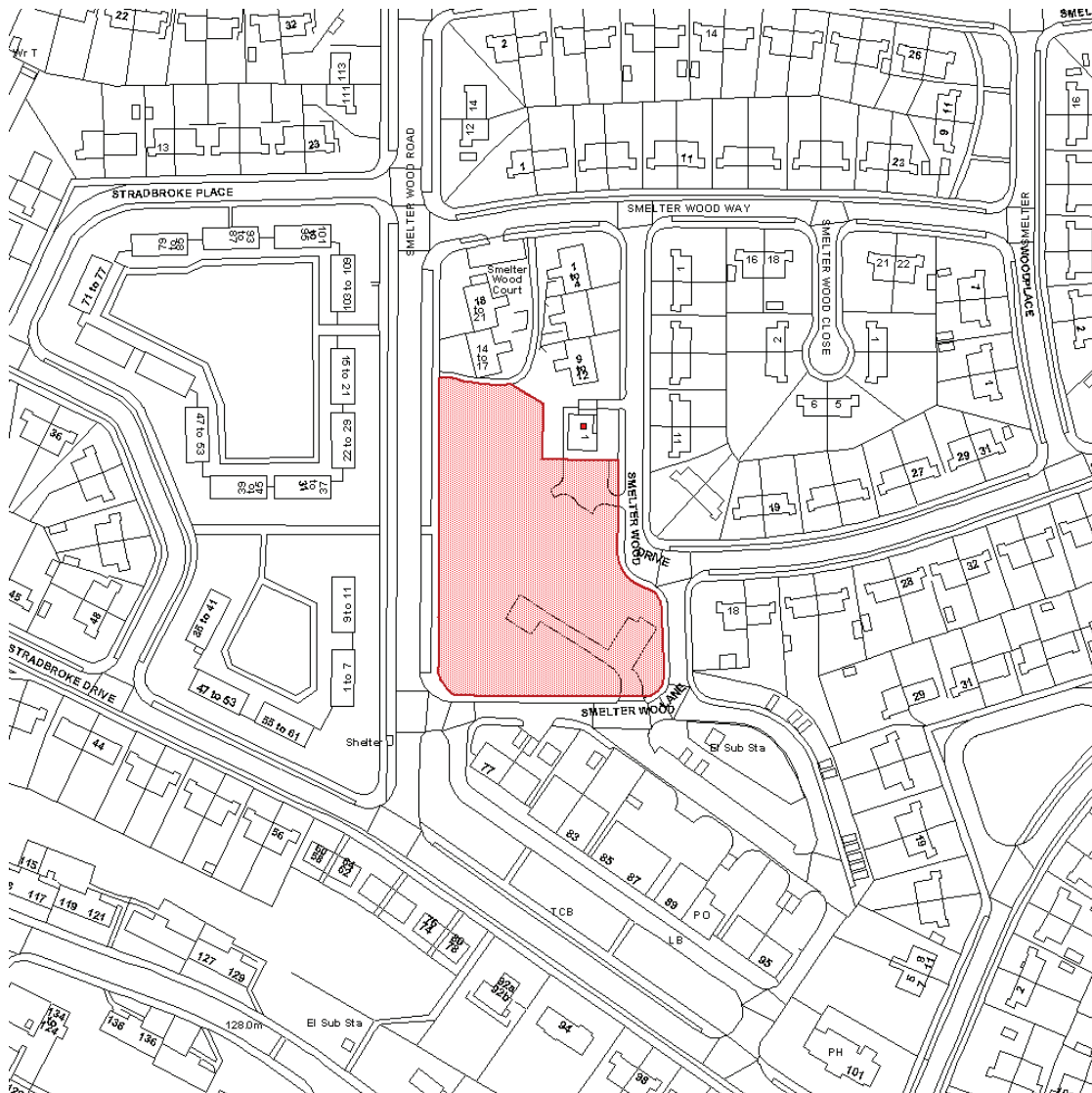
Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
7. 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.
8. 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.
9. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 Guidance Notes for the Reduction of Obtrusive Light. This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
10. The Applicant is advised that the Local Planning Authority considers that the design of the main entrance canopy is unacceptable. It is recommended that the canopy roof should be coloured dark grey to match the cladding used on the building and within the main entrance. Roof lights or similar could also be incorporated into the roof to allow additional natural light under what is a large canopy and immediately adjacent the main entrance.
11. Green / brown roof specifications must include drainage layers, growing medium type and depths (minimum 75mm, but depends on system and type employed) and plant schedules. It should be designed to retain at least 60% of the annual rainfall. A minimum of 2 maintenance visits per year will be required to remove unwanted species (as is the case with normal roofs). Assistance in green roof specification can be gained from the Sheffield

Green Roof Forum - contact Officers in Environmental Planning in the first instance: 2734198 / 2734196. Alternatively visit www.livingroofs.org or see the Local Planning Authorities Green Roof Planning Guidance on the Council web site.

12. With regard to surface water drainage, the applicant is advised that requirement H3 of the Building Regulations 2000 establishes a preferred hierarchy for surface water disposal. Consideration should firstly be given to discharge to soakaway, infiltration system and watercourse, then to public sewer, in this priority order. To prevent overloading of the public sewer network, surface water discharges to the network should be restricted to the level of run-off. On-site storage/balancing - or some other means of attenuation of the surface water may be required.
13. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

Planning permission is sought to construct a modern residential care centre that will provide elderly, intermediate and rehabilitation care in partnership with the NHS. The building's floor area will be 4,718 square metres (internal) and its primary role will be to cater full time for a variety of mature care needs and provide an integrated therapy service to help relieve patient pressures at the City's hospitals.

There are proposed to be 99 care bed spaces provided within nine/ten bed clusters. The scheme will also contain ancillary rehabilitation facilities/service delivering therapies relating to physio/aqua/occupational/speech as well as a variety of ancillary resident facilities, including café, library, cinema, and hair and beauty salon space.

The application site is located in Stradbroke, an area of the City that is dominated by post war housing comprising of two-storey maisonettes and semi-detached house types. The material palette is generally consistent throughout with the predominant materials being dark red/brown brick and rosemary roof tiles. The layout of the streets is generally uniform, comprising of arterial routes (i.e. Smelter Wood Road) with secondary roads leading off them and creating parcels of land where housing is built. Landscaping along the streets is generous, including grass verges, tree planting and green open spaces.

The application site is part of a land parcel that is sandwiched between Smelter Wood Way (north), Stradbroke Drive (east), Smelter Wood Lane (south), and Smelter Wood Road (west). There are houses situated to the immediate north, east and west of the site; those situated to the east and west overlook the land. The 'Ravenscroft Bungalow' is also situated adjacent to the northern boundary, which is a building operated by Sheffield City Council as a satellite office. The land to the south of the site is occupied by a parade of shops that have their rear elevations and yard spaces backing onto Smelter Wood Lane. A small commercial garage also operates out of the rear of one of these yards.

In terms of existing characteristics, the site is roughly rectangular in shape with an area of approximately 0.51 hectares. It is clear of buildings and now appears green open space containing established trees, low level shrubs and grass. The topography of the site is relatively flat where previous buildings were situated but there are level differences across the site as a whole. Some parts of the site are quite undulating, which could be the result of material being left on site post demolition. The site slopes downwards in a west to east and south to north direction; this is quite steep in parts with the greatest level difference occurring between the site's south-west and north-east corners (approximately 7m).

In the north-east portion of the site there is a small 5 space car park, which is associated with the adjacent 'Ravenscroft Bungalow' facility. It is intended that the car parking spaces be removed as part of this application.

The residential care home that previously existed on the site – prior to demolition a few years ago – ranged between one and three storeys high (excluding pitched roof) and was situated on the southern portion of the site. The building was constructed from red brick and corrugated roof tiles. A generous amount of landscaping and trees existed on the site, which contributed to the setting and character of the area. The majority of these trees remain following demolition of the buildings but they are not protected by a Tree Preservation Order.

RELEVANT PLANNING HISTORY

The most relevant planning history relates to the 'Ravenscroft Bungalow' and the following application:

06/02999/FUL: Single-storey extension on site of existing garage to form 'sensory' meeting room and laying out of new five-bay car park.
Granted Conditionally, September 2006.

Condition 4 of this permission stipulated that the development shall not be used unless the car parking accommodation (for 5 vehicles) be provided and retained for the sole purpose intended.

SUMMARY OF REPRESENTATIONS

In accordance with statutory requirements, this application has been advertised by site notices, press advert and neighbour notification letters.

One comment of objection has been received from the occupier of No. 7 Smelter Wood Drive. The comments state:

- Car Parking: Insufficient car parking for a 99 bed residential home. Parking on Smelter Wood Drive opposite the proposed site is an issue already due to a lack of parking spaces for the residents living in the flats next to the proposed residential home. Use of the spare land directly behind the shops to the side of the proposed site, which is no longer used for garages, would be more suitable and have less of an effect on people living close to the proposed site.
- Traffic: Concern about the amount of traffic accessing the site via Smelter Wood Drive, which at the moment is a quiet road.
- Noise: Traffic and operational noise (e.g. cooking equipment/ventilation).

PLANNING ASSESSMENT

1.0: Principle of Development: Policy & Land Use Issues

For the reasons described below, it is considered that there are sufficient national and local policies (including emerging policies) and project work to justify the appropriateness of the proposed use. Therefore, the principle of residential development at this location is concluded to be acceptable.

1.1: National Planning Policy Framework (NPPF)

The NPPF sets out the Government's latest planning policies for England and how these are expected to be applied. The Framework does not contain specific policies but its statements form part of the overall framework of national planning policy and it is a material consideration in decisions on planning applications. 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 people's quality of life. The following assessment will have due regard to these overarching principles.

1.2: Unitary Development Plan (UDP)

The application site lies within a Housing Area designation in the Council's UDP, adopted March 1998. Policy H10 (Development in Housing Areas) states that housing (Use Class C3) is the preferred use in these areas but a range of other uses including residential institutions (Use Class C2), as proposed, are also acceptable as long as they are not so large or numerous to damage the

appearance and residential character of a Housing Area or cause disturbance to people living there.

In this case, it is acknowledged that the predominant land use of the locality is housing within Use Class C3 and the dominance of this use would not be affected to an unacceptable degree as a consequence of this application. This care centre includes the characteristics of a residential property and it will not damage the domestic character of the area nor cause disturbance to the people living there. Moreover, it is also acknowledged that a smaller care home formerly existed on the land and there is a need for this type of facility given the ageing population.

1.3: Sheffield Development Framework (SDF) Draft City Policies and Sites Document

This document forms part of the Sheffield Local Plan and flows from the Core Strategy and, amongst other things, it allocates specific sites for particular land uses where required. This document is currently in draft form and therefore has little or no weight. The content of this document does, however, provide an indication of the Council's aspiration for future land uses on this site.

Currently, the City Policies and Sites document and the Draft Proposals Map identifies the application site as a housing area with a site specific proposal (P00522) for housing (Use Class C3) or residential institutions (Use Class C2). Indeed, the document describes the site as suitable for *"high density housing, in an accessible location close to local shops and to high-frequency public transport on Smelter Wood Road"*.

The proposed development is considered to be consistent with this allocation in spite of the limited weight that can be given to it.

2.0: 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.

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.

2.1: Proposed Layout

The new development comprises of a roughly "L" shaped building positioned on the western and southern portions of the site closest to Smelter Wood Road and Smelter Wood Lane. The building is set within soft and hard landscaped spaces and it is proposed to retain a large proportion of the existing tree cover around all of the elevations, which is welcomed as it will help to soften the appearance of the

development when viewed from surrounding buildings and streets. Given the nature of the site, it is the case that there will be no real private spaces because the boundaries all address public roads or other existing uses. This is unfortunate but unavoidable and it is expected that the quite significant level changes between Smelter Wood Road and the ground floor of the building will ensure that some of the proposed external terraced spaces on the rear western and southern boundaries of the site will be relatively secluded for residents and their visitors.

Service and maintenance facilities are proposed to be consolidated inside the building on the ground floor of the southern wing. This includes areas such as bin stores, kitchens and laundry/drying rooms. Such an arrangement is welcomed as it will ensure that there is no need to allocate additional space in the external area around the site, thus further ensuring that the land around the building's north, south and west boundaries will be able to be allocated to landscaping space rather than other facilities.

The front of the building and main public approach (including public access and car parking spaces) are situated on the eastern portion of the site and it will be accessed via a single point of entry/exit on Smelter Wood Drive. The provision of car parking on this part of the site helps to ensure that the building is set as far as possible away from the semi-detached properties on the opposite side of Smelter Wood Drive meaning that the maximum separation distance is achieved so as to maintain amenity standards and ensure that the new built form at 4 storeys high does not over dominate the street. Furthermore, the provision of car parking accommodation within a single consolidated area is welcomed, helping to ease navigation for visitors and consolidate vehicle movements on surrounding streets.

Finally, the building is also set away from the northern boundary of the site, in order to ensure that landscape space is maintained on this portion of the site and, again, ensure that a suitable separation distance is achieved to those maisonette properties on Smelter Wood Court (approximately 29m – 34m).

Overall, it is considered that the proposed layout is an acceptable aspect of this development. The arrangement of the building and facilities are considered to be logical and make sensible use of the site bearing in mind its characteristics and the surrounding land uses.

2.2: Proposed Design

The building has been the subject of design development and amendments during this application and it is considered that the changes improve its quality and overall appearance to ensure that the design can now be accepted. The final proposed building has a contemporary architectural appearance, characterised by a flat roof building with a simple elevation design and restrained material palette.

The elevations are characterised by a repetitive rhythm and fenestration pattern, a consistent roofline, and small setbacks/projections. This approach is supported as it is considered they help to enhance the quality of the proposed design and will break up the mass/scale of the building's long elevations. The parapet is also raised, albeit marginally, on the projecting bays to help add some visual break to

the rather flat roofline. The design of the facades is considered simple but it is advised that the overall quality of this architecture will be dependent upon the quality of the proposed detailing and workmanship at the construction stage. Final large scale details will be secured by condition on any approval.

A canopy is proposed in front of the main entrance in order to define the entrance and provide a means of shelter for residents and visitors that are arriving/leaving the building. The design of the canopy currently shown is not acceptable as it is considered to jar with the architecture of the building, a more in-keeping design and colour finish should be provided. This matter has been raised during the course of the application but the design has not changed, therefore it is recommended that the further discussion about the final design of the canopy be secured by condition.

With regard to the fenestration design, the intention to create large window openings throughout the scheme is welcomed. The size of the openings has been increased during the course of the application at the specific request of your Officers and it has been confirmed that reveal depths will be a minimum of 100mm. It is considered that these final proposals make a positive impact on the appearance of the building by improving the solid to void ratio across all external elevations as well as ensuring that good levels of natural light reach the internal rooms of the building. The original windows proposed were considered to be too small, which gave the building a dated and institutional appearance. Again, it is confirmed that matters relating to the final window design and minimum reveal depths will be secured by condition.

The principal material to be used will be red brick, which reflects the character of the surrounding buildings and wider area. Contrasting dark cladding panels will be used on the building's projecting elements to add visual interest and there is a glazed section to define the main entrance and floors directly above. This constrained palette is considered to be acceptable and compatible with the surroundings.

Members should be informed that your Officers have suggested additional comments and provided examples to help further enhance the appearance of the scheme. The applicants have been unwilling to incorporate all of these items within the revised proposals, which is somewhat disappointing. However, following consideration it is believed that these items are desirable enhancements rather than essential additions which would justify a refusal in this case.

For the reasons above, it is concluded that the proposed architecture is acceptable and, if executed to a high standard of detailing and construction, it will be a positive addition to the site and surrounding area. As discussed, final large scale details and material samples are required by condition.

2.3: Proposed Scale

The existing Stradbroke area is dominated by 2 storey houses and the former building on the application site varied between 1 – 3 storeys. The proposed height of the new building is taller than existing buildings in the area (4 storeys) and,

therefore, its impact in scale and massing terms must be considered. Cross sections have been supplied to demonstrate the impact of the development in land level terms.

The footprint of the development is large but not regarded to be excessive or inappropriate for the site given its overall size, the amount of landscaping that is proposed to be retained, and the extent of built form that previously existed prior to demolition.

A key element of the design is that it is proposed to be set down into the site rather than being sited on top of the land and the building stepped to account for this. Setting the building down is considered to be an acceptable approach as it will help to reduce the height and impact of the building on the south (Smelter Wood Road) and west portions (Smelter Wood Lane) of the site.

The building is set away from its Smelter Wood Road and Smelter Wood Lane boundaries and the land in between will consist of landscaping space and trees, which will help to soften its impact. Furthermore, the intention to set the building into the site means that its ground floor level will be set down up to 4m below the adjacent footpath/highway level. The result of these proposals means that the height of the building will be reduced, thus making the building appear smaller and ensuring that it does not over-dominate these streets or dwellings on the opposite side of the road, which are positioned above road level.

The building's mass and scale will be most prominent on the northern and eastern portions of the site given the proposed layout and form. All 4 storeys will be visible from the areas beyond these boundaries given the sloping topography of the land. Although the building is taller than the existing residential properties beyond the north and east boundaries it is considered that the impact will be reduced because of the position of the building, which is set back a generous and sufficient distance away from the adjacent public footpath and the buildings opposite.

Overall, the proposed scale is considered to be acceptable at this location and consistent with existing scales.

3.0: Sustainability

Core Strategy Policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings to be energy efficient, to use resources sustainably, and to reduce energy consumption and carbon emissions.

It is confirmed that the building will to be serviced by heat recovery mechanical ventilation systems and will be fitted with super thermal insulation to Passivhaus standards, although there is currently no intention to have the building certificated to Passivhaus design. Therefore, it is expected that the development be constructed to a minimum BREEAM 'Very Good' (or equivalent) and the applicant has confirmed that they will reluctantly accept a relevant condition.

Therefore, subject to the recommended condition, it is considered that Policy CS 64 has been satisfied.

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.

Large wind turbines were originally proposed on the roof of the building but these have now been removed at the request of Officers because of visual and residential amenity concerns. In light of this, the applicant has confirmed that they are content for the Council to impose a condition requiring the development meets 10% of its predicted energy needs from renewable sources.

Therefore, subject to the recommended condition, it is considered that Policy CS 64 has been satisfied.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into all large-scale developments where they are compatible with other design considerations. It is confirmed that a 'Green/Brown Bio Diverse Roof' will be installed on the roof of the building and that this will spread across a minimum area of 1,000 square metres, which is acceptable. Details of the proposed final design and specification quality of the roof have not been supplied as part of the submission and, therefore, a condition is required to secure this.

It is stated that all of the rainwater taken off the roof is to be recycled for toilet flushing and to use in the watering of the garden and in the use of some washing machines. It is intended to be able to store approximately 62,000 litres of rainwater at any one time on the site in underground storage tanks, which will equate to around 6.5 days demand.

Additionally, the applicant confirms that they run a clean/green/safe site management strategy, which includes the promotion of cycle to work and car club schemes on all of their sites. The development will also be provided with electric charging points.

In light of the above, and subject to the conditions recommended, it is considered that the proposals will comply with the requirements of Core Strategy Policies CS 64 and CS 65, and Guideline CC1.

4.0: Amenity Issues

UDP Policy H14 (Conditions on Development in Housing Areas), part (c), states that new development should not result in over-development or deprive residents of light, privacy or security, or cause a serious loss of existing garden space which would harm the character of the neighbourhood.

UDP Policy H8 (Housing for People in Need of Care) requires that new and refurbished housing in the form of supportive accommodation, sheltered accommodation, care homes and nursing homes be permitted in suitably convenient locations and to appropriate standards.

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.

4.1: Amenity of Existing Residents –

Key issues for existing residents are privacy, overshadowing, over-dominance and noise/disturbance. The properties affected by this development are positioned immediately opposite the site.

Privacy Issues

The relationship between the proposed development and surrounding dwellings is considered to be acceptable because of the building's position on the site and the generous distances between existing/proposed.

The properties positioned on the eastern side of Smelter Wood Drive warrant the greatest consideration because of their relationship to the application site and the small number of properties that directly overlook it (namely Nos. 13 – 15 Smelter Wood Drive). The minimum distances between the existing/proposed buildings will be approximately 30 metres and it increases to between approximately 44m and 57m in other parts. Normally, a window to window elevation relationship (at equal height and level) would warrant a separation distance of 21m with greater distances encouraged depending upon the site characteristics and increases in building height. Therefore, notwithstanding the 4 storey design of the new building compared with the surrounding 2 storey houses, it is concluded that the privacy distances are generous and suitably sufficient to ensure that there will be no adverse privacy impact.

There are other properties on Smelter Wood Lane and Smelter Wood Road which overlook the site. It is again concluded that the difference in land levels, site characteristics and privacy distances are sufficient to protect existing residential amenity. Therefore, there are no further concerns.

In light of the above, it is concluded that there will be no unacceptable privacy issues resulting from this development.

Overshadowing and Over dominance Issues

The site is separated from surrounding properties by established public highways. Owing to the good separation distances and the proposed layout of the new building, it is considered that there will be no detrimental overshadowing and over-dominance issues for these properties created by this development.

There is little doubt that the new development will be visible from the adjacent residential properties, which overlook the site. This will be a significant change from the current situation but it is the case that a building previously existed on the site prior to demolition. Furthermore, a change in view or the nature of a view is not

a material planning consideration provided that there are deemed to be no overshadowing or over-dominance issues, as described above.

Noise and Disturbance Issues

The proposed development is unlikely to cause a significant nuisance or disturbance to existing residents. The building is predominantly residential in character and many of the additional facilities will be ancillary to this main use. It is considered that the proposed use is likely to be relatively quiet and low-key owing to the intended occupiers.

The position of the vehicle accesses and the car park area serving the development is considered acceptable. The development will utilise an existing vehicle entrance, which allows the opportunity to retain as many trees as possible on the Smelter Wood Drive frontage. The submitted Transport Statement indicates that a development of this nature is likely to generate around 146 vehicle movements per day. It is considered that this is acceptable given that vehicle movements will most likely be dispersed throughout the day given the nature of the use, staff shift patterns/length (12 hours) and the number of car parking spaces proposed (25 and 2 disabled spaces).

For the reasons above, it is concluded that the proposed development is acceptable and will not have a detrimental impact on the living conditions of existing surrounding residents, in accordance with relevant UDP policies.

4.2: Amenity of Future Residents

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

Privacy Issues

The proposed layout and design creates a circumstance whereby habitable room windows do not face each other and, therefore, overlooking within the development will not occur between units. This is considered to be a positive aspect of the scheme and acceptable.

Overlooking between existing dwellings and the proposed development, as discussed above, is considered to be acceptable.

Outlook Issues

It is considered that the outlook from units will be acceptable across all elevations of the site. All of the proposed bedrooms and living spaces are intended to have large clear openings, which will ensure that the internal living environments can be well lit by daylight and provide a comfortable layout for occupiers. Furthermore, the layout of the development ensures that large amounts of soft landscaping, including existing trees, will be retained around the edges of the site, which ensures that a pleasant green outlook will be retained for existing/future residents.

Outdoor Amenity Provision

There is intended to be an outdoor terrace provided behind the southern/western elevations of the building, which will be available to users of the site. The terrace extends for the length of both elevations but it is narrow being enclosed by the building and retaining walls. In light of this, the final quality of these spaces will be dependent upon the design and execution.

It is considered that the proposed development could benefit from the provision of more outdoor amenity space and there is the opportunity to take greater advantage of the landscape areas within the site curtilage. However, the applicant has indicated that in their experience such spaces create implications from an operational and security point of view.

Overall, it is concluded that the lack of more usable outdoor amenity provision is not a reason to refuse the application. It is recognised that the existing landscaping provides the opportunity to create more usable garden space for users of the site, if future management decisions and feedback demand it.

Noise and Disturbance

The site is located within an existing residential area and it is anticipated that surrounding noise sources will be relatively low key and similarly residential in character. Therefore, there are considered to be no noise and disturbance concerns for the proposed development and its future occupiers. Furthermore, good internal noise levels can be secured by condition.

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.

5.0: Highway Issues & Transport Issues

UDP Policy 14 (Conditions on Development in Housing Areas) part (d) states that new development or change of use will be permitted provided that it provides safe access to the highway network, provides appropriate off-street parking, and does not endanger pedestrians.

Core Strategy Policy CS 53 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 key issues here are considered to be the vehicle movements generated by the development and car parking.

Vehicle Movements

A Transport Statement has been commissioned in support of this application to assess the impact of the development on the local highway network. The TRICS database has been used to provide vehicle trip generation projections for the proposed Care Centre and it is anticipated that a development of this size will to

generate 146 vehicle trips over the 'standard' 12 hour period (0700 – 1900 hours) (73 arrivals and 73 departures). The site is currently vacant and, therefore, generates no traffic and vehicle flow data for the previous use on the site is not available. However, the relevant TRICS database estimates that the former care home would have generated approximately 83 trips during the same 12 hour period. Therefore, it is predicted that the proposed development will result in an additional 63 trips, which is the equivalent of 5 more trips per hour. Based on this information, the Transport Statement concludes that the proposed development could be provided at the application site without adversely affecting the operation of the surrounding highway network.

The development will utilise an existing vehicle access/egress point and it will provide access to Smelter Wood Drive, which has a carriageway width of 5.5m wide and is subject to a 20mph speed limit. Notwithstanding the objection received, the character of this street is considered to be sufficient to accommodate the number of vehicle movements and nature of traffic proposed. Furthermore, the Transport Statement confirms that the site is located on a bus route with bus stops situated immediately outside the site on Smelter Wood Road, which is a sustainable benefit of the site's location. The bus services provide access between Woodhouse and Bradway (every 12 minutes), Darnall and Aston (twice daily).

With regard to the existing site layout, it is considered that there is sufficient space within the development to accommodate the car parking spaces to compliant dimensions and although visibility at the junction with Smelter Wood Drive is less than desirable it is on this occasion acceptable due to the reduced vehicle speeds resulting from the nearby sharp bend on Smelter Wood Drive and the access being pre-existing. The applicant has also demonstrated that there will be turning space within the development to allow a 3 axle refuse vehicle (8.74m long) to enter and exit the site in a forward gear.

It is concluded that the information and anticipated vehicle movements are appropriate for the nature of the proposed development and its position. It is therefore concluded to be acceptable in such terms.

Car Parking – Proposed Care Centre

The development includes 25 car parking spaces for use by staff and visitors. There is anticipated to be no resident vehicle ownership due to the nature of the users and their expected health issues. It is advised that there will be around 100 people employed at the facility but they will not all work together at the same time. The applicant suggests that at capacity, where every client is a "high dependency" case, they would require around 30 staff to be present at a peak time during the day and up to 12 staff at night. They also state that they expect to employ people who live locally and within walking distance of the facility although specialist staff and management will generally attend the site by car. It is considered that this is a common trend for facilities of this nature.

The applicant claims that there is no current on street parking problem near the proposed site; however, Highway Officer site visits in the evening suggest that on street car parking does exist in the area. The applicant has also stated as

justification that a reduced level of parking should be accepted because their other care homes, in other parts of the City and region, do not use all their available in-curtilage parking. However, the Highway Officer has also visited one of these existing homes and has confirmed that there were a significant number of vehicles, many of which were double parked.

It is noted that the local resident representation raises concern with regard to on street car parking. In light of the above, Officers have considered the number of spaces proposed and whilst they do fall within the Council's normal required limits for such development, it is the case that more spaces would be preferred to help prevent issues of on street car parking. However, because the Council's parking standards are currently set at maximum and not minimum guidelines it is considered that refusing the application on such grounds would not be justified such that the number of spaces proposed is therefore, on balance, reluctantly accepted.

On a positive note, the applicant confirms that car sharing schemes and a company bicycle subsidy scheme will be encouraged to staff, as is the case at their existing facilities in order to help reduce car parking levels. Further information in relation to these items will be confirmed by condition.

Car Parking – Ravenscroft Bungalow

The application's red line site boundary includes the existing car park area for the adjacent Ravenscroft Bungalow use; it comprises of 5 car parking spaces (including 1no. disabled space) and it is the intention to include this land as part of the new development. There is also 1 car space in front of the bungalow, which is outside the boundary and will be left untouched.

The Ravenscroft Bungalow is owned by the Council and its principal use is as a satellite office for The Sensory Impairment Team. The use has reduced over recent years but it still has a secondary purpose as occasional meeting space, monthly Local Councillor Surgeries, and rentable space. Officer discussions with the Manager of the building have confirmed that car parking was a problem in the past and was one reason why the car park was built.

The applicant has no intention to provide any replacement car parking for the bungalow as part of the new development, meaning that its overall car parking provision would reduce from 6 spaces to 1 space. This loss is considered to be unacceptable as the removal of 5 spaces would once again increase the facility's dependence upon on-street car parking. While on street parking is a recognised everyday occurrence, it is not considered to be acceptable as a means for the applicant to partially or fully discharge their responsibility to provide an appropriate level of replacement parking for the bungalow. The intensification of car parking in the area, as a consequence of the proposed Care Centre (as discussed above), is also a material consideration.

In light of the above it is considered entirely appropriate, and material to the determination of the application, to insist that some replacement car parking is provided. Recognising the reduced use of the building and the space available, it is considered that two replacement car parking spaces should be provided (1 disabled and 1 standard space) which in addition to the existing space would

create 3 in total. Given that the application land and the bungalow site are both currently owned by the City Council, it is proposed that this be achieved by a Grampian condition which will be attached to any grant of planning permission. The condition will require the replacement spaces to be provided to the front of the bungalow before the existing spaces are lost. The provision of this car parking will be a matter for the Applicant to negotiate with the Council at the point of sale and/or agreement of lease terms.

For the reasons given above, it is concluded that the proposed development provides safe access to the highway network and, on balance, appropriate off-street parking. It is considered that the anticipated vehicle movements can be accommodated on the local highway network and it will not endanger pedestrians. Subject to the conditions to remedy the existing shortfalls described it is considered that the proposal complies with the requirements of UDP Policy H14 and Core Strategy Policy CS 53.

6.0: Landscape Issues

UDP Policy BE6 (Landscape Design) expects good quality landscaping in new developments and refurbishment schemes. Landscape work should provide an interesting and attractive environment as well as integrating with existing features and promoting nature conservation.

UDP Policy GE15 (Trees and Woodland) states that trees and woodland will be encouraged and protected. There is a requirement for developers to retain mature trees, wherever possible, and replace any trees which are lost.

The development will be set within landscaping and there are approximately 40 individual trees within the site boundaries; the most dominant species is Norway Maple and others include Common Lime, Sycamore, London Plane and Swedish Whitebeam. These trees are predominantly situated on the edges of the site and are generally considered to be in good condition. They are a highly visible and attractive feature in the street scene and it is considered that their retention will help to soften the appearance of the new development.

In total, 13 trees are intended to be removed as part of this development and these have been targeted because they will be either disturbed by or will obstruct the location of the development. The submitted Tree Survey identifies that the tree specimens range between Category B (2no. – moderate quality), Category C (10no. – low quality) and Category R (1no. – limited quality) and, therefore, their condition is not considered to be so substantial to warrant retention. In the interests of the wider scheme, the loss of these trees is accepted.

For the sake of clarity, an updated tree removal drawing has been requested in order to limit the potential for error in the future once construction commences. This information has not been received at the time of writing this report and is conditioned.

A Landscape Master plan has been submitted and it is considered that the details are sufficient to demonstrate the principles of what is proposed and the general landscape arrangement are acceptable. Final details are required by condition.

It is concluded that the proposal complies with UDP Policies BE6 and GE15.

7.0: Public Art

UDP Policy BE12 (Public Art) encourages the provision of public art where it would be readily seen by the public and integral to the design of major developments. There is no commitment to public art within the submission documents, however given the size, nature of the proposal, and the landscape setting it is considered that there are ample opportunities to integrate public art within the scheme. Therefore, this will be secured by condition.

8.0: Flood Risk & Drainage

Core Strategy Policy CS67 (Flood Risk Management) seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding.

The application site falls within Flood Zone 1 and therefore there is deemed to be no significant flood risk to the development, although the impact from surface water run-off needs to be considered.

With regard to foul water drainage, it is the applicant's intention to connect to the existing public combined sewer system. Yorkshire Water has confirmed that this is acceptable.

Surface water is intended to be dealt with through either a grey water recycling system or by means of infiltration using either the grassed landscape surroundings or permeable paving. The Lead Local Flood Authority Flood Authority has confirmed that the principles of the proposed drainage methods are acceptable but further information (including calculations/engineered drawings) will be required to clarify the design intentions and overall acceptability. This will require a full understanding of the infiltration capabilities of the ground to determine its capacity to take hard standing flows as well as any overflows from harvesting tanks and roof water. The current calculations for harvesting cannot be accepted because they do not represent how rainfall occurs.

In light of the above, and subject to conditions, the development is considered satisfactory in terms of Policy CS67.

9.0: Ecology Issues

UDP Policy GE11 (Nature Conservation and Development) states that the natural environment will be protected and enhanced. Therefore, the design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

An ecological assessment has been submitted with the application, which provides information in relation to bat roosting potential, nesting birds and invasive species.

No evidence of protected species was found on the site and the habitat has been classified as poor semi-improved grassland with scattered mature trees mainly on the site boundary. As a consequence, no additional surveys are recommended.

With regard to existing trees, it is recommended that those on the boundary should be retained within the development and they should be protected during the development in line with the recommendations given in the Tree Condition Survey (Section 7). Where the removal of any trees and shrubs are required, this should be undertaken outside the bird nesting season.

The Council's Ecology Unit raises no objections to the content of the submission documents and the proposed development, subject to conditions. In terms of future habitat creation and biodiversity enhancement, it is recommended that any new landscaping proposals should include a proportion of native species and that bird and bat boxes be provided around the site to enhance nesting opportunities. Therefore a condition to secure them has subsequently been included.

It is concluded that the proposal will not have a negative impact on the natural environment and it is viewed as acceptable in terms of Policy GE11.

10.0: Disabled Access

UDP Policy H8 (Housing for People in Need Care) requires care homes and nursing homes to be suitable for people with disabilities (part b) and provide a reasonable and attractive area of accessible open space (part c).

Following assessment of the plans, there are a number of items identified that must be addressed in order to ensure the scheme offers suitable mobility provision and facilities for disabled people. It is considered that these items are relevant given the nature of the development proposed and the future occupiers who will potentially have limited mobility. Outstanding issues that have not been resolved during the application, but must be resolved prior to the development commencing, include the requirement to provide compliant accessible footways/steps/ramps, an accessible drop off area, and inclusive amenity spaces (including accessible pathways and inclusive seats). Further information is also required in relation to the final design of the main entrance and the approach from the car park.

It is considered that these items can be achieved on site and they are not fundamental to the layout of internal or external spaces. It is therefore recommended that final design details in relation to the external environment be reserved by condition.

Subject to the imposition of a condition requiring the submission of further information relating to the design of the items identified, it is concluded that the proposal is sufficiently in compliance with UDP Policy H7.

11.0 Community Infrastructure Levy (CIL)

It is advised that the CIL does not apply in this instance given the nature of the proposed use, which is a C2 use rather than C1, C3 or C4.

RESPONSE TO REPRESENTATIONS

The issue raised by the representation received has already been addressed in the report.

SUMMARY AND RECOMMENDATION

The proposed development will provide a new Care Centre facility including 99 care bed spaces with ancillary rehabilitation facilities/service on an existing vacant site in Stradbroke. The site is currently vacant but a residential care home did previously exist on site prior to demolition.

In land use terms, it is considered that the proposed use is compatible with the site's surrounding land uses, existing UDP designation and future aspirations for the area (housing).

In design terms, the current proposals are considered to have an acceptable and contemporary architectural style. The design quality has been greatly improved during the course of this application. The development will be constructed to sustainable standards as well as providing a 'Green/Brown Bio Diverse Roof'. Matters relating to drainage are also considered to be acceptable at this stage.

In amenity terms, the scheme is not considered to have a detrimental impact on the setting of the existing neighbourhood and it is considered that the implications for existing residents in terms of overlooking, overshadowing and general loss of existing amenity standards will not be significant owing to their relationship with the application site. It is also considered that the living environment for future residential occupiers will be acceptable and appropriate for a suburban location. Acceptable levels of privacy between properties, outlook and the surrounding external environment will be achieved.

In highway terms, a key issue here has been the highway implications in terms of the number of car parking spaces intended to serve the facility. It would be preferable for more car parking be provided for this facility in order to ensure that on-street parking does not create problems in the area once the use has commenced. There is also concern about the car parking accommodation for the adjacent Ravenscroft Bungalow. However, as discussed the City Council's parking standards are such that there is no minimum standard that has to be achieved, instead they are maximum standards. In this instance, the proposed car parking sits at the mid-point to the maximum (50) number of spaces that could be provided for a development of this nature, and as a consequence, it is concluded that a decision to refuse this application on low car parking provision could not be reasonably justified. It is also considered that replacement car parking for the Ravenscroft Bungalow, albeit in a reduced form, should be provided and is therefore required by condition.

There are considered to be no significant highway implications in terms of vehicle movements on the local highway network generated by the proposal and outstanding matters regarding the layout of the car park area will be dealt with by

condition. The site has a sustainable location with a high frequency bus route running nearby.

In terms of landscaping, the anticipated loss of trees is unfortunate but it is considered that the retention of a large number together with the inclusion of a landscaping scheme as part of the redevelopment proposals will help to enhance the environment in landscape variety and visual amenity terms. The trees to be removed are not of such a high standard to warrant concern. The site's ecological quality has been demonstrated to be limited and, therefore, there are no concerns in this respect.

Overall, it is concluded that the proposed development is acceptable. Members are therefore recommended to grant planning permission subject to the proposed conditions.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 2 February 2016

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

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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

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
2 February 2016

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 for single-storey front/side extension to dwellinghouse at 227 Ecclesall Road South Sheffield S11 9PN (Case No 15/03136/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against (a) the delegated decision of the of the Council to refuse planning consent for use of ground floor double garage and utility area as a one bedroomed apartment including replacement of garage doors with windows at 31 Rosamond Close Sheffield S17 4LU (Case No 15/00472/FUL); and (b) an associated application for costs to be awarded to the appellant have been dismissed.

Officer Comment:-

(a) The Inspector identified the main issue as whether the proposed apartment to be located in the ground floor garage beneath two apartments would offer satisfactory living conditions for future occupiers, particularly in respect of noise disturbance and outlook.

She agreed with officers that the close proximity of the parking area for the 3 apartments to the habitable room windows of the proposed apartment was such that the future occupiers would experience a significant amount of noise and disturbance associated with vehicle movements.

She also agreed that the applicant's attempt to resolve this with planters as a buffer would create a poor outlook.

She noted that the Council cannot currently demonstrate a five year housing supply and in the context of the NPPF therefore considered the presumption in favour of sustainable development, however she felt the provision of one

dwelling, and the visual benefits provided by the proposal were significantly and demonstrably outweighed by the fact that future occupiers would not be provided with satisfactory living conditions having particular regard to noise, disturbance and outlook.

(b) The appellant made a costs application arguing that the Council failed to take account of the NPPF and to carry out a balancing exercise, by attributing weight to each material consideration, and failed to take account of the benefits of the scheme.

The Inspector notes an absence of reference to the NPPF in the officer's report but that it goes into some detail in respect of failure to comply with the development plan (UDP Policy H5) which is a requirement of the NPPF. She also notes it is clear that other impacts were considered and weighed against its adverse impact.

Although she agreed with the appellant that the lack of five year housing supply ought to have been mentioned, and could be considered unreasonable, it had not caused the appellant unnecessary delay or additional work. Neither did she feel the Council had behaved inconsistently.

Both the substantive appeal and the costs application were dismissed.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for erection of a dwellinghouse at Curtilage Of 164H Birley Spa Lane Sheffield S12 4BQ (Case No 14/01467/OUT) has been dismissed.

Officer Comment:-

The Inspector considered that the main issues were whether the proposed dwelling would provide satisfactory living conditions for future occupiers having regard to light; and the effect of the proposal on the character and appearance of the area, with particular regard to the effect on the 3 TPO trees to the rear of the site.

The Inspector noted that the proposed dwelling would be in very close proximity to the large mature trees and that they would dominate the rear elevation and garden of the proposal. The effect would be exacerbated by the orientation of the plot and the Inspector felt that the direct sunlight received by the new dwelling and its garden would not be enough and that the retained trees would significantly overshadow the proposed dwelling and rear garden. In this respect he concluded that the proposed dwelling would not provide satisfactory living conditions for future occupiers.

On the issue of character and appearance the Inspector also concluded that the removal of the maple tree would mean the loss of an important specimen within the mixed group and would be detrimental to the character and appearance of the area. He stated that if the dwelling was to be built there would be pressure to remove the trees in the future, particularly as they have

not reached full maturity. He considered that the proposal would have an adverse impact on the character and appearance of the area and concluded that the proposal would be contrary to UDP Policy GE15 and Core Strategy Policy CS74.

5.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

2 February 2016