

Planning and Highways Committee

Tuesday 11 October 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 Chris Rosling-Josephs (Chair), Peter Rippon (Chair), Ian Auckland, Alan Law, David Baker, Jack Clarkson, Michelle Cook, Dawn Dale, Tony Damms, Roger Davison, Dianne Hurst, Joe Otten, Zahira Naz, Peter Price and Zoe Sykes

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
11 OCTOBER 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 20 September 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. Objection to Tree Preservation Order No. 410: Land Adjacent 6 Canterbury Drive** (Pages 9 - 20)
Report of the Interim Head of Planning
- 8. Objection to Tree Preservation Order No. 411: 33 Holyrood Avenue** (Pages 21 - 34)
Report of the Interim Head of Planning
- 9. Applications Under Various Acts/Regulations** (Pages 35 - 196)
Report of the Interim Head of Planning
- 10. Record of Planning Appeal Submissions and Decisions** (Pages 197 - 200)
Report of the Interim Head of Planning
- 11. Date of Next Meeting**
The next meeting of the Committee will be held on 1 November 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 Audit and 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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Planning and Highways Committee

Meeting held 20 September 2016

PRESENT: Councillors Peter Rippon (Chair), Jack Clarkson, Michelle Cook, Dawn Dale, Tony Damms, Roger Davison, Dianne Hurst, Zahira Naz and Bob Pullin (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Ian Auckland and Councillor Bob Pullin attended as the duly appointed substitute. Apologies for absence were also received from Councillors David Baker, Joe Otten, Alan Law, Peter Price, Chris Rosling-Josephs and Zoe Sykes, but no substitutes were 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 30 August 2016, were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Director of Development Services, in liaison with a Co-Chair, be authorised to make arrangements for a site visit 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 in respect of Case No. 15/02851/FUL and other applications considered be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) an application for planning permission for residential self-build plots (9 plots) on land adjacent to 104 Beighton Road, Woodhouse (Case No. 16/01787/OUT) be granted, conditionally, subject to an additional condition in respect of the surfacing of individual and private drives, as detailed in a supplementary report circulated at the meeting;

(c) having noted information provided by officers clarifying the affordable housing in respect of the proposed development, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of 85 dwellinghouses with associated car parking accommodation, access roads, landscaping works, public open space and drainage works at land adjacent to 104 Beighton Road, Woodhouse (Case No. 16/01784/FUL) be granted, conditionally, subject to (i) an additional condition in respect of the surfacing of individual and private drives, as detailed in the aforementioned supplementary report and (ii) the completion of a Legal Agreement;

(d) an application for planning permission for the use of land and an existing barn for the erection of 4 camping huts with associated facilities, to be used from April to October at Padley Farm, Dungworth Green (Case No. 16/01549/FUL) was withdrawn from consideration;

(e) an application for planning permission for the demolition of existing buildings and the erection of two dwellinghouses at the former Sales Direct Services Ltd, 15 Moor View Road (Case No. 16/01339/FUL) be granted, conditionally, subject to Condition 7 being amended in respect of the demolition works and indicating the requirements of the Management Plan, as detailed in a supplementary report circulated at the meeting;

(f) having (i) heard oral representations at the meeting from a local Ward Councillor and a local resident objecting to the proposed development and from the applicant's agent supporting the proposed development and (ii) noted (A) information from officers clarifying the mix of units in the proposed development and (B) an amendment to Condition 2, an additional condition and directive, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the demolition of a working men's club and erection of 27 apartments in a 1 x 3 storey block with the provision of underground car parking accommodation and associated landscaping works at the former Handsworth Working Men's Club and Institute, 445 Handsworth Road (Case No. 16/00480/FUL) be deferred to allow officers to seek further advice on the cumulative impact on the air quality arising from proposed development, given its location adjacent to a highly trafficked road corridor; and

(g) having (i) heard oral representations at the meeting from a representative of the Friends of Parkwood Landfill and from a person representing Cycle Sheffield and Parkwood Landfill Liaison Committee who commented on the development and from the applicant's agent supporting the proposed development and (ii) noted, as detailed in a supplementary report circulated at the meeting, additional representations from a local Ward Councillor and the officer's response, which was amended orally to confirm the existing footpath at the rear of the Standish estate was situated within the application site boundary, an application under Section 73

to vary/remove Condition 3 - details/environmental statement, Condition 4 - landfill/restoration detail drawings, Condition 18 surface water management programme and Condition 19 - landscaping/restoration details; as imposed by planning permission Case No. 05/02877/FUL and implement a revised restoration scheme for the re phasing of the landfill operations and amendment to the restoration scheme for the site (amended/additional information received 26th March 2015) (Amended plans and details received 10th May 2016) at Parkwood Landfill Ltd, Tipping Site, Parkwood Road North (Case No. 14/04039/FUL) be granted, conditionally, subject to (A) amendments to (1) Condition 2 in respect of revised plans, (2) Condition 21 to include the Revised Restoration Scheme dated October 2014 and Addendum dated March 2015 in relation to Plans contained in the condition and (3) Condition 22 to include the Revised Restoration Scheme dated October 2014 and Addendum dated March 2015 to ensure the development was in accordance with the documents and (B) Condition 5 being deleted, all as detailed in the aforementioned supplementary report.

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Committee will be held at 2:00p.m. on Tuesday 11 October, 2016 at the Town Hall.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 11th October 2016

Subject: Tree Preservation Order No. 410
Land adjacent 6 Canterbury Drive, Sheffield, S10 3RY

Author of Report: Andrew Conwill, Urban and Environmental Design Team

Summary: To report objections to Tree Preservation Order No. 410

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation Tree Preservation Order No. 410 should be confirmed unmodified.

Background Papers: A) Tree Preservation Order No. 410 and map attached.
B) Objection letter attached.

Category of Report: OPEN

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE

11TH OCTOBER 2016

TREE PRESERVATION ORDER NO. 410

LAND ADJACENT 6 CANTERBURY DRIVE, SHEFFIELD, S10 3RY

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 410.

2.0 BACKGROUND

2.1 Tree Preservation Order (TPO) No. 410 was made on 29th April 2016 to protect trees on land adjacent to 6 Canterbury Drive. A copy of the order with its accompanying map is attached as Appendix A.

2.2 This Service was made aware that trees on the land were to be removed commencing the 3rd May 2016 and the order was served to protect the trees because the trees had no legal protection.

2.3 The land fronts part of the Canterbury Drive highway boundary, a residential cul-de-sac and borders the rear gardens of residential properties on Canterbury Avenue and Canterbury Crescent.

2.4 The trees upon the land comprise mainly of mature sycamore, ash and beech and are growing as a small group / copse.

2.5 The visual amenity value of the trees was assessed by a Landscape Planning Officer. The trees were found to be visually prominent when viewed from the Canterbury Drive highway and can also be viewed from the Canterbury Crescent, Canterbury Avenue junction and the lower part of the Canterbury Crescent highway.

3.0 OBJECTIONS TO TREE PRESERVATION ORDER

3.1 Objections to the tree preservation order have been received from Fiona Oxley the daughter of the owner of the land Mrs W Oxley of 6 Canterbury Drive, S10 3RY. A copy of the objection letter is attached as Appendix B.

4.0 FIONA OXLEY'S GROUNDS FOR OBJECTION AND OFFICER RESPONSE

4.1 *"A qualified tree surgeon was contacted as we had concerns over the safety of several trees around the perimeter of the land that appear to be poor specimens approaching the end of their lives and therefore likely to cause damage to adjacent properties. One branch had already fallen into a property on Canterbury Drive and the owner of 45 Canterbury Avenue has recently employed a tree surgeon to remove a large overhanging branch*

from an ash tree. The remaining tree is a large specimen that leans significantly towards his property. The tree surgeon carried out an assessment and agreed with us classing 11 trees as “potential hazards to neighbouring houses” in his quote to remove them. I have this in writing. We therefore asked him to go ahead with the work on safety grounds to avoid problems occurring but were stopped by the serving of a TPO on the whole area, not even on an individual tree that could be classed as a valuable specimen.”

4.2 Officer response:

A site meeting was held on 5th August 2016 with Fiona Oxley and a Sheffield City Council, Community Tree Officer and Landscape Planning Officer at which a ground level condition inspection of the trees was carried out by the Community Tree Officer. At the meeting Fiona Oxley provided a quotation from her tree surgeon detailing the removal of eleven trees because of their condition. The trees were inspected by the Community Tree Officer and no obvious defects were noted other than for sycamore tree 7 as numbered in the quotation, which was found to have an unidentified bracket fungus. The tree surgeons quotation was considered inconclusive in its findings and Fiona Oxley was advised to have the trees surveyed by an arboriculturist or other appropriate expert. When applying to carry out work to a tree covered by a TPO the application must be accompanied by the necessary evidence to support the proposal when the reason for the work is the tree’s condition. The submission of a written tree survey, by an arboriculturist or other appropriate expert would provide such evidence and any work recommended in the report could then be considered.

4.3 *“It was never our intention to remove all the trees, some of the better specimens such as a large beech and a sycamore containing a rookery were to be retained as they pose no threat. I therefore fail to see how your grounds of “the trees having significant amenity value” and under threat can therefore be upheld on the whole area.”*

4.4 Officer response:

It was unknown how many trees were to be removed and the tree preservation order was made to maintain the visual amenity value of the tree group. The removal of eleven trees as proposed would have resulted in the majority of the mature tree cover been removed and would have compromised the visual amenity value of the group.

4.5 *“We are keen on wildlife, appreciating nature and the environment but believe this work is necessary and not detrimental to the area. The worry of potential damage has caused my mum (who owns the land) a great deal of distress for a while now so we are keen to sort the situation out.”*

4.6 Officer response:

It is understood Fiona Oxley is arranging for an arboriculturist or other appropriate expert to carry out a tree survey of the trees upon the land to

categorise their condition. In the event the tree survey recommends work to the trees then an application to the City Council as Local Planning Authority could be submitted.

5.0 WRITTEN REPRESENTATIONS SUPPORTING THE ORDER

5.1 Three written representations supporting the order have been received one of which has been signed by seventeen persons living in properties on Canterbury Crescent.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

6.1 There are no equal opportunities implications.

7.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

7.1 There are no property implications.

8.0 FINANCIAL IMPLICATIONS

8.1 There are no financial implications.

9.0 LEGAL IMPLICATIONS

9.1 A local authority may make a TPO where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (section 198, Town and Country Planning Act 1990).

9.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.

9.3 A local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.

9.4 A local authority may only confirm an order after considering any representations made in respect of that order. The making or confirmation of a TPO could interfere with the right of a property owner to peacefully enjoy their possessions. Said interference is capable of being justified under Article 1 of the First Protocol of the European Convention on Human Rights as being in the public interest (the amenity value which the tree brings), and subject to the conditions provided for by law (the Town and Country Planning Act 1990) and by the general principles of international law.

9.5 If a tree is on residential property, the making or confirmation of a TPO could interfere with a right of a person to respect for their family life and

their home, but is capable of being justified as being necessary in a democratic society for the protection of the rights and freedom of others (Article 8 of the European Convention on Human Rights) and proportionate to the wider benefits it affords.

9.6 One representation has been received which objects to the confirmation of Tree Preservation Order No.410. The objection is covered within this report.

10.0 RECOMMENDATION

10.1 Following consideration of the objection reported it is recommended Tree Preservation Order No. 410 at land adjacent 6 Canterbury Drive should be confirmed unmodified.

Flo Churchill
Interim Head of Planning

11th October 2016

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Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order No 410 (2016)

Land adjacent 6 Canterbury Drive, Sheffield, S10 3RY

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No 410 (2016) – Land adjacent 6 Canterbury Drive, Sheffield, S10 3RY.

Interpretation

2. (1) In this Order “the authority” means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

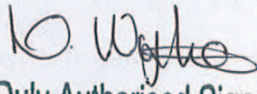
3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(aa) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(bb) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 29th April 2016

EXECUTED AS A DEED)
By Sheffield City Council)
whose common seal was)
hereunto affixed in the presence of)


Duly Authorised Signatory



SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
)	None	

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
A1	Trees of whatever species contained therein	OS Grid Ref: SK 4302 3856

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
	None	

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

NOTES / REVISIONS:

Notes:

The use of this data acts as agreement to the following statements:
 a. Copyright Sheffield City Council. All rights reserved in Chapter IV of the Copyright, Designs and Patents Act 1988 have been generally asserted
 © This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office. Crown copyright and database rights Ordnance Survey 1000161616 2016

Trees specified individually.
 (Encircled in black on the plan)
 No on map Description

NONE



Trees specified by reference to an area
 (Within a dotted black line on the plan)
 No on map Description

A1 Trees of whatever species contained therein

Trees specified by reference to an group
 (Within a broken line on the plan)
 No on map Description

NONE

Trees specified by reference to a woodland
 (Within a continuous line on the plan)
 No on map Description

NONE

SK 43023856

SHEFFIELD CITY COUNCIL
PLACE

REGENERATION & DEVELOPMENT SERVICES

SCHEME:

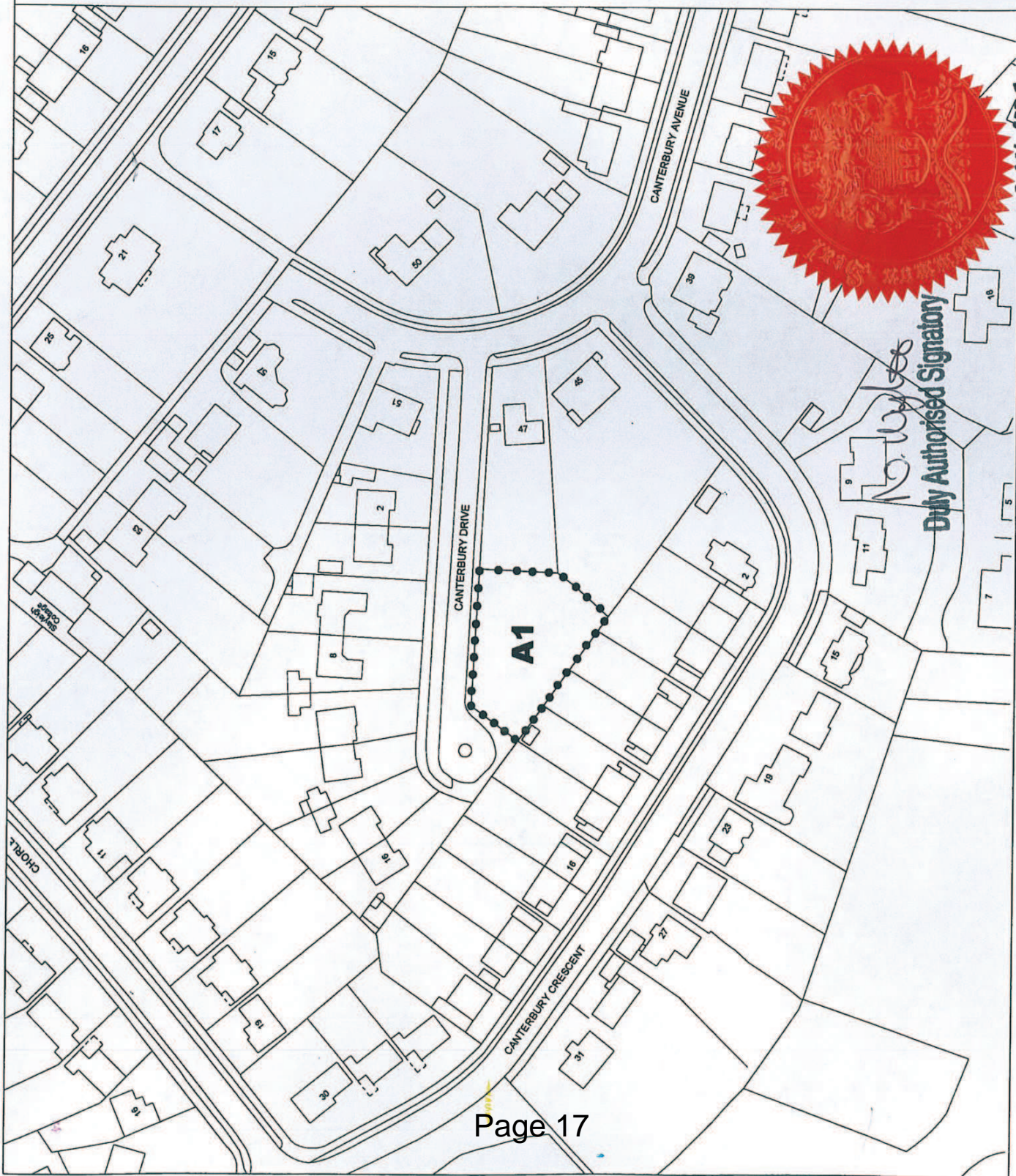
TREE PRESERVATION ORDER
No. 410

TITLE:
 LAND ADJACENT
 6 CANTERBURY DRIVE
 SHEFFIELD S10 3RY

SCALE:
1:1250 @ A4

Drawn by: RH
 Checked by:
 Date: 29/4/2016

Drawing No:
A4/JUED/808/410



No. 410
Duty Authorised Signatory

76-626-1376

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Legal Services Department
 Legal and Governance
 Sheffield City Council
 Pinstone Street
 Sheffield S1 2HH

6 Canterbury Drive
 Sheffield
 S10 3 RY

23rd May 2016

Dear Sir

Ref LS/RC/76411 – TPO 410 (2016)

I wish to formally object to the TPO served on an area of land opposite number 6 Canterbury Drive on the following grounds:-

A qualified tree surgeon was contacted as we had concerns over the safety of several trees around the perimeter of the land that appeared to be poor specimens approaching the end of their lives and therefore likely to cause damage to adjacent properties. One branch had already fallen into a property on Canterbury Drive and the owner of 45 Canterbury Avenue has recently employed a tree surgeon to remove a large overhanging branch from an ash tree. The remaining tree is a large specimen that leans significantly towards his property.

The tree surgeon carried out an assessment and agreed with us classing 11 trees as 'potential hazards to neighbouring houses' in his quote to remove them. I have this in writing.

We therefore asked him to go ahead with the work on safety grounds to avoid problems occurring but were stopped by the serving of a TPO on the whole area, not even on an individual tree that could be classed as a valuable specimen.

It was never our intention to remove all the trees, some of the better specimens such as a large beech and a sycamore containing a rookery were to be retained as they pose no threat. I therefore fail to see how your grounds of 'the trees having significant amenity value' and 'under threat' can therefore be upheld on the whole area.

We are keen on wildlife, appreciating nature & the environment but believe this work is necessary and not detrimental to the area. The worry of potential damage has caused my mum (who owns the land) a great deal of distress for a while now so we are keen to sort the situation out.

Please note my mum also strongly objects to your officer entering her property without having the courtesy to contact her & warn her of his visit. I understand the Council have rights to access private land in certain situations but with her living adjacent the land there is no reason why he couldn't have called.

Yours faithfully



Fiona Oxley

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 11th October 2016

Subject: Tree Preservation Order No. 411
33 Holyrood Avenue, Sheffield, S10 4ND

Author of Report: Andrew Conwill, Urban and Environmental Design Team

Summary: To report objection to Tree Preservation Order No. 411

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation Tree Preservation Order No. 411 should be confirmed unmodified.

Background Papers: A) Tree Preservation Order No. 411 and map attached.
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.
C) Objection letter attached.

Category of Report: OPEN

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE

11th OCTOBER 2016

TREE PRESERVATION ORDER NO. 411

33 HOLYROOD AVENUE, SHEFFIELD, S10 4ND

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 411.

2.0 BACKGROUND

2.1 Tree Preservation Order (TPO) No.411 was made on 6th May 2016 to protect three lime trees in the garden of 33 Holyrood Avenue. A copy of the order with its accompanying map is attached as Appendix A.

2.2 On the 4th March 2016 this Service received an email from Mr N Pix the owner of 33 Holyrood Avenue referring to the removal of one tree and the possible removal of another tree growing in the garden.

2.3 The reason given for the removal of one tree and the possible removal of another was because Mr N Pix had noticed the appearance of a crack at the base of the side elevation wall of his house near to the front porch. A hump was noticed in the lawn and Mr N Pix presumes the hump to be a tree root growing in a direct line between the tree referred to for removal and the crack in the wall.

2.4 The crack referred to in Mr N Pix email has been inspected by a Building Surveyor from Sheffield City Council's Structural and Public Safety Team and no compelling evidence to suggest the damage has been caused by the trees could be found.

2.5 The visual amenity value of the trees was assessed by a landscape planning officer. The two lime trees referred to for removal as well as another lime tree growing in the garden were found to be visually prominent when viewed from Holyrood Avenue, Sandringham Place and the entrance to the adjacent open space and were considered suitable for protection because they contribute to the visual amenity value of the locality.

2.6 A condition inspection of the three lime trees has been carried out by a Sheffield City Council, Community Tree Officer who confirmed the trees were of suitably good condition for protection. The trees are considered to have a long useful life expectancy and no obvious health and safety reasons for removing the trees could be found.

2.7 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by the landscape planning officer and community tree

officer and is attached as Appendix B. The assessment produced a clear recommendation for protection.

3.0 OBJECTIONS TO TREE PRESERVATION ORDER NO. 411

3.1 An objection to the tree preservation order has been received from Mr N Pix the owner of the trees. A copy of the objection letter is attached as Appendix C.

4.0 MR N PIX'S GROUNDS FOR OBJECTION AND OFFICER RESPONSE

4.1 *“According to Planning Practice Guidance on the Government website: “Amenity is not defined in law, so authorities need to exercise judgement when deciding whether it is within their powers to make an Order. Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public.”*

Whilst I agree that the trees are visually prominent, I do not agree that were the trees to be removed, it would have significant negative impact on the local environment and its enjoyment by the public. This development is home to over 200 trees, many of which are on the public open spaces adjacent to Redmires Road and Lodge Moor Road and as well as being more prominent, they also play a much more significant role in the visual amenity of the locality.”

4.2 Officer response:

TEMPO is a nationally accepted method for assessing trees that are under potential threat of removal. The TEMPO assessment undertaken found the trees suitable for protection and the order was served to maintain the visual amenity value the trees provide to the local environment by softening and adding character to the housing development's built form and street scene for the enjoyment of the public.

4.3 *“Another key point in my objection to this order is that the 3 trees in question are already protected by a planning condition. Out of respect for this I realise that it is not possible for any work to be undertaken on the trees without first obtaining consent.*

In March of this year I enquired to the Planning Department if it would be possible to remove 2 of the 3 trees due to their close proximity to my house and the fact that the wall of my front porch had developed a crack near to the base, which I thought one of the trees might be responsible for. Subsequently this crack has been inspected by a Building Surveyor from Sheffield City Council's Structural and Public Safety Team and no compelling evidence to suggest the damage has been caused by the trees could be found. On that

basis I am happy to leave the trees in situ and believe that the protection afforded to them by the planning condition is sufficient to protect them.”

4.4 Officer response:

The planning condition imposed to protect existing trees as part of the planning permission for residential development at the former Lodge Moor Hospital site (Ref 00/00537/FUL) is limited in its powers and it was considered expedient to serve TPO NO.411 to safeguard the trees.

4.5 *“The aforementioned communications of 6th May (2016) state that the other reason for the order is: “Two of the three trees are believed to be under possible threat of removal”. As per my comments above this is no longer the case and I would also object to the language used in that I have not threatened to do anything. I merely made polite request through the appropriate channels.”*

4.6 Officer response:

The term ‘*threat*’, qualified in this instance by ‘*potential*’, is taken directly from the TEMPO format for assessing the suitability of trees as candidates for a Tree Preservation Order. This is an industry standard tool, the application of the terminology is established and considered appropriate. The assessment uses ‘*threat*’ simply to describe the risk status of the tree rather than the behaviour of an individual.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are no equal opportunities implications.

6.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

6.1 There are no property implications.

6.2 Protection of the trees detailed in Tree Preservation Order No. 411 will benefit the visual amenity of the local environment and its enjoyment by the public.

7.0 FINANCIAL IMPLICATIONS

7.1 There are no financial implications.

8.0 LEGAL IMPLICATIONS

8.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (section 198, Town and Country Planning Act 1990).

8.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or

destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.

- 8.3 A local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 8.4 A local authority may only confirm an order after considering any representations made in respect of that order. The making or confirmation of a TPO could interfere with the right of a property owner to peacefully enjoy their possessions. Said interference is capable of being justified under Article 1 of the First Protocol of the European Convention on Human Rights as being in the public interest (the amenity value which the tree brings), and subject to the conditions provided for by law (the Town and Country Planning Act 1990) and by the general principles of international law.
- 8.5 If a tree is on residential property, the making or confirmation of a TPO could interfere with a right of a person to respect for their family life and their home, but is capable of being justified as being necessary in a democratic society for the protection of the rights and freedom of others (Article 8 of the European Convention on Human Rights) and proportionate to the wider benefits it affords.
- 8.6 A local authority may only confirm an order after considering any representations made in respect of that order. One representation has been received which objects to the confirmation of Tree Preservation Order No.411. The objection is covered within this report.
- 9.0 RECOMMENDATION
- 9.1 Following consideration of the objection reported it is recommended Tree Preservation Order No. 411 at 33 Holyrood Avenue, S10 4ND should be confirmed unmodified.

Flo Churchill
Interim Head of Planning

11th October 2016

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Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order No 411 (2016)

33 Holyrood Avenue, Sheffield, S10 4ND

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No 411 (2016) – 33 Holyrood Avenue, Sheffield, S10 4ND.

Interpretation

2. (1) In this Order “the authority” means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

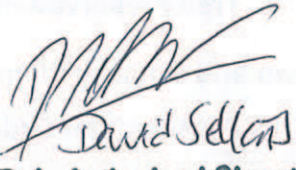
3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(aa) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(bb) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 6th May 2016

EXECUTED AS A DEED)
By Sheffield City Council)
whose common seal was)
hereunto affixed in the presence of)


Duty Authorised Signatory
SCHEDULE



16-630-2395

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Tilia Species (Lime)	OS Grid Ref: SK 4285 3859
T2	Tilia Species (Lime)	
T3	Tilia Species (Lime)	

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
	None	

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 4/5/16 Surveyor: Andrew Connorsill / Nathan McWhinnie

Tree details
 TPO Ref (if applicable): 808/411 Tree/Group No: Species:
 Owner (if known): M J P X Location: 33 Hollywood Avenue S104 ND

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes
5

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes
4

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes
4

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes
4

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
5

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
22

Decision:
TPO ✓

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Legal Services Department
Legal and Governance
Sheffield City Council
Town Hall
Pinstone Street
Sheffield S1 2HH

3rd June 2016

Your reference: LS/RC/76447

To Whom It May Concern,

Tree Preservation Order 411 (33 Holyrood Avenue, Sheffield, S10 4ND)

Further to your letter of 6th May 2016, I am writing to object to the Tree Preservation Order which has been placed on the 3 lime trees in my garden.

In an e-mail received from Andrew Conwill (Planning Officer) dated 6th May, and a letter received from Richard Cannon (Professional Officer) of the same date, it states that the order has been served because:

"the trees included in the order are visually prominent when viewed from Holyrood Avenue, Sandringham Place and the entrance to the adjacent open space and contribute to the visual amenity value of the locality"

According to Planning Practice Guidance on the Government website:

'Amenity' is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.

*Orders should be used to protect selected trees and woodlands if their removal would have a **significant negative impact** on the local environment and its **enjoyment by the public**.*

Whilst I agree that the trees are visually prominent, I do not agree that were the trees to be removed, it would have significant negative impact on the local environment and its enjoyment by the public. This development is home to over 200 trees, many of which are on the public open spaces adjacent to Redmires Road and Lodge Moor Road and as well as being more prominent, they also play a much more significant role in the visual amenity of the locality.

Another key point in my objection to this order, is that the 3 trees in question are already protected by a planning condition. Out of respect for this, I realise that it is not possible for any work to be undertaken on the trees without first obtaining consent.

In March of this year, I enquired to the Planning Department if it would be possible to remove 2 of the 3 trees due to their close proximity to my house and that fact that the wall of my front porch had developed a crack near to the base, which I thought one of the trees might be responsible for.

Subsequently, this crack has been inspected by a Building Surveyor from Sheffield City Council's Structural and Public Safety Team and no compelling evidence to suggest the damage has been caused by the trees could be found.

On that basis, I am happy to leave the trees in situ and believe that the protection afforded to them by the planning condition, is sufficient to protect them moving forward.

The aforementioned communications of 6th May, state that the other reason for the order is:

'Two of the three trees are believed to be under possible threat of removal'

As per my comments above, this is no longer the case and I would also object to the language used in that I have not 'threatened' to do anything, I merely made polite request through the appropriate channels.

To this effect, the fact that they are already protected by a planning condition, and that were they to be removed at any point (which I am no longer seeking to do), it would not have a significant negative impact on the local environment and its enjoyment by the public, I believe should provide sufficient grounds to revoke this order.

I hope you will look on my objection favourably and should you wish to discuss the matter in any further detail, I can be contacted on 07973 711428.

I look forward to hearing from you.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Neil Pix', with a circular flourish at the end.

Neil Pix



Report of: Director of Development Services

Date: 11/10/2016

Subject: Applications under various acts/regulations

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

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.
16/03027/FUL (Formerly PP-05389379)	Within The Curtilage Of 172 Prospect Road Bradway Sheffield S17 4HY	41
16/02148/FUL (Formerly -PP-05142203)	Site Of Old Westfield School And Sports Centre Westfield Crescent Sheffield S20 5AQ	55
16/01362/FUL (Formerly PP-05034407)	Site Of Gordon Lamb Limited 10 Summerfield Street Sheffield S11 8HJ	69
16/00802/FUL (Formerly PP-04870537)	Site Of 19 Haywood Lane And 8 Ash Lane Sheffield S36 2QE	107
16/00480/FUL (Formerly PP-04818387)	Handsworth Working Mens Club And Institute 445 Handsworth Road Sheffield S13 9DD	119
16/00388/FUL (Formerly PP-04795948)	Land At Junction With Broomfield Court Broomfield Road Stocksbridge Sheffield S36 2AR	146
15/04308/FUL (Formerly PP-04656408)	Land Adjoining 21 Leyburn Road Sheffield S8 0XA	159
14/00318/FUL	Land East Of The River Don And To The South West Of Station Road Deepcar Sheffield S36 2SQ	168

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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 11/10/2016

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	16/03027/FUL (Formerly PP-05389379)
Application Type	Full Planning Application
Proposal	Erection of 2 dwellinghouses with integral garages
Location	Within The Curtilage Of 172 Prospect Road Bradway Sheffield S17 4HY
Date Received	06/08/2016
Team	South
Applicant/Agent	SLA Design
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:

The drawings received numbered:

001
002
016
010 Revision C
016
017
018
019
020

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 improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

- a) been carried out; or
- b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the building is/are brought into use.

Highway Improvements:

Prospect Road (alterations to footway to provide vehicular access)

Reason: In the interest of pedestrian safety

4. No demolition and / or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of road safety.

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

Reason: In the interests of the safety of road users

6. Prior to the development commencing full details of the impact on or alteration to any highway retaining wall shall be submitted to and approved in writing by the

Local Planning Authority and all works carried out shall be in accordance with the approved details.

Reason: In the interests of safety of road users.

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

Reason: In the interest of pedestrian safety.

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

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

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

9. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellinghouse shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

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

Reason: In the interests of biodiversity.

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

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

12. The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water

disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

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

Other Compliance Conditions

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

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

14. 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.

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

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

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

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

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

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

Attention is Drawn to the Following Directives:

1. 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.
2. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

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

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

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

3. 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.
4. 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.

Site Location



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INTRODUCTION

This application has been submitted following on from a permission for one dwellinghouse on a plot of land that is currently within the curtilage of 172 Prospect Road. This application seeks permission for two dwellings that have an overall height that is lower than the previous approved single dwelling.

The host dwelling, 172 Prospect Road, has been listed as a Grade II Listed building since the original planning permission for one dwelling was granted.

LOCATION AND PROPOSAL

This application relates to a site that is occupied by a large arts and crafts styled property. Designed by Edgar Wood, the property has been dated as 1905 and is thought to be the only building designed by him in Sheffield.

The large triangular corner plot is situated in between two roads; Prospect Road and Woodland Place. The site is accessed from Prospect Road near the junction with Woodland Place and there is an area of hard standing that leads down from the road to the dwelling and a detached garage.

The property is set on a parcel of land which steeply falls away from east to west. The property is surrounded by tall boundary treatments and various landscaped areas and some of the walls are also retaining structures due to the topography of the site. The boundary treatment along the edge of the site that fronts Woodland Place has architectural features which were frequently included in the buildings designed by the architect, Edgar Wood. These features include small doors and windows.

The site is set approximately 8km from Sheffield city centre and is within an established residential area where the properties vary in size and architectural style. The site is wholly within an area which is defined in the Unitary Development Plan as being a Housing Area.

This application seeks permission for the erection of two dwellinghouses that will be set within the grounds of the original dwelling and on the prominent corner section of the site. The proposed dwellings have taken on a contemporary form, compared to the previous application.

The dwellings would be two storeys in height when viewed from the Prospect Road and three storeys in height when viewed from Woodland Place. The contemporary form would be constructed from a simple palette of materials including natural stone and zinc cladding. The flat roof would incorporate green sedum roofs.

The properties are to be sited back into the plot from the pinnacle of the parcel of land, and near where the two main roads meet. The dwellings benefit from driveways that would link the dwellings with the public highway and these also provide access to wide integral garages. The proposal would make minimal changes to the boundaries and all changes around the site would aim to improve the setting of the original building.

RELEVANT PLANNING HISTORY

There is a previous planning permission for one large dwelling on the site - ref 15/00739/FUL.

Pre-application advice for the current scheme was given to the applicant earlier this year and was referenced 16/02033/PREAPP. The advice outlined that since the original application was approved, the main dwelling has become a Grade II Listed building. It suggested that a contemporary design should respect the materials and the local architectural vernacular – thus grounding the design with the overall character of the site - whilst taking on a form that reduces the massing and height and sets the buildings apart from the listed building.

REPRESENTATIONS

The application has been publicised in accordance with the Council's adopted Statement of Community Involvement and a site notice has been posted, together with letters being sent to the immediate neighbouring properties.

Concerns have been raised regarding the amount of publicity given to the proposal. However the proposal has been sufficiently advertised in line with legislation and the Council's Statement of Community Involvement.

In response to the initial consultation processes, 9 representations have been received objecting to the proposal.

The material planning concerns, which are relevant to this application and can be taken into account in the planning assessment, are summarised as:

- The previously revised scheme for one dwelling was reduced from two dwellings;
- Although the plans show two houses that are slightly smaller than the previously approved dwelling, the proposal is an increase in the amount of development and the proposed dwellings would impact upon the neighbouring properties in terms of privacy, light and outlook;
- The proposed gap between the properties means that the living conditions for the proposed dwellings would be poor;
- The proposal would increase on street parking that would be detrimental to highway safety;
- The garage and driveway are insufficient for dwellings of the size proposed;
- The contemporary design does not fit in with the surrounding area, particularly the Grade II Listed building. Furthermore, the flat roofs are completely alien to the area;
- The proposal is an overdevelopment of the site and concerns are raised that this is 'land grabbing';
- The proposal would diminish the character of the area in terms of a further reduction in green space;
- The soft landscaping is not sufficient or suitable;

The comments also state that the land is restricted by covenants and these do not

allow for the materials that are proposed. This is a civil matter which cannot be resolved through the planning process and is not therefore considered within the planning assessment. It is under separate legislation that this issue should be resolved and this point is not therefore material to this planning assessment.

The comments make reference to landscaping that has been removed from the site. None of the trees or soft landscaping were protected by Tree Preservation Orders and these comments are not therefore material to this assessment of this application.

The Victorian Society was also consulted and object to the proposal on the following grounds:

- The proposal would represent an overdevelopment of the site that would cause undue harm to the setting and significance of Edgar Woods Grade II Listed – The Dingle;
- The application proposes a striking departure from the prevailing architectural character of both The Dingle and the surrounding area;
- The proposal is contrary to UDP policy H14, BE5, Core Strategy policy CS74 and section 12 of the National Planning Policy Framework.

PLANNING ASSESSMENT

Principle of Development

Paragraph 49 of the Framework advises that relevant policies relating to housing supply should not be considered to be up to date if a five year supply cannot be demonstrated and that the presumption in favour of sustainable development should apply. Based upon the most current information available, a deliverable supply of housing land over the coming 5 years cannot be demonstrated. Currently 4.7 years is demonstrated. This issue of a shortage in housing land availability supports the principle of residential development at this site.

The proposal involves the re-development of a site that is occupied by one large dwelling house. The National Planning Policy Framework (NPPF) promotes the use of previously developed land; however, it places a strong emphasis on sustainability. Although the grounds of the original house are excluded from the definition of previously developed land by the NPPF, the presumption in favour of sustainable development would prevail here and, in line with Government policy that seeks to increase housing supply, the principle of development is considered acceptable.

Principle within the Unitary Development Plan and the SDF Core Strategy

The application is located within a Housing Area under the provisions of the Adopted Unitary Development Plan. The main local planning policies are found in the Unitary Development Plan and the Core Strategy, both of which have been considered to be sound when viewed in the context of the NPPF.

Policy H10 of the UDP states that Housing is the preferred use in this location.

Therefore, the principle of residential development would be considered to be acceptable. However, this would be subject to the provisions of Policy H14 'Conditions on Development in Housing Areas'.

Policy CS24 of the Core Strategy sets a target of no more than 12% of new housing to be developed on Greenfield land. A number of circumstances are given where this would be acceptable. Part (b) allows Greenfield sites to be developed for housing 'on small sites within the existing urban areas and larger villages, where it can be justified on sustainability grounds'. The site is within the urban area in a relatively sustainable location and would fit the criteria within the policy. As such, the proposal is not considered to be contrary to the provisions of policy CS24 of the Core Strategy, and it is not considered that it would be possible to support an argument for refusal based upon this issue.

Overall, the principle of the proposed development is considered to be acceptable, and the delivery of two new housing units would support the aim of Government Policy.

Efficient Use of Land

Policy CS26 of the Core Strategy promotes efficient use of housing land, but identifies that high densities are not acceptable where they would be out of character with the surrounding area.

CS26 states that a density range of 30 to 50 dwellings per hectare is an efficient use of urban located housing land. As such, the scheme is not the most efficient use of the parcel of land with a density of approximately 21 dwellings per hectare. However, within policy CS26 it also states that density ranges outside this figure can be acceptable provided that they achieve good design and reflect the character of the area.

Design Issues

The two proposed dwellings are set within smaller grounds than the original dwelling but within modest sized plots when viewed in the context of the wider area. Many of the large older properties within the area have had their original grounds divided up to accommodate further houses and, in this respect, the proposed plots are similar to these. The grounds of the existing property are not typical of the area and neither is the architectural style of the listed building.

The properties within the area vary significantly in size and architectural style and although most are detached dwellings, more modern semi-detached properties can be found quite close by. Some quite contemporary extensions and alterations are found within the wider area. As outlined in paragraph 60 of the NPPF, no attempts to impose architectural styles should be made by a Local Planning Authority, however, it is proper to seek to promote or reinforce local distinctiveness.

It is proposed to erect two dwelling houses on the northern section of the site that have been designed in a contemporary way. The contemporary approach is grounded to the traditional styled dwellings with the use of natural stone and other

high quality materials. Although the contemporary approach is not the norm within the area, contemporary designed extensions and dwellings are found within the wider area and the proposal is considered to reinforce the distinctiveness of the area which is characterised by the variety of architectural styles.

The dwellings are set within grounds that are over 200 square metres in size and, as such, the proposed dwellings are not considered to represent an overdevelopment of the site. The proposed size of gardens is considered to reflect the character of the wider area and, together with the individual styling, the proposal is deemed to be acceptable in terms of the requirements of policy BE5.

The proposed dwellings, are four bedroomed properties with an integral garages. Due to the fall of the land, the dwellings would appear to be a typical two storey high dwellings from Prospect Road, whilst at the rear of the property the proposed dwellings would be three storeys in height. Unlike the original proposal, the contemporary approach marks a stark difference to the listed building to ensure that they do not challenge the character and appearance of the Grade II Listed building. The buildings have a lower height than the dwelling that was originally approved and it is not considered that they would have any greater impact upon the character and setting of the Grade II Dingle than the original proposal. Accordingly, in this respect, the proposal is considered to be acceptable in terms of BE19.

The lower height of the two dwellings would provide a better setting to the Grade II Listed building than the much taller single dwelling that has been approved. The use of green roofs would soften the views of the properties when viewed from elevated positions of the neighbouring properties. The contemporary approach sets the buildings aside from the original building and they do not mimic and disrespect the architectural qualities of the existing building. The approach is commendable and weight is given, as suggested by the NPPF to the sustainable features, such as green roofs.

Overall, the setting of the existing building is not considered to be any more compromised than the approval for one dwelling—It is acknowledged that the number of properties has increased and together they do have a bigger footprint compared with the original proposal. However, the nearest of the two properties has been sited the same distance away from the original dwelling as the larger one dwelling that was originally proposed. This separation distance to the listed building and the lower overall built form is therefore considered to ensure that the proposed dwellings have a neutral impact upon the setting of the listed building when compared to the original proposal.

The setting of the dwellings is also coupled with a contemporary design that is more subtle than the previous pastiche architectural style. The lower massing and simplified palette of materials ensures that the two dwellings are no more visually prominent than the one approved dwelling. Consequently, it is considered that the relationship between the proposed properties and the listed building is similar to the original approved scheme. Furthermore, the subtle, yet distinct architectural style is considered to positively contribute to the local character and distinctiveness of the wider area. In light of this, the proposal is considered to be acceptable,

therefore, when viewed in light of paragraph 133 of the NPPF.

As outlined in paragraphs 133 and 134 of the NPPF, any proposal needs strong justification to demonstrate that the proposal will not lead to substantial harm of a heritage asset. Furthermore, where it is demonstrated that the proposal would lead to less than substantial harm, consideration and weight needs to be given to the public benefit. In light of the above, it is considered that the character and appearance of the properties are respectful of the wider character of the area and, mindful of the historic value and setting of the original dwelling. The proposal is considered to provide a better setting to the original dwelling than one much taller traditional dwelling that was originally proposed. There is public benefit in providing two additional dwellings at a time of housing shortage in the city, and in a reasonably sustainable location. Consequently, the less than substantial harm created by the development is balanced by the public benefits it provides. In this respect the proposals are considered to meet the requirements of UDP policies BE5, BE19 and H14 (a and c), Core Strategy policy CS74 and paragraphs 60, 133 and 134 of the NPPF.

The proposal is considered to follow good design principles and the contemporary design approach is considered to reinforce the strong independent character of the dwellings within the immediate surrounding area. Accordingly the proposal is considered to be acceptable in terms of paragraph 60 of the NPPF and policies CS74, BE5 and H14.

Amenity Issues

The proposed dwellings are set within fairly large grounds and although the sites slope away to the west, the areas are considered to be acceptable as external amenity to be provided for the future occupants of the site. The amenity spaces provided are considered to be sufficient and reasonably private, given the existing and proposed boundary treatments.

Although the properties along Woodland Place are set lower down than the subject property, these properties at the closest point are approximately 24 metres away and would be set at an angle to the rear facing windows of the subject property. Owing to the corner plot location of the dwelling, all windows would have outlooks onto either the rear amenity space of their plot or public highways. The windows do not have any direct outlook onto private amenity spaces of the neighbouring properties.

The siting of the dwellings and their relationship to the neighbouring properties are considered to negate any issues of significant loss of privacy from occurring. In this respect, the proposal is considered to be acceptable in terms of UDP policy H14 and SPG guidelines.

The properties are slightly higher than the properties on Woodland Place, however, given that the properties are set within fairly large grounds and there is approximately 22 metres between the subject property and the neighbours set along Woodland Place, it is not considered that the proposed dwellings would significantly overbear upon these neighbouring properties. Furthermore, although

the distance to the properties along Prospect Road are slightly closer, there is still approximately 17 metres between the proposed property and the existing neighbours and these are also set higher up. Owing to the above reasoning, the proposal is not considered to significantly impact upon the neighbours in terms of loss of light and or overbearing to the extent that the proposal would warrant a refusal on this basis alone. Accordingly, the proposal is considered to be acceptable in this respect when assessed against policy H14 which seeks to ensure that good living conditions are provided.

Landscaping

None of the trees within the site are protected specimens and whilst the majority of the boundary treatments are to be retained, further soft landscaping is to be provided. The areas indicated as hard and soft landscaped areas are acceptable, in principle, and the fine details of these areas, together with the further soft landscaping can be dealt with through conditions attached to any approval. Accordingly, the landscaped areas are considered to be acceptable and satisfactory in planning policy terms.

Ecology

The site has been cleared in the recent past, however, no record of protected species nesting within 500 metres of the site has been found. Whilst the proposal would remove some soft landscaped areas, the majority of the proposal is on an area which is currently a driveway and the proposal is not considered to be harmful to the ecology of the site, especially as further substantial soft landscaping is being proposed.

Drainage Issues

It is acknowledged that the proposal would include areas of hard standing which ultimately would have a small impact upon the drainage capacity of the site. However, whilst the proposal would increase the amount of hard surfaced areas within the site, the two dwellings have incorporated green roofs to minimise surface water run-off. Moreover, once the development is finished, there will still be wide areas of soft landscaping to drain any surface water run-off into. Details of the proposed areas of hardstanding and green roofs have not been included in this proposal and any approval should request details of all the proposed materials and the green roof specifications. Subject to conditions requesting further information, the proposal in this respect is considered to be acceptable and an improvement upon the previous proposal.

Highways Issues

The two proposed, four bedroomed dwellings, have now been shown with larger than average integral garage and a drive. Accordingly, this is considered to provide two car parking spaces for each dwelling, which is considered to be sufficient for dwellings of this size. The cumulative impact of the proposal upon highway safety is not considered to be severe and therefore is not contrary to paragraph 32 of the NPPF.

As some sections of the footpath, which are close to the boundary on Prospect Road, are set lower down than the road, alterations to the public footpath to create a level pavement are proposed to allow safe vehicular access into the site. These alterations would improve access within the street and provided that the conditions are attached to any approval, such improvements to the highway are considered to be acceptable.

The proposal is considered to improve the existing highways arrangement and is, therefore, acceptable. Subject to amendments to the highway been secured through conditions, the proposal is acceptable with regards to UDP policy H14.

SUMMARY

The proposed dwellings have been designed in a contemporary way and flat roofs have been used that are not a characteristic of the immediate area. However, the design incorporates sustainable features, such as the green roof and the overall design approach is considered to be acceptable. The proposal is considered to be respectful of the wider area and, the original property, by virtue of the design, scale and detailing. The proposal is not considered to be an overdevelopment of the site and the contemporary design approach is considered to enable two dwellings to be located on the site without substantial harm being caused to the setting of the listed building.

As the boundary treatments are to be enhanced and the contemporary design has incorporated materials that are commonly found on surrounding sites, the setting of the existing building is not considered to be harmed by the proposal. The harm created is less than substantial and as the proposal would provide additional housing to the area, there is public benefit that is also given weight. Consequently, the proposal is considered to meet the requirements of paragraphs 133 and 134 of the NPPF.

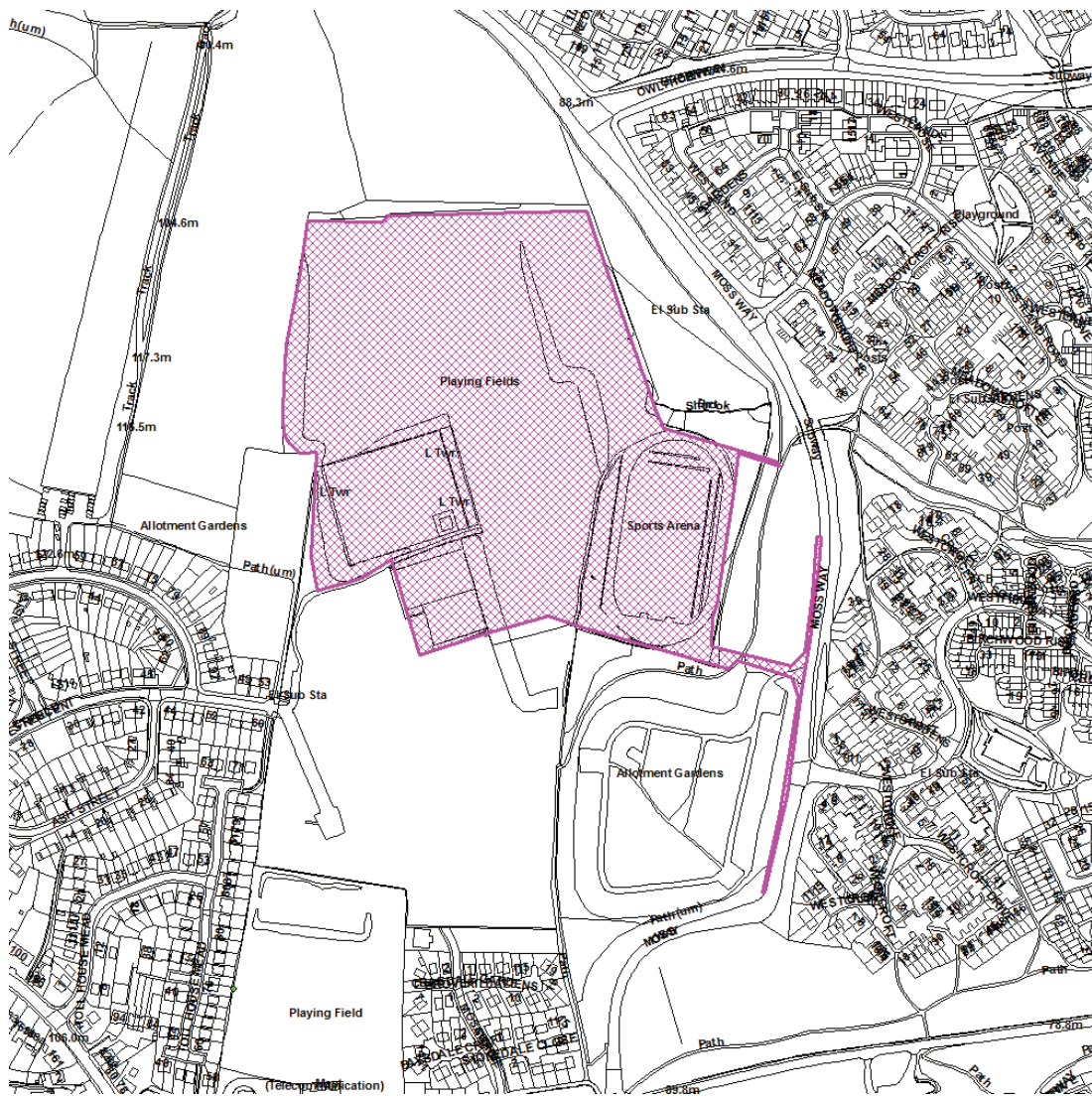
The proposal has been designed to minimise its impact upon the neighbouring properties. The siting of windows and the general massing and built form are not considered to be harmful to the amenities of the immediate neighbouring properties.

In light of the above reasoning, it is therefore considered that the scheme meets the relevant requirements of the National Planning Policy Framework; UDP policies BE5, BE19, H14, H16 and Core Strategy policy CS74.

Accordingly, with all other matters being considered, the application is recommended for approval.

Case Number	16/02148/FUL (Formerly -PP-05142203)
Application Type	Full Planning Application
Proposal	Construction of 2 football pitches with floodlighting a grass rugby pitch and a grass training area, improvements to existing pitches, erection of pavilion building including changing facilities, kitchenette, education space, a gymnasium, club room and bar, provision of car parking accommodation and formation of new access road to Moss Way
Location	Site Of Old Westfield School And Sports Centre Westfield Crescent Sheffield S20 5AQ
Date Received	03/06/2016
Team	City Centre and East
Applicant/Agent	Capital Delivery Service Sheffield City Council
Recommendation	To Report

Site Location



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INTRODUCTION

The applicant has stated that it is imperative that this application be considered by this Committee because of the need to hit a time critical funding deadline. They state that the £4.4 million part-funding for this project is coming from the exchequer and that the City Council must have evidenced spend by 31st March 2017. They say that there is no flexibility with this and that a delay to the planning decision would place significant risk on the City Council's ability to deliver against these deadlines.

In order to hit the target for the spend works must start well before Christmas on forming the access road to the site. The contractor for the project can only be secured once planning permission is obtained. Given that this is a design and build project there will then need to be a mobilisation period and a period of contractor design development before building works commence on the main pavilion. Given the need to refer this application to the Secretary of State, delaying the consideration of this application until 1st November would result in a decision not being issued until late November which would make hitting these construction milestones incredibly difficult.

At the time of writing this report there are a number of minor outstanding items which it is anticipated will be resolved before the meeting of the Committee in order to allow a favourable recommendation to be made. An updated report will be distributed in advance of the meeting to address these issues. These issues are as follows:

- Further information to finalise the assessment of the adequacy of the parking proposed. That is, how many participants and spectators might be expected when the pitches are in full use and whether the parking levels have been based on survey information of a similar site
- Final details to ensure adequate and safe pedestrian and cycle access to the facility
- Additional information in relation to light spread above ground level from the proposed floodlights
- A final detailed plan clearly indicating the areas of trees that will be lost as a result of the development (identifying the extent of existing trees/shrubs along the southern and eastern boundaries and clearly indicating those areas where they will be lost taking into account earth works and working areas)
- Clarification on an earthwork feature to the rear of the pavilion on the line of section A/A to establish whether this is a temporary construction phase requirement or a permanent feature
- Revised elevations of the building – these would not alter the form of the building, only some minor elements of the external materials to improve its overall appearance.

LOCATION AND PROPOSAL

The application site was formerly part of the Westfield School playing fields and occupies a site of approximately 9.6 hectares. It comprises of 6 grass pitches on

various levels and a RedGra all-weather pitch that contains some floodlighting columns and changing/storage containers. There is also a grass rugby pitch and running track on the eastern part of the site that is not in a good state of repair. The pitches are used by local clubs and accessed from Westfield Crescent to the west of the site. Parking takes place on the former tennis courts and along the access route from Westfield Crescent.

To the north and north-west the site adjoins open agricultural land. To the east there is an area of woodland adjoining Moss Way with housing estates further to the east. To the south there are allotments and the site of the former school buildings which is in the process of being developed as a new housing estate by Miller Homes. To the west there is housing accessed from High Street.

The application is seeking to provide 2 new fully accessible artificial grass pitches, upgrade 3 natural turf pitches for football and a new turf rugby pitch. The existing RedGra pitch is to be converted to a grass pitch for rugby training purposes. The existing grass pitches will be improved and regraded to create more level playing surfaces.

A pavilion and car parking area is to be located on the south eastern part of the site and will be accessed by a new road from Moss Way. The pavilion will be 2 storeys high and is approximately 50m long by 15m wide. It is to be cut into an embankment that separates the lower level pitches from the upper pitches. It has been designed with a curved green roof and is faced at ground floor level with buff brick and timber cladding above. It accommodates 6 changing rooms, bar/social space and coaching room on the ground floor and a health and fitness club on the first floor.

A 200 space car park and one of the artificial floodlit pitches is to be located adjacent the pavilion and on the site of a grass pitch and the running track. Both this and the second artificial floodlit pitch, which is located to the west and in the middle of the site will be illuminated by 15m high floodlights and will be bounded by 4.5m mesh ball stop fencing to be powder coated dark green. They will also include a 2.6m high metal equipment storage container finished dark green.

The applicant has advised that artificial pitches allow extended usage particularly during winter weather conditions. They can offer a variety of pitches and training areas within the same enclosed space to support adult, youth and mini soccer training areas. The 3G pitches allow multiple games to take place at the same time and will provide a greater opportunity for play than is currently available. They have been designed in accordance with the FA Guide to 3G Football Turf Pitch Design Principles and Layouts.

The applicant has indicated that Football use will operate between 10am and 10pm Monday to Friday, and the Health and Fitness use from 6.30 am to 10pm, closing half an hour earlier on Friday. On Saturdays and Sundays/public holidays the gym is expected to operate 7am to 9pm and 8am to 8pm respectively; whilst football will be open between 9am and 7pm and 9am and 9pm respectively.

The scheme will provide the third 'football hub' forming part of the Sheffield Parklife Project, supported by the Football Association (FA), Sport England and Sheffield City Council (SCC).

The scheme flows from the Council's Outdoor Sports Strategy which states that the current council subsidy model for outdoor sport needs to be replaced with a more sustainable approach given the unprecedented budget pressures. This will involve a greater role for other sports providers and clubs in the delivery and management of outdoor sport. The aim of the strategy is to increase investment and participation in all parts of the city.

The playing pitch strategy of 2013 seeks to concentrate investment on a small number of high quality hubs whilst addressing specific shortfalls such as mini football pitches and investing in artificial surfaces that have a higher capacity. It recognises the need to ensure a geographical spread of facilities across the city.

Within football the quality of pitches are perceived to be poor and clubs consider that more pitches and better ancillary facilities would mean more teams. They also consider 3G artificial pitches are needed to support training requirements.

The Westfield project is estimated to cost £7.5m and will be funded by a council contribution from the capital receipt of the Westfield housing site and grants from Sport England, and the Rugby Football Union

SUMMARY OF REPRESENTATIONS

One representation has been received in connection with the proposals from a planning agent acting on behalf of Miller Homes, who are in the process of developing the adjoining site for 150 dwellings (case reference 16/00375/FUL). The development will take approximately 3 years to complete. Their representation can be summarised as follows:

- Miller Homes wish to work with the developers of this site and facilitate good working practices as well as protect the living conditions of future occupants of the dwellings
- There is no in principle objection to the proposal but there are issues that need addressing in relation to floodlighting, access, parking and construction arrangements
- They are aware of a future potential proposal to enhance Rugby facilities on the adjoining tennis courts with a separate access from Westfield Crescent. They consider that a joint access from Moss Way should be provided. (Members should note that there is no formal planning application for the rugby proposal so it is not possible to consider it as part of this application)
- The proposed floodlighting raises the potential of a statutory nuisance to the new housing development and it is considered that additional information / clarification is required to demonstrate that the housing development will not suffer from excessive light levels. They do not consider that this aspect of the proposals can be dealt with by condition

- It is not clear whether the pavilion will be used as a social venue with the associated bar. Some of the dwellings closest to the pavilion could be subject to disturbance (including from the first floor balcony of the pavilion)
- Late night disturbance could be caused by people leaving the pavilion late at night and using the footpath which crosses through the housing scheme.
- Appropriate management of access to the pitches and control over the hours and type of use associated with the pavilion could alleviate these concerns. Permitted development restrictions to prevent temporary uses should also be considered
- It is understood that a proposal for the adjacent rugby club facilities would result in no direct access being available between this proposed development and the future rugby club proposals which would result in access to the rugby club only being available via Westfield Crescent, which they deem to be unsuitable and would result in additional disturbance to new and existing residents. The planning application currently under consideration should take account of these concerns in order that access to the rugby facilities can be gained from Moss Way. The car parking proposed should also be available to the rugby club and pedestrian access between the car park and the rugby club should be secured in a bid to prevent parking on surrounding residential streets.
- There do not appear to be any opportunities for overspill parking if a large number of players/spectators are present and this could result in overspill on to surrounding residential streets.
- A full scale traffic management plan to cover the construction phase will be required in order to ensure the safe operation of the highway network and to ensure that this development and the Miller Homes development can work side by side without disruption. This should include site compounds, vehicle routings and timings as well as contractor parking arrangements (Members should note that it is usual for this aspect to be dealt with by condition as it was on the Miller Homes site)
- Miller Homes would welcome the opportunity to discuss the proposals with the City Council as landowner, the Football Association and the Rugby Club in order that the developments can be brought forward in a sustainable manner to the benefit of all.

PLANNING ASSESSMENT

Policy issues

The whole site is open space and most lies within the Green Belt which separates Westfield, Mosborough and Owlthorpe, as defined on the Unitary Development Plan Proposals Map. A small part of the southern section of the site lies outside the Green Belt but within an Open Space Policy Area.

Open Space

Core Strategy Policy CS 45 seeks to give priority to safeguarding and improving open space over the creation of new areas. The commentary to this policy refers to improvements being achieved through the design and the provision of facilities,

supported by associated management measures aspiring to nationally recognised quality standards. The application is supported by this policy in that it will provide additional facilities ancillary to the open space and improve pitches to meet nationally recognised standards.

Policy CS 47 is concerned with safeguarding Open Space. The construction of the pavilion and the car parking will result in the development of open space. However the policy allows for the loss of open space where it would be ancillary to the open space and have a minimal impact on the use or character of the open space. In this case the development of the changing facilities, kitchen, education room, bar and the car parking is ancillary to the formal open space use and it will enhance the formal sports use of the site. Therefore the proposal is considered to be acceptable under this policy.

Green Belt

The National Planning Policy Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Local planning authorities should plan positively to enhance the beneficial use of the Green Belt such as providing opportunities for outdoor sport and recreation.

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Construction of new buildings in the Green Belt are inappropriate, with exceptions being the provision of appropriate facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Unitary Development Plan Policy GE1 says that development in the Green Belt will not be permitted except in very special circumstances where it would lead to encroachment of urban development into the countryside. Construction of buildings other than essential facilities for outdoor sport and recreation will not be permitted except in very special circumstances (Policy GE3).

The scheme as a whole is seeking to enhance outdoor sports provision and in this respect is supported by policy as it will enhance the beneficial use of the Green Belt. The proposed new pavilion is located in the Green Belt and certainly includes some facilities which are appropriate for outdoor sport. These are primarily contained on the ground floor and comprise of the changing rooms, toilets, store, modest club social space and coaching room. The applicant has advised that the club room is not intended to be let out for functions, parties, weddings etc. However the first floor contains a large gym and studio space with ancillary changing and toilets that is similar to a commercial health/fitness facility. This element cannot be considered to be appropriate for outdoor sport and recreation and therefore is inappropriate development. Therefore this element can only be approved if very special circumstances can be demonstrated.

Assessment of Very Special Circumstances

The applicant has stated that the health and fitness element generates the revenue stream for the outdoor sports facilities both on this site and on sports sites across Sheffield. This allows for enhancements on this site and also for enhancements and maintenance of other sites across the city which would not be viable without the health and fitness facility. An outline business case for the Westfield scheme has been submitted which shows that the scheme is being funded by a combination of a Council contribution, grant funding from Sport England and the Football Association and a Rugby Football Union Grant. A Football Trust will oversee the site and the revenue generated from the site will be used to support the maintenance of the site and the improvement and management of other football pitches currently provided by the Council. The applicant has advised that there is an agreement which will guarantee a licence payment from the operator of the facilities to the Turst/Council. There is an overarching agreement that allows the Council to present sites to the Trust on an annual basis for them to take on the maintenance and management; and all the income from the football hub sites has to be reinvested in the Council grass sites elsewhere throughout the city.

The applicant has considered the feasibility of providing the health and fitness element on alternative sites outside the Green Belt but close to the site. A pavilion on the school's former tennis courts, which are adjacent but outside the Green Belt, were previously granted permission. This would have been accessed through the new Westfield housing site; however the housing developer indicated that they would not be willing to proceed with the site being accessed through the new estate and planning permission has now been permitted for a housing layout which precludes this option. The only other feasible option for accessing this site would be from Westfield Crescent. However the applicant has advised that the traffic calming works and amendments to parking arrangements within the estate to facilitate access by this route would render the scheme economically unviable. It is also likely that there would be strong opposition from residents of this estate if all the traffic were to access the site from this point.

Other options considered were the location of the building to the south of the site in the open space area adjacent to the allotments. The Football Association who is a major funder of the scheme would not accept this location as it would not allow for direct level access from the changing rooms to the artificial grass pitches. It would also be difficult to achieve the controlled access from the building to the pitches without overlong fenced routes. Moving the building closer to the pitches would compromise the parking provision. Some of the options considered would involve relocating a public footpath through the sports pitches and the allotments. However the potential timescales for diverting the footpath would result in public funding being lost which would affect the viability of the scheme. There would also be a significant impact on the existing woodland with some of these options.

For the reasons given above it is accepted that there is no feasible alternative site outside of the Green Belt.

The benefits from the scheme include the following:

- The scheme is part of the 'Parklife Football Hubs Programme' which is a collaboration between the Council, the FA, the Premier League and Sport England to deliver investment in facilities where pressures on the local game are greatest. It is intended to encourage people to play more regularly and become more active, to be affordable, open and accessible. It is also consistent with the 'Move More' plan which has a long term vision of creating a culture of physical activity within the city.
- The Westfield site is well used but the pitches are average or below average quality and become waterlogged, resulting in games being cancelled. There are currently no changing, toilet or shower facilities for participants and spectators and no dedicated parking. The proposal will improve pitch quality allowing year round access to high quality football facilities, and provide the facilities that are currently lacking on site. This is will significantly improve the user experience and is likely to result in increased participation and raise football skills.
- The scheme will help to address the shortage of playing pitches identified in the playing field strategy, particularly the artificial pitches. These all-weather pitches allow more flexible use and along with floodlighting facilitate increased usage over longer hours.
- The revenue generated will allow the improvement and better maintenance of outlying outdoor pitch sites and help to reduce public subsidy and thereby put football on a more sustainable footing in the long term.
- As the scheme is likely to deliver increased participation in sport is recognised that this will in turn result in health benefits. Sport can also bring communities together and provide opportunities for personal development for young people.
- The improved disabled access facilities will allow wider more inclusive use of the site.

As explained above very special circumstances are needed to justify the health and fitness element in the Green Belt. It should be noted that the health and fitness suite is located above the changing facilities and therefore it does not increase the footprint of the built development, only its height, and as explained, the siting of the building means that it would not be particularly prominent in the Green Belt. It can reasonably be argued that there is some synergy between the outdoor pitches and this facility as it is likely some of the players will use the facility for fitness training purposes. It is also likely that some parents/spectators will combine use of this facility with transporting players to the site thereby reducing the need to travel.

It is accepted that the Health and Fitness facility is needed to deliver the significant benefits of the scheme. It is also considered that it will have a limited impact on the openness and visual amenity of the Green Belt. Given this and the scale of the

benefits it is concluded that these are very special circumstances that justify the development of this facility in the Green Belt.

Impact on the Openness and visual amenity of the Green Belt

In terms of the impact on the openness of the Green Belt the pavilion building has been sited so as to minimise the impact on the openness of the Green Belt. It is sited on the southern part of the site close to the existing urban development to the south and east. This is lower part of the site which will help to reduce the visual prominence of the building and associated car parking and reduce the length of new access road that needs to be constructed. Furthermore the building is cut into an existing embankment and has been designed with a green roof. This minimises the impact on existing woodland and helps to integrate the building in the landscape. Siting the building between the two artificial pitches which are located at different levels enables both pitches to be fully accessible with inclusive access being provided via a lift within the building. Siting the building where it is also minimises the impact of the development on the existing woodland on the southern part of the site thereby helping to integrate the development more successfully with its surroundings.

The pavilion, car park and the floodlights will have a limited urbanising effect on the Green Belt. It can reasonably be argued that the floodlights are appropriate development as they extend the hours of operation of the pitches and are essential to meet the Football Association requirements. Provided the car parking is not excessive and needed to serve the outdoor sports facilities this also should not be considered inappropriate development. Although the site lies within the Green Belt it is close to urban development with housing to the north, east and south west. It is not an isolated site in the open countryside but an actively managed site with an engineered landform at the edge of a finger of Green Belt that extends into the urban area. The urban elements are located on the least prominent parts of the site and closest to existing urban development. The car parking and building will be substantially screened in views of the site from Moss Way and the public footpath to the south. These elements will mainly be viewed from the higher land to the north and west within the site. The lighting columns will be fairly slim structures which will be most prominent when illuminated in the hours of darkness. However as stated above this is a site in close proximity to urban development and the areas to the east, south and south west will already be illuminated at night and in this context it is your officers view that the illumination will not appear too intrusive. Whilst the pavilion, parking and floodlights will have a negative impact on the visual amenity of the Green Belt this impact will be limited given the context of the site and this harm is considered to be outweighed by the benefits of the proposal.

The artificial grass pitches will be surrounded by ball containment fences which are also necessary to prevent unauthorised access and vandalism but the pitches themselves will appear similar to grass pitches. It is considered that these aspects of the scheme will not have a significant impact on the character of the Green Belt.

Town Centre Uses

Fitness uses are main town centre uses. The National Planning Policy Framework seeks to direct uses such as this which attract large numbers of users to town centres. The applicant has however demonstrated that the health and fitness use is essential and integral to the whole development. It would generate the revenue stream needed for the outdoor sports facilities and therefore there is a site specific need which means it passes the sequential test.

Highways & Transport

A new access to the pavilion and associated car parking will be constructed from Moss Way. The existing access to the allotments will be altered and widened to enable coaches to access the site. The access will incorporate a shared pedestrian cycle route along the southern side.

The nearest bus stop is on Station Road is approximately 500m to the south west of the site with the most frequent service being hourly.

The transport assessment refers to an informal crossing of Moss Way with an additional footpath to enable pedestrians to cross away from the bell mouth of the junction. It also refers to an investigation with potential operators into a new stop/service on Moss Way, close to the junction with Station Road.

The impact of the additional traffic generated by the development on the Moss Way/Station Road and Moss Way/Waterthrope Greenway junctions has been assessed. The Waterthrope Greenway junction operates within capacity without the development but around the theoretic capacity in 2017 both with and without the development in the weekday PM peak. In 2020 it is forecast to operate above its capacity in the weekday PM peak both with and without the development. The Station Road junction operates within capacity at present and is forecast to do so in 2017. In 2020 the right turn onto Station Road is forecast to operate slightly above the theoretical capacity in the weekday PM peak with and without the development.

A travel plan will be developed to influence travel choices by staff and visitors and encourage sustainable travel to the site.

At the time of writing this report additional information to support the justification for the level of parking on the site and additional details in respect of pedestrian and cycle access had just been submitted. This is being assessed and will be reported in a Supplementary Report to be distributed in advance of the meeting.

Ecology

An ecological appraisal has been submitted in support of the application. The majority of the site is occupied by grass pitches which comprise of amenity grassland. The embankments between the pitches are generally poor semi improved grassland some containing areas of dense scrub. There are large areas of broadleaf woodland to the east and south of the site and a species poor defunct hedge along part of the western boundary.

A small area of scrubby woodland will be lost to construct the site access and pavilion in the southern part of the site. The appraisal recommends compensatory planting and which could be achieved on the northern and western boundary. Given the presence of semi-natural habitats on the site it is recommended that a landscape and habitat management plan is prepared.

The woodland and woodland edge habitats provide foraging opportunities for bats. In order to assess the impact of floodlights and the loss of woodland on bats it is recommended that bat activity survey is undertaken. At the time of writing this report, a bat survey had just been submitted. This is being assessed by the Council's Ecology Service and will be reported in a Supplementary Report to be distributed in advance of the meeting.

New landscaping should be developed to create new foraging opportunities for bats and new hedgerows and woodland planting along the northern and western boundaries could achieve this. It is also recommended that bat boxes are incorporated on mature trees adjacent to the site.

To compensate for the loss of the small area of shrub woodland it is recommended that the hedge and woodland planting is carried out as described above and bird nesting boxes are provided on the pavilion or on adjacent mature trees.

Sustainability

The application is seeking to improve existing pitches within the urban area which is inherently more sustainable than developing a new facility. There is a largely catchment population within close proximity to the site which will help to minimise the need to travel.

Core Strategy Policy CS 64 seeks to encourage sustainable design by requiring developments of 500 sqm or more to be designed to meet BREEAM Very Good standard.

Core Strategy Policy CS 65 seeks to secure a minimum of 10% of the building's predicted energy needs generated by renewable or low carbon energy on site. The applicant has advised that over 95% of the energy use will be hot water for showering. It is proposed to utilise air source heat pumps to meeting all the heating, cooling and hot water load which would result in an energy reduction of 64% over part L 2013 of the building regulations.

Landscaping

Trees, saplings and shrubs will need to be removed particularly to facilitate the construction of the new access from Moss Way. A tree survey has been submitted which only considers trees of 150mm diameter or above at chest height. It indicates that 18 would be removed to facilitate the access of which 17 are Category C (low quality and value) and 1 which is Category A (high quality and value).

A landscape masterplan has been submitted which shows new hedge and tree planning on part of the northern boundary of the site and on the western boundary adjacent to the existing RedGra pitch which is to be upgraded for rugby training. New tree and hedge planting is also proposed to the west of the new pavilion and additional tree planting on the embankment between the two 3G pitches. There is also some limited specimen planting proposed within the car park and adjacent to the pavilion.

At the time of writing this report additional information in relation to tree loss has just been submitted to accurately indicate the areas for removal. This is being assessed and will be reported in a Supplementary Report to be distributed in advance of the meeting.

Floodlighting

A floodlighting spill diagram has been submitted in support of the application. This shows that the light spill at 1.8m high drops to zero within approximately 35m of the edge of the artificial pitches. This means that it will spill to a small extent into the woodland on the eastern edge of the site but except for this it will be kept within the existing area of pitches. The luminaires to be used direct light downwards towards the playing surface. The applicant has advised that the floodlighting system complies with an Environmental Zone E2 which is rural surrounding with low district brightness. Upward waste light will be minimised, achieving a cut-off with 0% projected into the atmosphere which satisfies the recommendations of the British Astronomical Association's Campaign for Dark Skies.

The floodlighting spill diagram does not consider the above ground level light levels and additional information has been requested to assess this. The applicant has commissioned an additional report to address this issue.

Drainage/Flood Risk

The application site lies within Flood Zone 1 where the risk of flooding is low. The existing pitch drainage system appears to drain to the Short Brook. The site is currently greenfield land and the development of artificial grass pitches, a pavilion and car park is likely to generate relatively large amounts of storm water runoff. Therefore it is important that this is managed in order that it does not pose a significant flood risk. The existing pitch drainage system is to be retained and the outfall to the Short Brook reused.

Given the impermeable ground conditions, the use of infiltration is not suitable. Therefore the next priority in the drainage hierarchy is to discharge to a watercourse which is considered to be feasible in this instance. New pitch drainage systems will be provided for the grass pitches and the drains and connection to the Short Brook will largely remain intact and no attenuation will be provided to this system.

However the surface water flows for the artificial pitches, pavilion and car park will be limited to 5 litres per second which is the greenfield runoff rate. An indicative assessment of the amount of surface water storage and an indicative drainage

masterplan has been produced. This shows the most appropriate Sustainable Drainage System to be a green roof on the pavilion building and permeable paving with storage under the car park and lower level artificial pitch. This will attenuate the runoff from the site and provide some improvement in water quality.

The Lead Local Flood Authority is satisfied with the principles of the drainage scheme subject the detailed design. Conditions will be needed to secure the necessary technical details and limit the runoff from the development to the greenfield rate of 5 litres per second per hectare.

SUMMARY

It is considered that the principle of the development is acceptable and will provide a much needed boost to local sports provision. There are, however, a number of minor outstanding items which need to be addressed in order to allow a final recommendation on the proposals. A supplementary report will be distributed in advance of the meeting to address these outstanding matters and provide a formal recommendation on the scheme.

Case Number	16/01362/FUL (Formerly PP-05034407)
Application Type	Full Planning Application
Proposal	Erection of 7, 8, 9 and 10 storey buildings comprising 146 student cluster units, 237 studio/apartments, retail space (Use Class A1) and cafe/restaurant (Use Class A3), with new access, car parking accommodation and landscaping works, including works to the Porter Brook embankment
Location	Site Of Gordon Lamb Limited 10 Summerfield Street Sheffield S11 8HJ
Date Received	08/04/2016
Team	South
Applicant/Agent	Marrons Planning
Recommendation	G Conditional Subject to Legal Agreement

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:

2940.01.500 - Location Plan

2940.01.501D - Lower Ground Site Layout scanned on 21 July 2016.

2940.01.502B - Podium Layout scanned on 27 July 2016.

2940.01.510A - Block A1 Ground Floor scanned on 01 July 2016.

2940.01.511B - Block A1 First Floor Plan received via email dated 21.09.2016

2940.01.512B - Block A1 Floor Plans 8-9 received via email dated 21.09.2016

2940.01.513A - Block A1 Roof Plan scanned on 01 July 2016.

2940.01.514A - Block A1 Typical Upper Floors 2nd -7th

2940.01.520A - Block A2 Ground Floor Layout scanned on 01 July 2016.

2940.01.521C - Block A2 Floor Plans 1-5 received via email dated 21.09.2016

2940.01.522B - Block A2 Floor Plan 6 - 7 received via email dated 21.09.2016
2940.01.523A - Block A2 Roof Plan scanned on 01 July 2016.

2940.01.530A - Block A3 Ground Floor Layout scanned on 01 July 2016.
2940.01.531C - Block A3 First Floor Layout received via email dated 21.09.2016
2940.01.534B - Block A3 Second Floor Plan received via email dated 21.09.2016
2940.01.535B - Block A3 Third Floor Plan received via email dated 21.09.2016
2940.01.536B - Block A3 Fourth Floor Plan received via email dated 21.09.2016
2940.01.537B - Block A3 Fifth Floor Plan received via email dated 21.09.2016
2940.01.532C - Block A3 Floor Plan 6-7 received via email dated 21.09.2016
2940.01.533A - Block A3 Roof Plan scanned on 01 July 2016.

2940.01.540A - Block B Ground Floor Plan received via email dated 23.09.2016
2940.01.541C - Block B Podium Level received via email dated 23.09.2016
2940.01.542C - Block B Floor Plans 2-6 received via email dated 23.09.2016
2940.01.543C - Block B Seventh Floor Plan received via email dated 23.09.2016
2940.01.544C - Block B Eighth Floor Plan received via email dated 23.09.2016
2940.01.545 - Block B Roof Plan received via email dated 23.09.2016

2940.01.550B - Block A1 East and South Elevations scanned on 15 July 2016.
2940.01.551B - Block A1 West and North Elevations scanned on 15 July 2016.

2940.01.560B - Block A2 North and East Elevations scanned on 15 July 2016.
2940.01.561B - Block A2 South and West Elevations scanned on 15 July 2016.

2940.01.570B - Block A3 East Elevation scanned on 15 July 2016.
2940.01.571B - Block A3 North Elevation scanned on 15 July 2016.
2940.01.572B - Block A3 South Elevation scanned on 15 July 2016.
2940.01.573B - Block A3 West Elevation scanned on 15 July 2016.

2940.01.580A - Block B North Elevation 1 scanned on 27 July 2016.
2940.01.581A - Block B North Elevation 2 scanned on 27 July 2016.
2940.01.582A - Block B South Elevation 1 scanned on 27 July 2016.
2940.01.583A - Block B South Elevation 2 scanned on 27 July 2016.
2940.01.584A - Block B East and West Elevations scanned on 27 July 2016.

2940.01.590B - Street Scene Napier Street scanned on 27 July 2016.
2940.01.591B - Cross Section B/B scanned on 27 July 2016.
2940.01.592B - Cross Section DD scanned on 27 July 2016.
2940.01.593B - Street scene Pomona Street
2940.01.594B - Section CC scanned on 27 July 2016.
2940.01.610A - Street Scene Pear Street scanned on 27 July 2016.
2940.01.611A - Street Scene Ecclesall Road scanned on 27 July 2016.
2940.01.612A - Street Scene Summerfield Street scanned on 27 July 2016.

Reason: In order to define the permission.

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

3. No phase of development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of that phase have been submitted to and approved in writing by the Local Planning Authority. Such details shall

include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

4. Prior to any phase of the development commencing a detailed Employment and Training Strategy for that phase, designed to maximise local opportunities for employment from the construction phase of development, shall have been submitted to and approved in writing by the Local Planning Authority.

The Strategies shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategies shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

5. No phase of development shall commence until the actual or potential land contamination and ground gas contamination relating to that phase has been investigated and a Phase 1 Preliminary Risk Assessment Report has 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.

6. Any intrusive investigation recommended in any of the Phase I Preliminary Risk Assessment Report(s) 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 relevant phase of 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.

7. Any remediation works recommended in the Phase II Intrusive Site Investigation Report(s) 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 relevant phase of 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.

8. No phase of the development shall commence until details of the implementation, adoption, maintenance and management of the sustainable drainage system

relating to that phase have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include a timetable for implementation, and a management and maintenance plan for the lifetime of the development/phase, 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 approved system(s) shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

9. The surface water discharge from each phase of development shall be subject to a reduction of at least 30% compared to the existing peak flow. This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods, evidence is to be provided to show why sustainable drainage methods are not feasible for that phase of the development.

In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres per second per hectare (or 5 litres per second in total if less than 1 hectare) should be demonstrated.

The detailed proposals for surface water disposal relating to the relevant phase, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the corresponding phase.

Thereafter, the development/phase shall be completed in accordance with the above details.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

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

The WSI(s) shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.

- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post investigation works.

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

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

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

11. Prior to the occupation of any phase of the development, a detailed Travel Plan(s) associated with that phase, designed to: reduce the need for and impact of motor vehicles; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority.

Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development where that exists.

The Travel Plan(s) shall include (as relevant):

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

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

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

12. Before any development commences a phasing plan shall have been submitted to and approved in writing by the Local Planning Authority. The relevant phasing conditions within this notice shall accord to this agreed phasing plan thereafter, unless an alternative phasing plan is subsequently agreed.

Reason: In order to define the permission and to ensure each block can be delivered in an appropriate manner.

13. Within three months of the development of Block B commencing final details of the layout for the undercroft car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. These approved details shall have been implemented before first occupation of Block B. The undercroft car parking shall be retained for the enjoyment of occupiers of the site at all times thereafter and shall not be sold or let separately.

Reason: In the interests of the safety of road users the amenities of the locality and future users of the site.

14. Within three months of any phase of the development commencing full details of bin storage associated with that phase, including any screening, shall have been submitted to and approved in writing by the Local Planning Authority. Before first occupation of the relevant phase the approved details shall be in place and thereafter such bin storage accommodation, including any screening, shall be retained.

Reason: In order to ensure an appropriate quality of development

15. At all times that construction work is being carried out equipment shall be provided to the satisfaction of the Local Planning Authority 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. Before the corresponding phase of the development is commenced full details of such equipment shall have been submitted to and approved in writing by the Local Planning Authority. When the above-mentioned equipment has been provided thereafter such equipment shall be used for the sole purpose intended in all instances and be properly maintained.

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

16. Within three months of any phase of the development commencing full details of the cycle parking accommodation associated with that phase, including stands and shelters (as relevant), shall have been submitted to and approved in writing by the Local Planning Authority. Before first occupation of the relevant phase the approved details shall be in place and thereafter such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport.

17. Prior to the occupation of any relevant phase of the development, a Traffic Regulation Order, or an alternative solution which firstly must have been agreed in writing by the Local Planning Authority, shall be secured to provide servicing provision (as detailed in the Transport Statement dated April 2016) relating to the corresponding phase.

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

18. Before first occupation of any phase of development details of a scheme shall have been submitted to and approved in writing by the Local Planning Authority that ensures future occupiers of the corresponding phase will not be eligible for resident parking permits within the Napier Permit Parking Zone. Future occupation shall then occur in accordance with the approved details.

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

19. Before any phase of development is occupied the new public access route running parallel to the Porter Brook and linking Napier Street with Summerfield Street shall have been constructed in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. These details, which shall be in substantial accordance with the information/plans received on 21 July 2016 (Title: Walkway Design Intent Plans), should include features such as lighting, paving, seating, any new walls/railings/fencing, planting (including within the river bank), and structural alterations to the existing river bank.

Reason: To ensure an appropriate quality of development and safe environment for future users.

20. The proposed green/brown roof(s) (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 for the corresponding phase. The green/brown roof(s) shall be provided prior to the use of the corresponding phase 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.

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

The approved landscape works shall be implemented prior to the relevant phase being brought into use or within an alternative timescale to be first approved in writing by the Local Planning Authority.

Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation, relevant to the corresponding phase, and any plant failures within that 5 year period shall be replaced.

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

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

Reason: In order to ensure an appropriate quality of development

23. Sample panels of proposed masonry and cladding associated with the relevant phase shall be erected on the site and shall (as appropriate) illustrate the colour, texture, bedding and bonding and mortar finish to be used. The sample panel(s) shall be approved in writing by the Local Planning Authority prior to the commencement of the relevant phase and shall be retained for verification purposes until the completion of that phase.

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

24. Large scale details associated with the relevant phase, including materials and finishes, at a minimum scale of 1:20 of the items listed below, shall be approved in writing by the Local Planning Authority before the relevant part of the corresponding phase commences:

- a) Junctions between cladding materials, which shall include glazing.
- b) Windows, including reveals.
- c) Doors, including plant room doors.
- d) Eaves and verges.
- e) External wall construction.
- f) Cladding patterns.
- g) Canopies.
- h) Soffits.
- i) Rainwater Goods.
- j) Cantilevers.
- k) Timber screening to the undercroft car parking (Block B1).
- l) Balconies, balustrades and railings.
- m) Shop fronts.
- n) Brise soleils.

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

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

25. Before each of the three retail/restaurant units associated with Block B are occupied, details of the internal layouts for the corresponding unit shall have been submitted to and approved in writing by the Local Planning Authority. These units shall operate in accordance with these approved layouts thereafter, unless revisions have been agreed in writing with the Local Planning Authority.

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

26. Before development commences on any relevant phase details of any substation(s) associated with the corresponding phase shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

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

27. No externally mounted plant or equipment, including rooftop plant, shall be fitted to any building within the development unless full details thereof, including screening and acoustic emissions data as relevant, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment should not be altered.

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

28. Upon completion of any measures identified in the approved Remediation Strategies, or any approved revised Remediation Strategies, a Validation Report relating to the relevant phase shall be submitted to the Local Planning Authority. The relevant phase shall not be brought into use until the associated Validation Report has been approved in writing by the Local Planning Authority. The Validation Report(s) shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council 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.

29. Within three months of development commencing on Block B a scheme for the installation of equipment to control the emission of fumes and odours from kitchens associated with the commercial cafés/restaurants (Use Class A3) shall be submitted for written approval by the Local Planning Authority. These details shall include:

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

The relevant kitchen shall not be used until the approved equipment has been installed and is fully operational. It shall thereafter be operated, retained and maintained in accordance with the approved details.

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

30. No phase of residential accommodation hereby permitted shall be occupied unless a scheme of sound insulation works relating to that phase has been installed.

Such scheme of works shall:

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

- b) Be capable of achieving the following noise levels:

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

- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before any scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning

Authority and, once installed, and the approved scheme(s) of works shall thereafter be retained.

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

31. Before the residential use within the corresponding phase is commenced, validation testing of the sound attenuation works to the residential accommodation relating to that phase shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority. Such Validation Testing shall:

- a) Be carried out in accordance with an approved method statement.
- b) Demonstrate that the specified noise levels have been achieved.

In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the residential use within the relevant phase is commenced. Such further scheme of works shall be installed before the residential use within the relevant phase is commenced and shall thereafter be retained.

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

32. Before each of the restaurant and retail uses hereby permitted commence, a scheme of sound attenuation works relating to the relevant unit shall have been installed. Such a scheme of works shall:

- a) Be based on the findings an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as a 15 minute LZeq.
- c) Be capable of restricting noise breakout from the commercial use(s) to all adjoining residential accommodation to levels complying with the following:
 - (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

Before such scheme(s) of works are installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority and, once installed, and the approved scheme(s) of works shall thereafter be retained.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

Reason: In the interests of the amenities of the locality and of the residential occupiers of the building.

33. Before each phase of the development commences, a strategy to control/mitigate dust and emissions from the corresponding construction phase shall be submitted to and approved in writing by the Local Planning Authority. The construction phase(s) shall be carried out in accordance with the approved details thereafter.

Reason: In order to help mitigate the effects of dust and construction traffic during the construction phase

34. Before development of any phase commences a report shall have been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed corresponding phase will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the relevant phase is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation of the corresponding phase. 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 and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

35. No building or other obstruction, including landscape features, shall be located over or within three metres either side of the centre line of the sewer (an overall protected strip width of six metres) that traverses the site.

If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker before any relevant phase of development commences.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

36. Before any building is occupied full details of proposals for the inclusion of public art within the application site, including a timetable for delivery, shall have been submitted to and approved in writing by the Local Planning Authority.

The public art proposals shall then be implemented in accordance with the agreed details.

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.

37. Within three months of any phase of development commencing details of bird and bat boxes, including locations, for the corresponding phase shall have been submitted to and approved in writing by the Local Planning Authority. The relevant phase shall be carried out in accordance with these agreed details thereafter.

Reason: In the interests of ecology.

38. No removal of hedgerows, trees or shrubs, or the demolition of structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a qualified ecologist has undertaken a detailed check for active birds' nests immediately before the vegetation is cleared, or demolition works commence, and provided written confirmation that has been approved by the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds.

Reason: In the interests of ecology.

39. Within three months of development commencing a method statement for the promotion of biodiversity and ecology across the site shall have been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works.
- b) Extent and location of proposed works shown on appropriate scale maps and plans.
- c) Timetable for implementation.
- d) Initial aftercare and long-term maintenance/management.
- e) Disposal of any wastes arising from works.
- f) External artificial lighting design.

The works/development shall be carried out strictly in accordance with the approved details thereafter, including any ongoing aftercare and long-term maintenance.

Reason: In the interests of ecology.

Other Compliance Conditions

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

Reason: To ensure access is available at all times and in the interests of highway safety.

41. The approved vehicle access point along Summerfield Street shall not be used unless sight lines have been provided in accordance with Plan Ref: 15/304/TR/001/A, as detailed within Appendix 12 of the Transport Statement scanned on 19 April 2016. When such sight lines have been provided, thereafter they shall be retained and no obstruction shall be allowed within the sight lines above a height of 1 metre.

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

42. No building shall be occupied unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway. Thereafter the means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

43. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategies. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategies, or unexpected contamination is encountered at any stage of the development process, works on the relevant phase should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to any Remediation Strategies 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 Strategies (as relevant).

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

44. No customer shall be permitted to be on the premises of the hereby approved commercial units within Block B outside the hours of 07:00 and 23:30 on any day.

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

45. Deliveries to and collections from the commercial units within Block B shall be carried out only between the hours of 0700 to 2300 on Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

46. Movement, sorting or removal of waste materials, recyclables or their containers in the open air and associated within the commercial units within Block B shall be carried out only between the hours of 0700 to 2300 Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

47. The development shall be carried out in accordance with the following mitigation measures as detailed within the submitted Flood Risk Assessment prepared by MJM Consultants (Ref 6361):

- Finished floor levels are set no lower than 77.6m above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Attention is Drawn to the Following Directives:

1. 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

2. 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
Town Hall
Penistone Street
Sheffield
S1 2HH

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.

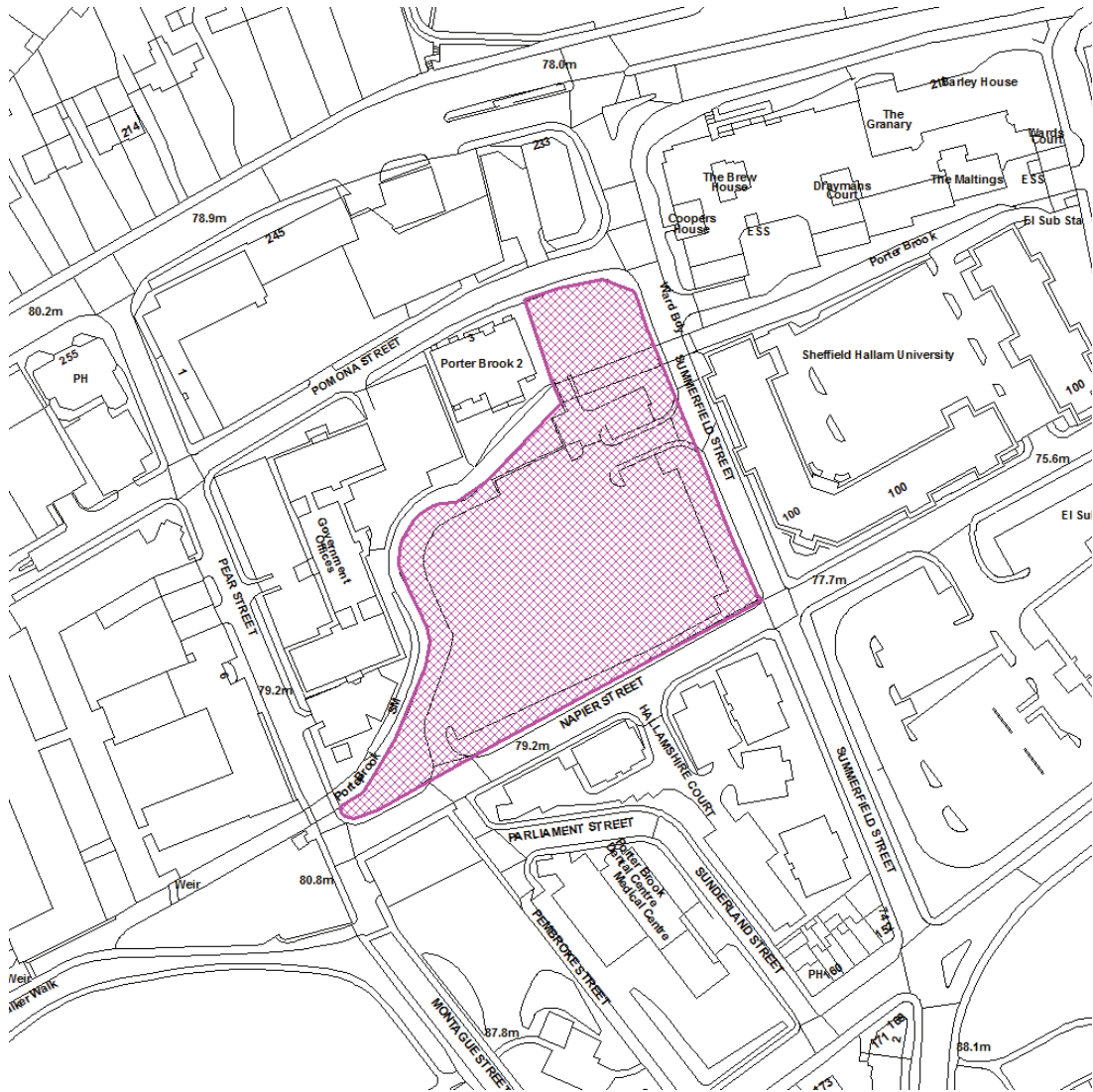
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or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

be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

7. 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.
8. The applicant is advised that in relation to the design of the new public route the following comments should be considered when designing the final scheme. Please note these comments should be read alongside the information/plans received on 21 July 2016:
 - (i) The Manchester style bollard should be Cast Iron.
 - (ii) The sandstone filled gabions should be faced as at Porter Brook Pocket Park on Mathilda Street.
 - (iii) The Natural Sandstone Walling should be approximately three times as thick as shown.
 - (iv) The benches should be more robust for this location.
 - (v) Something a little more contemporary would be appropriate for the lighting columns.
 - (vi) The coping to be used should be robust Sandstone.
9. The applicant is advised that all species used in the planting proposals along the new public route adjacent to the Porter Brook, including within the river banks, shall be native species of local origin. These should be selected in the basis of what naturally occurs along the River Porter green corridor with the aim to create a continuous green corridor of native planting. The Council's Ecology Unit can advise.

The purpose of using native stock is to conserve and enhance biodiversity by protecting the local floristic gene pool that has evolved within the local landscape, and to prevent the spread of non-native species and those of no local provenance.

Site Location



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LOCATION AND PROPOSAL

The application site is located approximately 50m to the south of Ecclesall Road, at its junction with Summerfield Street, and consists of a large piece of land, formerly occupied by a car dealership, but which has been unused for many years.

The site is bounded by Napier Street to the south, Summerfield Street to the east and Pomona Street to the north. The Porter Brook defines the western boundary. This watercourse then cuts across the northern section of the site and enters a culvert to allow passage under Summerfield Street.

The hard standings associated with the former car dealership use are present across the majority of the site. Naturally vegetated growth, including self-set trees, is a further feature of the site. These are principally located adjacent to the Porter Brook.

Surrounding land uses are a mix of business units, ranging between two and four storeys, and six/seven storey residential units both on Pomona Street and at the junction of Ecclesall Road and Summerfield Street, on the former Ward's Brewery site.

The proximity to the Porter Brook is such that the site sits in the valley, with land rising to the south towards Cemetery Road, and to the north towards Ecclesall Road, and Broomhall.

The proposal seeks full planning permission for the erection of four blocks which are broken down as follows.

Block A1 is separated from the main site by the Porter Brook, although access is achieved across an existing bridge, and is located on the corner of Summerfield Street and Pomona Street. This block, which will provide purpose built student accommodation (*sui generis*), is set on a podium in order to tackle flooding issues and reaches ten storeys. The principle materials will be timber and stainless steel cladding.

Block A2 sits centrally along the sites Summerfield Street frontage and reaches nine storeys. This block will also provide purpose built student accommodation (*sui generis*) and will be constructed in a red brick and both aluminium and glazed cladding systems.

Block A3 does not benefit from a road frontage as it is set wholly within the central landscaped section of the site. This block presents eight floors of purpose built student accommodation (*sui generis*) and is also constructed with a similar mixture of red brick and cladding materials, both timber and aluminium in this case.

Across the three students blocks the accommodation is split as follows:

- 60 one bedroom studios.
- 4 two bedroom apartments.
- 48 four bedroom apartments.

- 17 five bedroom apartments.
- 17 six bedroom apartments.

These blocks also cater for a variety of ancillary functions typical of purpose built student development, including communal spaces, reception areas, laundry rooms and refuse storage.

Block B, situated along the Napier Street frontage provides private residential accommodation (Use Class C3), which is split as follows:

- 46 one bedroom studios.
- 81 one bedroom apartments.
- 100 two bedroom apartments.

The floor plans also show ancillary functions including a gym, an internal communal space and a generous outside amenity space set at podium level.

Block B also includes large areas of green roofs and three separate commercial units, which are made up of two restaurants (Use Class A3) and a retail unit (Use Class A1). This block is principally constructed in red brick and corten steel.

Significant communal open space is proposed within the scheme for use by residents. This space is not accessible to the public.

The scheme also proposes a new public/cycle path adjacent to the Porter Brook and linking Napier Street with Summerfield Street.

The only vehicular access point is achieved from Summerfield Street approximately 35 metres north of the junction with Napier Street. The main car parking area is set within the undercroft of Block B and provides for 48 spaces, which will be allocated between future tenants of the private residential block and the three commercial units.

The site is located within a Fringe Industry and Business Area as defined by the adopted Sheffield Unitary Development Plan (UDP). The majority of the site is set within Flood Zone 2, with the exception being the north east corner which is set within Flood Zone 3. The Porter Brook Conservation Area follows the river banks and therefore has a presence adjacent to and within the application red line.

RELEVANT PLANNING HISTORY

An application to erect offices, 205 apartments, a restaurant and associated infrastructure was approved in December 2005 under planning reference 04/03027/FUL.

An application to erect a mixed use development reaching ten storeys and including 175 Student Cluster Flats (877 bed spaces) with ancillary facilities, restaurant/café units and associated infrastructure was approved in June 2012 under planning reference 11/01864/FUL.

SUMMARY OF REPRESENTATIONS

Historic England (HE)

HE note in their response the main heritage assets in the locality, including the Porter Brook Conservation Area and the listed monuments and structures associated with the General Cemetery set to the west.

HE confirms that they have no objections in principle to the development and state that the scheme will not impact on views into or out of the General Cemetery, or the setting of the listed monuments and structures.

In addition HE welcomes the proposed enhancements of the Porter Brook, but request a more detailed proposal is provided.

Environment Agency (EA)

The EA have assessed the submitted Flood Risk Assessment and are satisfied that this document considers the risk of flooding and proposes suitable mitigation.

Neighbour Representations

Five representations have been received from neighbouring residents (one from Wards Brewery, one from a property set on Ecclesall Road and three from the adjoining residential building located on Pomona Street). These raise the following points:

- The scale of the proposed development is excessive given the context. This is inconsistent with other schemes such as Wards Brewery, which offer a more sympathetic response/character.
- The proposal should utilise pitched roofs and natural materials.
- The scheme lacks green infrastructure, including green roofs and landscaped areas.
- The proposal will result in increased congestion on the road network, which is already problematic in this area.
- The increased congestion will be detrimental to air quality and this has an impact on the health and wellbeing of surrounding residents and workers.
- The scheme will result in adjoining sites/buildings suffering from a lack of light and being overlooked.
- The scheme will restrict views of features such as the General Cemetery and the Porter Brook for existing residents.
- Are new student developments actually needed given the current provision within the city (several recent approvals/proposals are listed).

- Are new restaurants and shops required given the significant existing provision along Ecclesall Road for example.

A further representation has been sent on behalf of Hallamshire Court, which sits adjacent to the proposed Block B along Napier Street and provides office accommodation. The concerns mirror those expressed above by surrounding residents with regards to:

- The scheme being of a scale that is not in context with the surroundings.
- The scheme having a negative impact on the natural light received by these adjacent commercial buildings and the knock on impact this could have on future tenancy rates.
- The congestion already evident in the area which will be increase.
- Parking problems and the potential of this resulting in future residents illegally parking in the adjoining commercial car parks.
- This representation goes onto to identify that the junction of Summerfield Street and Napier Street is prone to a number of significant road traffic accidents, the frequency of which will increase by this development. It is stated that this junction should be redesigned as part of this scheme.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) set out the Government's planning priorities for England and how these are expected to be applied. The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

Land Use Housing/Students

The private residential block (Block B) sits within Use Class C3 (Dwellinghouses).

The purpose built student accommodation (Blocks A1, A2 & A3) is a sui generis use and it must therefore be considered on its own merits. It is noted however that the impacts of such uses are most akin to housing and therefore the following land use policies help provide some context.

The NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer. At present, only 4.7 years supply can be identified within the City. Given the current shortfall in housing sites, significant weight must be given to the contribution to housing supply that the private residential element of the development proposes.

The NPPF and the Council's Core Strategy prioritise the development of previously developed (brownfield) sites, such as the application site.

The application site lies within a Fringe Industry and Business Area as defined within the Sheffield Unitary Development Plan (UDP). Policy IB6 (Development in Fringe Industry and Business Areas) within the UDP identifies Housing as an acceptable use in principle and remains silent on sui generis uses.

Within the explanatory text Policy IB6 states that housing will be accepted only where living conditions are satisfactory and it would not hinder industrial and business development. These conditions are also set out in Policy IB11 of the UDP (Housing and Residential Institutions in Industry and Business Areas).

Section b) within Policy IB11 also states that to be acceptable in such areas housing development must be next to an existing residential area.

Housing areas are set in close proximity to the north and south of the site and a number of residential developments also sit adjacent to the application site, including the Wards Brewery development and a residential block fronting Pomona Street. Section b) of Policy IB11 is therefore satisfied.

Matters relating to living conditions and the impact on industrial and business development are considered further below.

Dominance

Section a) within Policy IB9 (Conditions on Development in Industry and Business Areas) within the UDP states that new development should not lead to a concentration of uses which would prejudice the dominance of industry and business in the area (B1, B2 & B8 uses, with the exception of open storage).

The most recent assessment of the balance of uses in the area suggests that preferred uses are slightly under represented. The proposed development does not include any preferred uses, which will continue the deficiency and thereby be contrary to Policy IB9.

Policy C3 (Locations for Office Development) within the Sheffield Development Framework Core Strategy (CS) refines this policy by promoting office use in the area, as it would be considered to be at the edge of the City Centre. CS3 requires 65% of new office development to be delivered in the City Centre or at its edge. The current figure is just below the target, at 64.1%.

The approach to encourage office uses is also set out within CS Policy CS30 (Jobs and Housing in the Sheaf Valley and Neighbouring Areas), which promotes offices as part of a mix with new housing. CS30 states that housing would be acceptable as a secondary land use. This is reflected and further continued in the Draft City Policies and Sites Document, which proposes a Business Area designation for the site, where employment uses are promoted, along with a limited amount of residential use.

Given the above, it would clearly have been preferable from a land use policy perspective to include office floor space within the scheme. However, this is not the case and the scheme is therefore contrary to the aims of the above mentioned policies.

This deficiency must however be considered against the 2012 approval, which was approved in the same policy context and also lacked any preferred uses. In addition, significant weight needs to be offered to the overall regeneration benefits of developing this vacant site, which are discussed further below.

Housing Density

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the CS requires appropriate housing densities to ensure the efficient use of land. The recommended density for a site such as this, which is near to a District Shopping Centre, is between 50-80 dwellings per hectare. This policy also states densities outside the identified range may be acceptable where this reflects the character of the area.

This scheme achieves around 158 dwellings per hectare and given its edge of city centre location, along with the presence of other substantial schemes in the immediate vicinity (Wards Brewery being the prime example) this is considered appropriate in this case.

It is also noteworthy that this was the approach followed for the previous 2012 approval on the site, which had a density range of 210 dwellings per hectare.

The proposal therefore accords with the spirit of Policy CS26.

House Type Mix

Policy CS41 (Creating Mixed Communities) within the CS promotes development which meets a range of needs and does not lead to concentrations of certain forms of residential development. This policy has several requirements that are relevant to this scheme:

Section a) within CS41 states that housing development should provide for a broad range of smaller households in the City Centre and other highly accessible locations. The application site is set within in one such location and the policy aim is for no more than half of new homes in larger developments (defined as 60 or more dwellings) to consist of a single house type.

Section c) within CS41 encourages the provision of new purpose built student accommodation as part of a mix of housing development.

Section d) within CS41 seeks to ensure an area is not imbalanced by the overprovision of shared housing, which includes student accommodation. Section d) is principally achieved by ensuring that no more than 20% of residential units

within 200 metres of any residential application site are occupied for shared housing.

In relation to section a), this scheme will contain of 319 units in total, comprising of 56 studios (18%), 81 one-bedroom apartments (25%), 100 two-bedroom apartments (31%) and 82 student clusters (26%). It therefore conforms to section a).

The scheme provides a mix of student and private residential accommodation and whilst not situated in the primary locations identified in section c), it is still in a highly accessible location. The scheme therefore conforms with part C of CS41.

The current shared housing density within 200m of the site, including extant permissions, is 8%. This scheme (providing 82 shared units and 237 non-shared units) will raise the density to 13%, so will conform to section d) of CS41.

The proposal therefore accords with Policy CS41.

Land Use Commercial

The proposal includes one retail unit (177 square metres of floor space) and two restaurant units (114 and 177 square metres of floor space respectively), all of which are set in the private residential block (Block B).

Policy IB6 (Development in Fringe Industry and Business Areas) within the UDP identifies small shops, defined as under 280 square metres, and food and drink outlets as acceptable.

The NPPF is the more up to date policy consideration and requires out of centre proposals for main town centre uses, which includes retail and restaurant units, to satisfy sequential and impact assessments, when relevant.

Although the site is out of centre, the floor space committed to these three commercial uses is small and likely to serve mainly the accommodation provided in the development itself. It is therefore reasonable to accept this specific location in the context of the scale of the overall proposals. In these circumstances strict application of the Sequential Test is not considered to be appropriate or necessary.

The proposed commercial units combined do not come near to meeting the 2,500 square metre threshold at which Impact Assessments are required.

The proposed commercial uses are therefore considered to accord with the above land use policies.

Design/Conservation

The NPPF states that development should always seek to secure high quality design, but decisions should not attempt to impose architectural styles or particular taste, albeit they should promote and reinforce local distinctiveness.

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

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

Policy BE16 (Development in Conservation Areas) states that new development that affects the setting of a conservation area should preserve or enhance the character of that conservation area.

Policy GE17 (Rivers and Streams) within the UDP states that development within the Green Network should seek to protect and enhance rivers and streams for the benefit of wildlife, public access and recreation.

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

Scale

In relation to scale, the scheme approved in 2012 (Ref: 11/01864/FUL) does create a material consideration as this was granted in the same policy context. For example, the NPPF and CS had been introduced at this stage.

The submitted scheme generally follows the scale established by the 2012 approval, reaching its tallest point of ten storeys at the corner of Summerfield Street and Pomona Street. This location is appropriate for the tallest element owing to the prominence of the corner and as Summerfield Street is a primary route.

Along the remainder of the Summerfield Street range the scheme is generally lower than that previously approved, reaching a maximum of eight storeys. The central block (A3) also reaches eight storeys, ensuring it sits conformably with the remainder of the development.

Along Napier Street the scheme ranges between eight and nine storeys. It is noted that Napier Street is regarded as a secondary route and this height is not ideal given the context is between two and six storeys. However, the following two points need to be considered:

- Similar heights have been consented in the previous 2012 scheme.
- A height of nine storeys was also suggested along Pomona Street, which is also secondary in nature, for the recently refused 245 Ecclesall Road scheme (15/01180/FUL). Therefore this ensures a consistent approach with this neighbouring proposal.

Layout

In comparison to the 2012 scheme this proposal sees more of the built form set onto the road frontage, which creates a stronger perimeter block and is supported. This also allows more of the internal elements of the site to be utilised as amenity space to the benefit of future residents and gives the new riverside walk a more open aspect.

In the context that a large quantum of development has already been accepted on the site in the 2012 scheme, this proposal is considered to offer an improved layout that responds more appropriately to the context.

Massing, Detailing and Materials

Across the four blocks the scheme utilises a number of features/details in order to ensure visual interest and an appropriate quality of detailing.

In this respect it was deemed essential that each building had its own individual character to avoid a monolithic feel, but there was also a need for unifying features across the entire development for coherency. One such unifying feature is the use of sandstone filled gabion walls at ground level, which will offer a degree of distinctiveness to the development.

The three student blocks utilise a mixture of brickwork and high quality cladding materials to break the massing and highlight key features. A good example of this relates to the use of the coloured glazed cladding on the corner of Block A2.

The use of features such as setbacks, balconies and varying window styles, including projecting window frames, also ensures that the student blocks are suitably articulated and will sit conformably in the context. These blocks also utilise generous glazing to key areas, most notably through the location of reception/communal areas at ground floor along the main road frontages.

In relation to Block B, as this is most visible from the General Cemetery and the associated conservation area to the west, red brick was chosen as the main facing material as this defines the context.

Corten cladding has also been utilised, which helps break the mass and gives this building a more contemporary feel. It is noted that this material has been utilised successfully elsewhere in the city, including on the recently completed Sheffield Hallam University Building on Charles Street.

The undercroft parking has been located to the rear of Block B, facing into the internal area of the site. This ensures large areas of car parking are not visible to pedestrians travelling along Napier Street, which is welcomed.

The commercial elements of Block B are located on key corners, most notably the Summerfield Street/Napier Street junction and this is supported.

Impact on Heritage Asset

Paragraphs 132 to 134 of the NPPF state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 134 also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In this case the relevant heritage asset is the Porter Brook Conservation Area.

Given the design commentary above it is concluded that, on balance, the proposal will not create substantial harm to the conservation area/heritage asset.

Given the scale it would be difficult however to argue that the proposals would not create less than substantial harm to the heritage asset. In such circumstances this impact should be weighed against the public benefits.

This planning assessment overall has identified that the scheme would regenerate a prominent vacant site, represent significant investment and employment for the city, and help toward the shortfall in respect to Sheffield's housing land supply. The site is also within a highly sustainable location.

When weighted against the less than substantial harm position, these associated benefits of the scheme ensure it is not in itself so harmful as to warrant the refusal of the application on design and conservation grounds.

Landscape

The proposals will open the Porter Brook up to greater public use and benefit, with the provision of a lit surfaced walkway that will allow use by pedestrians and cyclists. This will be a significant enhancement of the current situation, where the Brook is inaccessible to the public, and will comply with the aims of Policy GE17.

The applicant's proposals indicate complete removal of all vegetation on the western river bank which adjoins the site (discussed further in the ecology section below) and the re-grading of this bank to help facilitate the new public route.

Full details of this route have yet to be agreed, although indicative information has demonstrated a high quality of both materials and furniture befitting of the conservation setting. Further discussions will be necessary in order to agree the correct balance between recreational activity, public accessibility and ecology interests.

Within the secure fence line the scheme provides a suitable level of private amenity space for future residents when access to other local public spaces is also accounted for. Final details of planting, including new trees, will be secured through planning conditions should permission be granted.

Sustainability

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

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

In relation to the requirements of CS63 the highways section of this assessment (see above) has identified the site as being in a highly sustainable location in respect of public transport. The site is also in easy walking distance of the city centre, both Universities and the multitude of amenities available along Ecclesall Road.

In addition, the site is previously developed and the scheme incorporates sustainable drainage systems (see Drainage Section).

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

Until recently private and student residential developments had to achieve Code for Sustainable Homes Level Three to comply with CS64. This section of CS64 has however been superseded by recently introduced Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

As no commercial unit is over 500 square metres Policy CS64 does not apply to these elements.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions. New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

The submitted Sustainability Statement confirms the applicant will achieve this target, most likely through the provision of photovoltaic panels or a centralised combined heat and power system. A condition will be attached to ensure each block meets the requirements of this section of the policy.

It is also noteworthy that the scheme provides additional features such as landscaping, cycle parking, the implementation of travel plans and large sections of green roof, which further aid its sustainability credentials.

Overall, it is considered that the proposal meets the sustainability policy requirements set out within the Core Strategy.

Highways

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

Policy CS54 (Pedestrian Routes) within the CS states that walking route will be developed along corridors of the strategic green network.

The application site is located within a highly sustainable location with easy access to excellent public transport links and the many amenities available along Ecclesall Road and within the city centre. As such, a scheme with limited car parking that utilises measures such as travel plans is encouraged. The applicant is also funding improvements to the existing public transport infrastructure in the form of a replacement bus stop close to the Pear Street and Ecclesall Road junction.

The only vehicle access point into the site for vehicles is from Summerfield Street, approximately 35 metres to the north of the Summerfield Street/Napier Street crossroads.

Whilst this location is not considered to be ideal given the busy nature of Summerfield Street and proximately to this junction, the following three points result in it not being reasonable to resist the scheme on the grounds of the proposed vehicle access point:

1. The site does already benefit from an existing vehicular access at this location.
2. The estimated traffic generation is relatively low, for example there would be approximately 54 vehicle movements across the AM peak hour.
3. The scheme will provide of suitable visibility splays and keep clear markings.

The final proposals see 49 car parking spaces provided, 48 of which are set within the undercroft car park beneath Block B. The allocation is split between future tenants of this private residential block and the three commercial units. The exact allocation split is proposed to be flexible depending on the particular needs of the end users and this is acceptable.

The scheme includes areas for drop off and pick up within the site, mainly to help deal with students arriving and departing in relation to term times.

The refuse collection and servicing functions will be accommodated through a combination of the existing highways, the proposed new internal access road and the undercroft area. For example, some refuse collection will take place along Napier Street for Block B and Pomona Street for Block A1, while the two restaurants will also service from Napier Street.

Tracking information has been provided to demonstrate that large refuse vehicles and emergency vehicles can successfully access and service the site. Highway officers have also confirmed the existing highway infrastructure is able to accommodate the relevant servicing requirements.

The scheme includes a new pedestrian walkway linking Napier Street to Summerfield Street along the banks of the Porter Brook. This is welcomed from a highways perspective as it improves pedestrian permeability along the strategic green network in accordance with Policy CS54. This walkway will be designed to adoptable standards, which includes suitable lighting.

The scheme incorporates several large areas of secure cycle parking within the blocks and additional provision within the external areas.

Overall therefore the scheme is considered to be in compliance with the above highway policies.

Flood Risk/Drainage

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

- Requiring the new development to limit surface water run-off.
- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.
- Developing areas with high probability of flooding only for water compatible uses unless an overriding case can be made and adequate mitigation measures are proposed.
- Not increasing and, where possible reducing the building footprint in areas of developed functional floodplain.

CS67 also states that housing in areas with a high probability of flooding will not be permitted before 2016/17. As this period has now been reached this section of the policy no longer carries significant weight.

The Porter Brook runs adjacent the sites western boundary before then cutting a path through the northern section of the site, effectively splitting Buildings A1 & A2. As a consequence the site lies in the following flood zones:

1. Flood Zone 2, which has between a 1 in 100 and 1 in 1000 annual probability of flooding.
2. Flood Zone 3a, which has a 1 in 100 or greater annual probability of flooding.

3. Flood Zone 3a(i), is developed functional floodplain and has a 1 in 20 annual probability of flooding.

The proposed residential use/student accommodation is classified as more vulnerable in terms of flood risk. The ancillary communal and student management facilities and the retail/restaurant units at ground floor are classed as less vulnerable. In terms of assessing the flood risk of the scheme the highest vulnerability category should be used, which is 'more vulnerable'.

The application has been accompanied by a Drainage Strategy and a Flood Risk Assessment (FRA), which list a range of proposals to both reduce and/or mitigate the impact of flooding.

These measures include:

- Raising ground floor levels and locating more vulnerable uses only at first floor level and above.
- Providing equivalent flood water storage capacity to compensate for any loss of existing capacity owing to the new built form.
- Reducing the current surface water run-off rate by 30%.
- Incorporating flood resilience measures into the design of the ground floor areas.
- Implementing procedures for maintaining safety of the public and staff in the event of flooding, this would take the form of evacuation planning.

The applicant has also provided a Flood Risk Sequential Test that has studied alternative sites within an agreed radius. This radius was defined by the distance of the application site to the main university campuses and the large quantum of student units proposed on the site.

Having considered all relevant sites it has been determined that there are no readily available alternative sites within the search zone that could accommodate the proposed development. The Flood Risk Sequential Test is therefore considered to be passed.

In relation to the Exception Test, the development of this vacant and prominent site offers wide ranging sustainability benefits that are drawn out through this report, not least in relation to regeneration, employment and investment. In addition, the FRA has demonstrated that the development will offer a suitable response to the flooding risks. The Exception Test is therefore considered to be passed.

The scheme will also include other sustainable drainage techniques to reduce surface water run-off, which includes extensive permeable paving, landscaped areas and the inclusion of green roofs.

Subject to conditions, the Environment Agency, Yorkshire Water and the Lead Local Flood Authority have confirmed that these proposals are acceptable. The proposal is therefore in accordance with Policy CS67 within the CS.

Access

Policy H7 (Mobility Housing) of the UDP has set standards for acceptable quantum's of mobility housing within residential development. However, as these standards are not part of an up to date local plan they have been superseded by the recently introduced Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time.

In relation to access into the buildings, having had to raise floor levels to address the flooding issues across the site, features such as ramps and platform lifts have been utilised to ensure ease of access for all. Each building and commercial unit therefore has a level access.

Policy BE10 (Design of Streets, Pedestrian Routes, Cycleways and Public Spaces) within the UDP is also relevant. This states that new public spaces should be convenient and safe to use for people with disabilities, elderly people, young people, and people with young children.

The scheme introduces a new pedestrian route along the Porter Brook and this has been designed to ensure the levels and surfacing can accommodate pedestrians with mobility needs.

The final design of this route will be subject to a planning condition. The applicant has however provided a suitable level of information to demonstrate that the route would be well lit and overlooked.

The proposal is therefore considered to satisfy the relevant access requirements/policies.

Affordable Housing

Policy CS40 (Affordable Housing) within the CS states that developers of all new housing schemes will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

The target within CS40 is between 30 & 40% of the units, but a more spatial approach to affordable housing provision is now adopted within the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (SPD). The SPD identifies affordable housing provision based on viability across a particular area. This site falls within the City Centre West area, which has a 10% contribution requirement.

The scheme has been assessed independently by the District Valuation Office (DV) in order to gauge the level of contribution this scheme can provide when factors such as reasonable developer profits, acceptable land price and abnormal

costs are accounted for. The DV office has confirmed that no affordable housing contribution would be viable in this case.

Amenity of Future Residents & Impact on Existing Commercial Units

IB11 (Housing and Residential Institutions in Industry and Business Areas) within the UDP sets out circumstances in which Housing would be permitted in Fringe Industry and Business Areas.

Section a) states that such development should not further constrain industrial or business development to protect the environment of the new housing.

In this respect the commercial uses surrounding the site are office based, or similar quiet commercial operations such as a medical centre or gym. As such, the introduction of residential accommodation in this location will not impinge on or constrain the future operation of any existing businesses.

There is no ambition to encourage noisy industrial uses on any adjacent land and therefore future conflict in this respect will not occur.

Section c) within IB11 states that consent should only be granted for residential development if future residents do not suffer from unacceptable living conditions including, ground contamination, noise, other nuisance or risk to health and safety. Several areas therefore need additional consideration.

In relation to noise, the main source of potential disturbance is road traffic created by vehicles moving along Summerfield Street, or waiting at its junction with Napier Street. The Environmental Protection Service (EPS) are satisfied that with the imposition of a planning condition that secures the correct specification of glazing and acoustically treated ventilation when appropriate, any possible external noise nuisance can be mitigated.

EPS have also requested conditions be imposed on the new commercial units in order to manage any possible risk of conflict with future residents. This would include limitations on hours of opening, hours of servicing and noise/odours omitted from any plant and machinery.

Owing to past land use(s) there is likely to be land contamination that would require remediation. As such, before development commences the applicant will be required to submit information to characterise the contamination on site and propose a remediation scheme to ensure safe redevelopment. This remediation work will have been completed before the site is occupied ensuring issues of contamination are dealt with.

Having assessed the submitted information in terms of apartment layouts and the positioning of buildings it is considered that future occupiers will be afforded acceptable living conditions in terms of outlook, light and privacy. The scheme also provides a good amount of external amenity space and is in reasonable walking distance of several local green spaces.

The scheme is therefore considered to comply with Policies IB11 within the UDP.

Amenity of Surrounding Uses

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

Clearly when approving buildings of notable scale an assessment needs to be made as to the impact on surrounding uses/buildings in relation to matters such as over shadowing, over dominating and privacy infringements.

Taking first the properties across Summerfield Street to the east, these units are largely commercial in nature and such uses do not command the same level of amenity as residential developments. The separation distance created by the highway is therefore sufficient. The exception to this is an element of the Wards Brewery development known as Coopers House, which Block A1 would face. It is noted that Block A1 is the tallest element of the development, reaching ten storeys.

Having considered the approved floor plans for Coopers House in the context of potential shadowing and dominance, it is clear that the sections of the residential units adjacent to Block A1 have a principle aspect to the south, rather than towards the application site, which is set to the west. This, coupled with the separation distance between the blocks of approximately 21 metres, ensures the amenity of the existing residents within Coopers House is not unduly compromised.

Only commercial units sit adjacent to the Napier Street range of Block B and, as already recognised above, these do not command the same level of amenity requirements as residential uses. Therefore the separation distance of approximately 13.8 metres is acceptable to protect the amenity of these commercial uses.

The office units set across the Porter Brook to the west of the site are currently being converted to residential accommodation under the prior notification procedure. The proposal generally has an open aspect along this boundary and there is a minimum separation distance of approximately 22 metres between these neighbouring buildings and the relevant section of Block A3. This is considered suitable to protect amenity.

The uses that sit across Pomona Street are commercial in nature and therefore the separation distance of approximately 15 metres can be tolerated from an amenity perspective.

Sitting adjacent to Block A1 fronting Pomona Street is a residential development that reaches six storeys. This neighbouring block has no principle windows in the gable wall that could be overshadowed or dominated by Block A1.

As it is set to the east, the southernmost element of Block A1 fronting Summerfield Street would have the potential to cast a shadow on the rear elevation of this

neighbouring six storey residential block in the mornings. Whilst not ideal, given the distance involved between the relevant sections of the existing and proposed blocks, the fact that the rear elevation of the neighbouring block does not have a principle aspect onto Block A1 and the limited time the shadowing would occur any amenity impact can be tolerated.

A distance of approximately 22 metres would ensure any overlooking created by the west facing windows of Block A1 onto the balconies and the grounds of the neighbouring block can be accepted.

The proposed scheme is therefore considered to have an acceptable impact on the amenity of surrounding commercial and residential uses and is in accordance with the relevant listed policies.

Air Quality

Policy CS66 (Air Quality) within the CS states that action to improve air quality will be taken across the built-up area.

It is considered that owing to the limited vehicle movements associated with the development (discussed in the Highways Section above) an Air Quality Assessment did not need to be provided as part of this development.

Even so, the site is located within an Air Quality Management Area and as such the scheme does include various measures to mitigate the impacts of development, including green roofs, the incorporation of travel pans, new landscaping and construction management proposals to deal with issues such as dust.

The proposal is therefore supported from an air quality perspective.

Archaeology

Policy BE22: Archaeological Sites and Monuments within the UDP sets out how archaeological interest will be safeguarded from the impacts of development.

The site has some archaeological potential and South Yorkshire Archaeology Service are satisfied that a suitable condition can be attached to ensure the archaeological interests of the site are investigated before development commences and thereafter protected.

Ecology

Policy GE15 (Trees and Woodlands) within the UDP states that trees and woodland will be encouraged and protected. This will be achieved in part by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

Policy GE17 (Rivers and Streams) within the UDP states that development within the Green Network should seek to protect and enhance rivers and streams for the benefit of wildlife, public access and recreation.

Along with the identified policies, other ecology implications require further consideration, particularly as the western section of the site is a Local Wildlife Site.

The submitted ecology reporting has demonstrated that the proposals will not impact on any endangered species and the City Ecologists have validated this conclusion.

The loss of the existing trees and vegetation along the banks of the Porter Brook is of course regretted from an ecology standpoint. However, these trees have been assessed by landscape officers and they are not considered worthy of retention.

Having discussed the issue with the city ecologists, it is considered that this loss can be tolerated so long as suitable replacement planting can be secured via planning conditions. Such conditions would provide the opportunity to reinforce the river bank as a Local Wildlife Site and ensure the green corridor it helps provide is retained.

The scheme will also remove large areas of hard standing evident on the existing site and replace large sections of this with soft landscaping, which is considered to be an ecological enhancement. Features such as green roofs and bird/bat boxes are also welcomed.

When the scheme is completed it is considered that the ecology offer will accord with the requirements of Policy GE15.

Public Art

An element of Public Art will be incorporated into each phase due the overall scale of the development and its prominent location. This is to be secured by condition.

Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £30 per square metre. The application has been accompanied by the CIL Additional Information Forms which identify an overall contribution of £877,260.

Section 106 Agreement

As identified within the Highways Section of this report, the applicant is funding improvements to the existing public transport infrastructure in the form of a replacement bus stop close to the Pear Street and Ecclesall Road junction. This requires a contribution of £15,000, which is to be secured through a Section 106 Agreement (S106).

The Community Infrastructure Levy Regulations 2010 (CIL) have to be considered in respect of this contribution.

Firstly, CIL limits the ability of a local authority to pool more than five S106 contributions towards a single infrastructure project. It can be confirmed that five contributions have not been pooled towards this bus stop.

In addition, Regulation 122 within the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) Necessary to make the development acceptable in planning terms.
- (b) Directly related to the development.
- (c) Fairly and reasonably related in scale and kind to the development.

In response to section a), new significant residential developments are required contribute towards local transport infrastructure when limited car parking is provided, as is the case here. As such, a scheme must be able to demonstrate it can operate in a sustainable manner to be deemed as acceptable.

In response to b), the scheme is in very close proximity to the proposed improved bus stop and therefore future residents will benefit from the provision.

In relation to c), the limited sum of money involved is insignificant in the context of the scale of development. It can therefore be considered to be reasonably related in scale and kind to the development.

It is therefore considered that this contribution is compliant with the CIL Regulations.

It is noted that at the time of writing this assessment a signed Section 106 Agreement had not yet been provided by the applicant.

RESPONSE TO REPRESENTATIONS

The majority of the issues raised in the neighbour representations have been addressed in the above assessment. The remaining issues are addressed as follows:

- The scheme will restrict views of feature such as the General Cemetery and the Porter Brook for existing residents.

The right to a view is not a material planning consideration. It is also noted that the above assessment has considered the impact on neighbouring amenity in regard to issues such as dominating and shadowing as being within acceptable limits.

- Are new student developments actually needed given the current provision within the city?

The dominance of shared housing/student development has been considered in the above assessment in the context of the immediate area (within 200 metres of the site) and found to be acceptable.

The more strategic city wide need for additional student accommodation is determined by market conditions and clearly the development will not progress if this demand does not exist.

- Future residents could illegally park in the adjoining commercial car parks.

If this does occur it can be managed/enforced by the relevant land owner.

- The junction of Summerfield Street and Napier Street is prone to a number of significant road traffic accidents, the frequency of which will increase by this development. This junction should be redesigned as part of this scheme.

Accident data for this junction provided by the applicant shows one serious accident over the past five years at this junction. Although twelve other accidents have occurred over this period, these have been classed as slight.

As such this junction is not considered to be a notable accident black spot and it does not require redesign to facilitate this proposal.

SUMMARY AND CONCLUSION

The proposal represents a very substantial development of private and student accommodation across four blocks. The scheme also includes two restaurants and a retail unit, all of which are of a limited scale, and the provision of a riverside walk/cycleway adjacent to the Porter Brook.

From a land use perspective the lack of office accommodation is not policy compliant. However, this deficiency must be considered against the previous approval on the site, which also failed to provide any such use, and also seen in the context of the significant regeneration benefits of developing this vacant brownfield site and the contribution this makes to housing land supply. The lack of office accommodation is therefore tolerable.

Given the proximity to the city centre the proposed destiny is considered appropriate, while the house type mix proposed is in accordance with policy.

The quiet nature of surrounding commercial uses is such as to ensure these operations would not have the potential to offend future residents. As a result the introduction of residential/student development would not impinge on the existing operations of these commercial uses.

The scheme will be orientated and separated suitably from surrounding uses so as to ensure the amenity of said uses/occupiers is not unduly harmed.

Although the height of the development does jar with the context in places, this again must be considered alongside the previous approval on the site, which was granted within the same policy context. It would therefore not be reasonable to view the proposed scale as unacceptable.

The proposal incorporates a number of design features across the blocks to create meaningful articulation and visual interest. This includes setting active uses on key corners, incorporating generous amounts of glazing and variety in materials. This approach to massing and design ensures the scheme does not present a monolithic addition to the area. It is also considered that a suitably sympathetic response has been taken to adjacent heritage assets, including The Porter Brook Conservation Area.

The scheme will introduce several features to ensure the sustainability credentials of the development are acceptable. This includes utilising renewable energy, providing green roofs and improving public transport infrastructure.

There is limited car parking, which is accepted owing to the sustainable location with easy access to excellent public transport links and the many amenities available along Ecclesall Road and within the city centre.

A new pedestrian walkway linking Napier Street to Summerfield Street along the banks of the Porter Brook is proposed. This is welcomed as it improves pedestrian permeability along the strategic green network.

The scheme has been accompanied by a Drainage Strategy and a Flood Risk Assessment listing a range of proposals to both reduce and/or mitigate the impact of flooding. This includes limiting the current surface water run-off by 30%. The relevant responsible bodies have confirmed these documents are satisfactory. Relevant information has also been provided to demonstrate that the Sequential and Exception Tests have been met.

Following independent consideration by the District Valuation Office the scheme is not deemed sufficiently viable to contribute towards affordable housing.

Although the existing trees and landscaping along the Porter Brook are to be removed, it is considered that this loss can be tolerated so long as suitable replacement planting can be secured via planning conditions. Such conditions would provide the opportunity to reinforce the river bank as a Local Wildlife Site and ensure the green corridor it helps provide is retained.

The applicant is to contribute £15,000 towards a replacement bus stop and this is to be secured through a Section 106 Agreement.

RECOMMENDATION

Grant Conditionally Subject to Legal Agreement.

Heads of Terms for legal agreement

The owner shall pay, on or before the commencement of development a contribution of £15,000 towards the provision of a replacement bus stop close to the Pear Street and Ecclesall Road junction.

Case Number	16/00802/FUL (Formerly PP-04870537)
Application Type	Full Planning Application
Proposal	Erection of 7No. 2 bed terraced houses on two sites either side of Ash Lane as amended 8.6.16, 25.8.16, 30.8.16 and 29.9.16
Location	Site Of 19 Haywood Lane And 8 Ash Lane Sheffield S36 2QE
Date Received	29/02/2016
Team	West and North
Applicant/Agent	Peak Architects
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:

Drawing nos.

PL-001 Rev A Site Location Plan received on 7.3.16;
PL-002 Rev A Existing Site Plan received on 7.3.16;
PL-003 Rev E Proposed Site Plan received on 25.8.16;
BCM-PA-PL-004 Proposed Plans & Elevations - Type A1 received on 29.2.16;
BCM-PA-PL-005 Proposed Plans & Elevations - Type A2 received on 29.2.16;
PL-006 Proposed Building Elevations received on 29.2.16
PL-007 Proposed Street Elevations received on 29.2.16;
PL-008 Indicative 3D Views received on 29.2.16;
PL-009 Retaining Wall Details received on 8.6.16;
PL-010 Rev C Vehicular Entrance Plans & Elevations received on 30.8.16;
PL-011 Proposed Site Sections received on 29.9.16.

Reason: In order to define the permission.

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

3. Before the commencement of development a site investigation report regarding the coal mining legacy of the site shall be submitted to and have been approved in writing by the Local Planning Authority shall be submitted to and have been approved in writing by the Local Planning Authority. In the event that the site investigation report confirms the need for remedial works to treat the areas of shallow coal mine workings to ensure the safety and stability of the proposed development, a remediation strategy to secure the remedial works identified by the site investigation report shall be submitted to and approved by the Local Planning Authority. Thereafter the remediation works shall be carried out in accordance with the approved remediation strategy before development commences.

Reason: In the interests of the mining legacy of the site.

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

5. Before development commences, details of the means of foul and surface water discharge from the site shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory drainage arrangements.

6. 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.

7. 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.

8. 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.

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

9. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details (drawings/design) of a new footway wrapping round from Haywood Lane across the development site frontage (and details of the arrangements to secure provision of the new footway) shall have been submitted to and approved in writing by the Local Planning Authority. The footway shall have been provided in accordance with the approved details prior to occupation of the houses.

Reason: In the interests of pedestrian safety.

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

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

11. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

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

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

13. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

14. The dwellings 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.

15. 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.

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

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

17. 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 shall not be brought into 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 Sheffield City Council 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.

Other Compliance Conditions

18. 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.

19. No windows, doors or gates shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

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

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

21. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

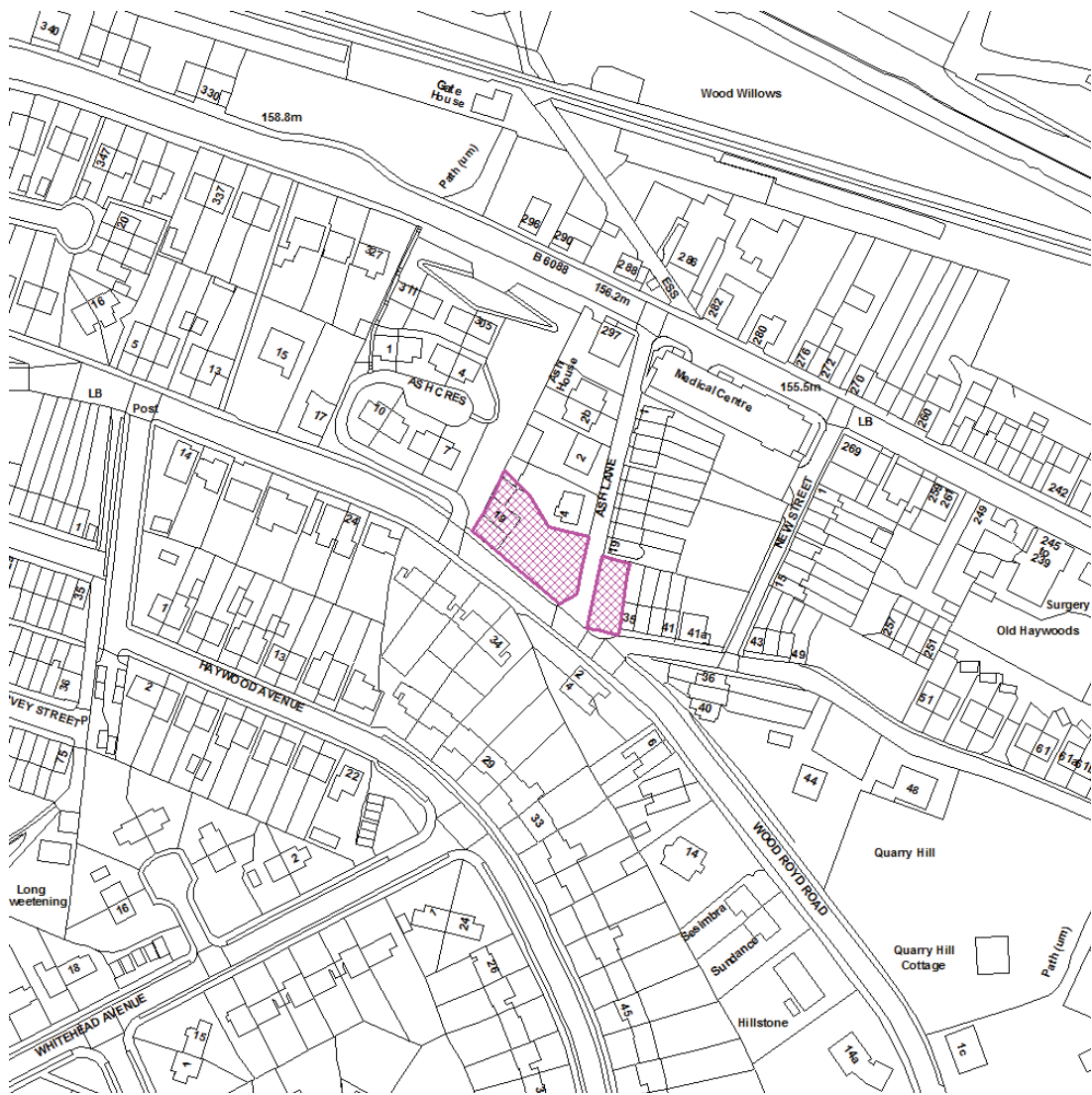
22. No piped discharge of surface water from the application site shall take place until surface water drainage works including off-site works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. 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.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

Site Location



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LOCATION

This application relates to two vacant sites on the north side of Haywood Lane either side of its junction with Ash Lane in a predominantly residential area of Deepcar.

The sites are on a hillside sloping down from south to north. A retaining wall runs alongside Haywood Lane with the ground levels of the site below the Haywood Lane road level. A smaller retaining wall runs alongside the northern boundary with the neighbouring property which in turn is at a lower level than the application site.

PROPOSAL

This application has been amended since its original submission to clarify the extent of works alongside the highway.

The proposal seeks full planning permission for the erection of a terrace of 5 dwellings on the larger site on the west side of Ash Lane and a pair of semi-detached dwellings on the east side of Ash Lane.

All the 7 proposed dwellings would front towards Haywood Lane. The five terraces would be slightly set back from the pavement to provide a space for a timber screened bin storage whilst the pair of semi-detached houses would be sited up to the back edge of the pavement with their bin storage being in their rear gardens accessed off Ash Lane.

Due to the falling ground levels to the rear, all the proposed dwellings would have a two-storey front elevation and a three-storey rear elevation with access from the lower ground floor onto their rear gardens.

Off-street parking is proposed off either side of Ash Lane to serve the proposed dwellings.

The proposed dwellings would be faced in reconstituted stone on the front and side elevations, with render on the upper two floors of the rear elevations. The dwellings would be roofed in a grey roof tile.

RELEVANT PLANNING HISTORY

In 1980 a lawful use certificate was granted for the use of the land and buildings for light engineering purposes (application no. 80/5358P refers). This application related to the site on the west side of Ash Lane and the former engineering building on this site has subsequently been demolished in c2012.

In 2001 planning permission was sought for the erection of 6 dwellings on the site on the west side of Ash Lane. The application was in outline, however indicative plans were submitted that showed the development to be in the form of 2 terraced blocks of 3 dwellings. The dwellings would have pedestrian accesses directly from

Haywood Lane and the appearance of 2-storey dwellings on the Haywood Lane frontage and undercroft parking to the rear, making the dwellings 3 storeys in height. The application was granted, subject to the completion of a legal agreement to provide a financial contribution towards open space provision within the catchment area of the site. The legal agreement was never completed and the application was later deemed to have been withdrawn (application 9B/0588P refers).

In 2008 full planning permission was granted on the land on the west side of Ash Lane for the erection of 6 flats in a three-storey block with basement parking (application no. 07/04991/FUL refers). This application also related to the site on the west side of Ash Lane.

SUMMARY OF REPRESENTATIONS

The application was publicised by letters to neighbouring properties and by display of site notices.

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

- has been an eyesore mainly due to how the land has been managed;
- the workshop was inactive for many years prior to its demolition and there was not regular vehicle access;
- local streets are narrow and can't cope with additional vehicles, Ash Lane is a steep narrow road with no pavement unable to offer parking solutions, parking is already difficult on Haywood Lane, Wood Royd Road, Ash Lane and New Street, residents with many cars already parking on both sides of the road, regular issues parking on Ash Lane, not the space on Ash Lane or Wood Royd Road to accommodate more vehicles;
- generation of traffic, increase in vehicles will lead to hazardous parking;
- building on Ash Lane would decrease the visibility at the junction, increase probability of accidents, busy route for school children, no footpaths on Ash Lane;
- moving the entrance will remove at least 2 on road spaces for Ash Lane residents;
- site access not in accordance with acceptable standards;
- off road parking not sufficient for 7 two bedroom properties and visitors;
- significant amount of steps, anyone with young children or a mobility issue would have to park on Haywood Lane causing further congestion, effect on service and delivery vehicles on Ash Lane and Haywood Lane;
- would make an already heavily congested area with under resourced drainage issues even more difficult for the present local population;
- height, mass, bulk and proximity would have an unacceptable adverse impact on amenities of properties adjacent to the site including overlooking, overshadowing and loss of privacy, height of development would make the area gloomy;
- overbearing and intrusive, properties and gardens will be overlooked and shadowed, would overlook properties on Ash Lane, infringement of privacy on Haywood Lane;
- light into home on Haywood Lane would be reduced, block light to garden on Ash Lane;

- noise and pollution of cars parking; next to gardens, noise and mess created will have an impact for many months for anyone living near;
- storing bins in one area may cause intense odour;
- has the site been inspected and determined as non-contaminated land, concerns that disturbing or building on such land may expose risks to health;
- will be attached to side wall of 35 Haywood Lane, no access for maintenance;
- terrace properties in advance of the building line of neighbouring properties is out of character, new properties would stand out and ruin area, will not be in keeping with the houses surrounding them;
- less land drainage, increased foul drainage, ensure that the existing drainage system is not overloaded;
- will add to empty and unsold homes in the area, three houses already granted on New Street, there is no need, the new properties are surplus to requirements, more than enough houses in Deepcar for sale or to let;
- ill advised and dangerous proposal, landowners choosing to maximise their financial situation to detriment of people who live in the immediate area;
- agree something should be done with the empty areas but squeezing lots of houses in a small area is not the way forward;
- the land would be improved by developing it with affordable homes but not in the way the current plans are trying to do, three dormer bungalows would be acceptable, could Ash Lane site be used as a car parking area;
- issues could be avoided should houses front Ash Lane;
- no public notification.

Stocksbridge Town Council have expressed concerns regarding access to the site and requesting that the developer be asked to ensure that heavy construction vehicles do not use Haywood Lane, New Street or Ash Lane to access the site as these roads are narrow and unfit for such traffic and that access is by way of Nanny Hill.

3 representations of support have been received relating to the following matters:

- the site is now derelict which would be improved if houses were built on it, improving look of the area and providing affordable homes;
- off road parking has been taken into consideration, keeping street free of cars, used Ash Lane with no real issues;
- should parking/pedestrian use be a problem maybe making Ash Lane a one-way street.

PLANNING ASSESSMENT

Policy Issues

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP).

The Pre-Submissions version of the Draft City Policies and Sites (CPS) Document and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State.

Both the UDP and the Draft CPS Proposals Map identify the site as being within a Housing Area where housing is the preferred use in principle subject to satisfactory details.

The proposal complies with UDP Policy H10 relating to development in housing areas.

The site comprises previously developed land for the purposes of the Government's National Planning Policy Framework (NPPF). The proposal would make a net contribution to the provision and supply of housing within the city.

Highway and Transportation Issues

UDP Policy H14 relates to conditions on development in Housing Areas including matters of highway safety.

The application site is in a sustainable location close to main bus routes along Manchester Road. The proposal includes off-street parking provision for 8 cars in two separate parking areas both accessed off Ash Lane.

The proposed parking provision is satisfactory and is acceptable for this development.

Stocksbridge Town Council has asked that access for construction vehicles be from Nanny Hill which lies at the western end of Haywood Lane. A condition is recommended to secure details of appropriate access arrangements for construction vehicles.

There are no highway objections to this proposal subject to appropriate conditions. The proposal complies with UDP Policy H14(d).

Effect on the Amenities of Residents and the Locality

UDP Policy H14 relating to conditions on development in Housing Areas also includes matters of design and amenity. UDP Policy BE5 seeks good design in new developments and Core Strategy Policy CS74 relating to design principles also expects high quality development respecting distinctive features and heritage including townscape and landscape character.

There are residential properties adjoining and near to the site off Haywood Lane, Ash Lane and Ash Crescent, and opposite the site on Haywood Lane and Wood Royd Road.

The northern boundary of the site of the proposed 5 terraces adjoins the side garden boundary of no. 4 Ash Lane. This boundary line also cuts slightly across the rear yard of no. 4 Ash Lane. The house at no. 4 is mainly two-storey with single-storey rear extensions, with an open yard to the rear and single-storey outbuildings on its rear boundary.

Given the alignments of Haywood Lane and Ash Lane, the proposed terrace of 5 dwellings would be sited at a slightly acute angle to the side of no. 4 Ash Lane with the rear elevations of the proposed terraced dwellings facing towards the side of no. 4 and its rear yard. The rear elevation of no. 4 has ground floor windows in a rear extension and a small first floor window. The alignment of the proposed terrace would ensure that there would be no significant overlooking, overshadowing or overbearing impact on the rear elevation of no. 4. Whilst the main side gable of no. 4 facing the application site contains no windows, there is a side facing non-main window in the single-storey rear extension of no. 4. Whilst the proposed terraces are on land at a higher level than the property at no. 4, there would be a separation distance of approximately 8.9 metres between the side gable of no. 4 and the rear elevation of the proposed terrace, and a separation of approximately 9.3 metres between the rear elevation of the proposed terrace and the side facing ground floor window in the rear extension of no. 4. The proposal would also achieve a separation of between 5.3 and 8.8 metres from the rear elevation of the proposed terrace to the rear boundary with the yard of no. 4. It is considered that this separation would be sufficient to ensure that there would be no significant overbearing, overshadowing or overlooking of the property at no. 4 Ash Lane.

The dwelling at no. 7 Ash Crescent is approximately 14 metres to the west of the application site. The west facing side elevation of the proposed terrace would contain bathroom windows on the first and second floors. It is considered that there would be sufficient separation to ensure there would be no overbearing, overshadowing or overlooking of the property at no. 7 Ash Crescent.

The northern boundary of the site of the 2 proposed semi-detached dwellings adjoins the side boundary of no. 19 Ash Lane, whilst the eastern boundary of this site adjoins the side of no. 35 Haywood Lane. The side gable of no. 19 facing towards the application site contains a non-main window on the first floor. The proposed separation of approximately 13 metres between the rear elevation of the proposed dwellings and the opposing side elevation of no. 19 is sufficient to safeguard the living conditions of the occupants of these properties. The 2 proposed semi-detached dwellings would be in a similar alignment to the dwelling at no. 35 and would not significantly impact on the living conditions of the occupants of no. 35.

There would also be sufficient separation between the 7 proposed dwellings and other nearby properties opposite and in the vicinity of the site thereby ensuring that there would be no significant harm to the living conditions of nearby residents.

The siting of the proposed dwellings close to the road frontages and their proposed massing, traditional appearance and design would be in keeping with the character of the locality. The proposed development would make a positive contribution to the appearance of the streetscene.

Conditions are recommended to secure the quality of external materials and appropriate landscaping/boundary treatments.

The proposal complies with UDP Policies BE5 and H14, and Core Strategy Policy CS74.

Ground Conditions

A condition is recommended to secure appropriate drainage arrangements.

Due to the previous use of the site conditions are recommended to investigate and remediate any contamination on the site.

The site lies within a Development High Risk Area as defined by the Coal Authority. The applicant has submitted a Coal Mining Risk Assessment with this application.

The Coal Authority do not object to the proposed development and have recommended that a condition is imposed to secure site investigation works and any necessary remediation works prior to commencement of development.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is applicable to this development. The site lies within CIL Zone 3 where the contribution is £30 per sq m. The funds generated through CIL will be used in connection with strategic infrastructure needs.

SUMMARY

The UDP identifies the site as being within a Housing Area where housing is the preferred use in principle subject to satisfactory details.

The proposed parking provision is acceptable for this development. There are no highway objections to this proposal subject to appropriate conditions.

There would be sufficient separation between the 7 proposed dwellings and existing nearby properties to ensure that there would be no significant harm to the living conditions of nearby residents.

The proposed development would make a positive contribution to the appearance of the streetscene.

The proposal complies with UDP Policies H10, BE5 and H14, and Core Strategy Policy CS74.

RECOMMENDATION

It is recommended that planning permission is granted subject to conditions.

Case Number	16/00480/FUL (Formerly PP-04818387)
Application Type	Full Planning Application
Proposal	Demolition of working mens club and erection of 27 apartments in 1 x 3 storey block with the provision of underground car parking accommodation and associated landscaping works
Location	Handsworth Working Mens Club And Institute 445 Handsworth Road Sheffield S13 9DD
Date Received	08/02/2016
Team	City Centre and East
Applicant/Agent	Max Design Consultancy
Recommendation	G Conditional Subject to Legal Agreement

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:

1473-01 Revision C - Basement Floor Plan
1473-02 - Ground Floor Plan
1473-03 - First Floor Plan
1474-04 - Second Floor Plan
1473-05 Revision D - Elevations
1473-06 Revision D - Site Plan
1473-08 Revision C - Section AA & Section BB
1473 - Covered Bin Store & Bike Park Details

Reason: In order to define the permission.

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

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

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

4. No development shall commence until a construction management plan has been submitted to and approved by the Local Planning Authority. The plan shall include details of:

- Construction vehicle routes;
- Means of ingress and egress for construction vehicles. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points;
- Parking for vehicles involved in construction;
- Provision for contractor parking; and
- Confirmation of dilapidation survey of the highways immediately adjoining the site, which shall have been carried out and agreed with the Local Planning Authority.

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

5. 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.

6. 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.

7. 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.

8. The development shall not commence until full details/design calculations of the proposed surface water drainage has been submitted to and approved by the Local Planning Authority, including the arrangements for surface water infrastructure management for the life time of the development. This should be achieved by sustainable drainage methods. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site.

Reason: To ensure surface water flooding and pollution management.

9. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs relating to that phase being obtained from decentralised and renewable or low carbon energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before 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.

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

10. 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.

11. 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 shall not be brought into 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 Sheffield City Council 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.

12. 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:

- Typical windows - including a minimum of 200mm reveals
- Typical bay window design
- Typical external door design
- Garage door design
- False window infill detail
- Entrance canopies
- Balconies
- Eaves, verges and ridges
- Rain water goods
- Boundary treatments

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

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

13. 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.

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

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

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

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

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

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

17. The building shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

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

18. Notwithstanding the details on the approved plans, before the development is commenced final details of the proposed car parking layout in the basement area shall be submitted to and approved by the Local Planning Authority. The building shall not be used unless the agreed car parking has been provided in accordance with the approved details and thereafter the parking shall be retained for the sole use of the occupiers of the development hereby approved.

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

19. The building shall not be used unless the cycle parking accommodation has been provided on the site in accordance with the agreed details and thereafter the cycle parking accommodation shall be retained for the sole use of the occupiers and visitors of the development hereby approved.

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

20. 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:

a) Be based on the findings of approved noise survey (ref: NIA/6428/15/6310/v2/Former Working Mens Club, Handsworth, dated: 20/01/16, prepared by ENS)

b) 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).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

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

a) Be carried out in accordance with an approved method statement.

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

NB. The required Validation Testing is separate from, and in addition to, any tests required to comply with Building Regulations in relation to Approved Document E; Resistance to the passage of sound.

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

22. 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.

23. 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.

24. The building shall not be used unless a management strategy covering the following points has been submitted to and approved by the Local Planning Authority:

- The management of the car parking area, including further information about the tandem car parking spaces and the flats that these spaces will be allocated to;
- The management of the public and private landscape space; and
- The management of the bin storage area, including details of the strategy for bin collection days.

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

Reason: To ensure satisfactory management of facilities in the interests of the amenity of future and existing residents

25. The proposed green/brown roof (vegetated roof system) shall be provided on the bin store and cycle store roof areas, as 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 the construction of these buildings 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. Notwithstanding the details on the approved plans, before the development is commenced, or an alternative timeframe to be agreed, full details of the proposed site boundary treatment shall be submitted to and approved by the Local Planning Authority. The building shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

27. Notwithstanding the details on the approved drawings, no construction works shall commence until final details of the proposed building levels (including plot and slab levels) have been submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

Other Compliance Conditions

28. 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.

29. All development works, including any demolition works, shall proceed in accordance with the Construction Method Statement (ref: Construction Method Statement, Residential Development to 445 Handsworth Road, Sheffield, prepared by: Max Design).

Reason: In the interests of the amenities of the surrounding residential occupiers and other neighbouring land uses.

30. Construction and demolition works that are audible at the site boundary and site deliveries shall only take place between 0800 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 surrounding residential occupiers and other neighbouring land uses.

31. The ensuite windows of Apartment 24 and 25 on the side elevation of the two storey part of the building facing No. 16 Medlock Drive shall be fully obscured to a minimum privacy standard of Level 4 Obscurity and at no time shall any part of the glazing revert to clear glass.

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

32. The surface water discharge from this brownfield site shall be reduced by at least 30% compared to the existing peak flows into existing discharge outlets. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 3.5 litres (to public sewer) should be demonstrated.

Reason: To ensure surface water flooding and pollution management.

Attention is Drawn to the Following Directives:

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

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

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

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

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

You should apply for a consent to: -

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

For the attention of Mr S Turner

Tel: (0114) 27 34383

3. 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
Town Hall
Penistone Street
Sheffield
S1 2HH

For the attention of Mr P Vickers

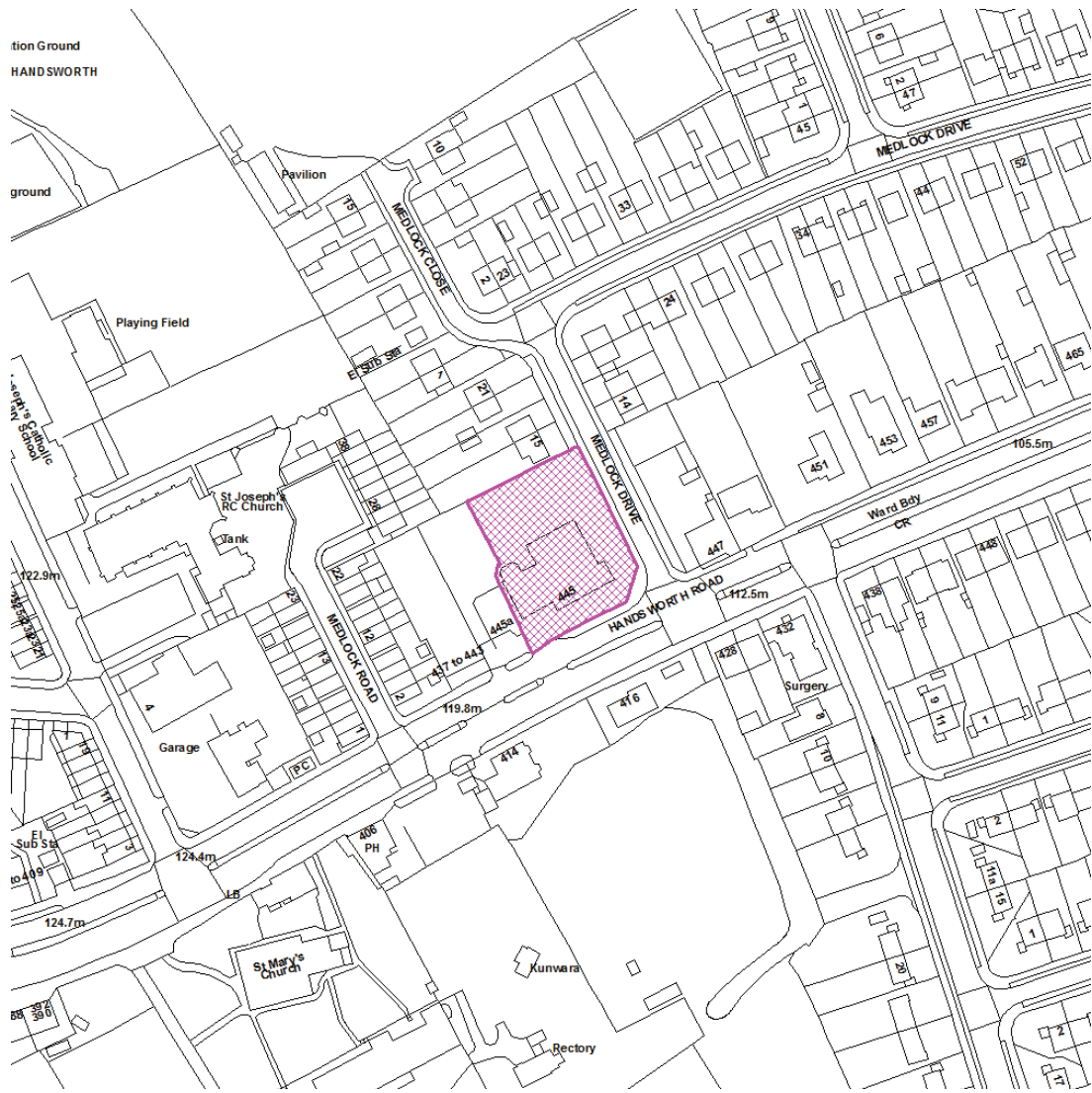
Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

4. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
5. The Applicant is advised that the following mitigation measures would assist in reducing vehicle exhaust emissions and should be adopted where practicable, they include:
 - a) Construction phase - The developer should have regard to the mitigation measures in and adopt the London Councils' Best Practice Guidance, November 2006, "The Control of Dust and Emissions from Construction and Demolition". This Guidance should be used as a guide to evaluate and manage dust emissions during this phase.
 - b) Ensure vehicles delivering to the proposed site to be Euro VI standard minimum or are fitted with exhaust after treatment technologies such as continuously regenerating traps or other none primary NO2 emitting catalyts systems: a recommendation.
 - c) Promote the use of public transport and the need for efficient public transport links into the area: a recommendation.
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. 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.
8. The Applicant is advised that the South Yorkshire Police Architectural Liaison Officer has provided the following advice:
 1. Entrance into the basement Car Park should be access controlled by a quick release roller shutter entrance door.
 2. The basement area should be well lit with no dark areas. Access from within the basement into the building should also be accessed controlled.
 3. The main entrances into the building should be access controlled via audio/visual means. All external doors and the internal flat doors should be to PAS 24:2012.
 4. All ground floor and accessible windows and glazing should be to PAS24:2012 incorporating laminated glass.
 5. The bin store should be lockable to avoid attempted arson.
 6. The stairwells should be well lit and as open as possible, so the user can see who is coming up/down.
 7. To secure the private garden area and cycle storage, 1.8m gates and boundary treatment should be used.
 8. Landscape should be planted so as not to block CCTV or Lighting. It should be kept low below 1m and trees to have no foliage below 2m.
9. The Applicant's attention is drawn to part 6.3.1.5 and 6.3.1.6 of the Phase 1 Habitat Survey Report (RDF Ecology, May 2015) in relation to the need for a new bat survey of the site if demolition works do not occur within a set timeframe and in relation to the appropriate months (September to March) and methods of demolition.
10. 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.
11. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
12. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

Site Location



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INTRODUCTION

This application was originally presented to the Planning and Highways Committee meeting on 20th September 2016. The application was deferred by Members because of the need to consider further the air quality impact of the development, bearing in mind other recent large scale approvals in the locality and the proximity of the site to an area of exceedance of European Standards.

Whilst an Air Quality Assessment is only usually required for developments that generate 60+ vehicle movements per hour, there is also a local requirement to consider the issue where sensitive uses such as housing are being introduced to or within 200m of an area of exceedance. The Council's diffusion tube monitoring position at 181 Handsworth Road, which is judged to be within 200 metres of this site, is showing exceedance of the limit values.

The applicant has commissioned an air quality report in a bid to alleviate Members concerns, particularly given the current authorised use of the site.

The content and conclusions of this work will be presented by Officers to the Planning Committee in the Supplementary Report, which will be distributed at the meeting.

LOCATION AND PROPOSAL

Planning permission is sought to demolish the club of Holme Lea (formerly the Handsworth Working Men's Club and Institute) and replace it with a residential apartment scheme of 27 apartments comprising of 4 x 1 bedroom and 22 x 2 bedroom units and 1 x 3 bedroom unit with associated basement car parking and landscaping works.

The site is located on Handsworth Road (B6200), a busy classified road running through Handsworth which carries traffic to areas including Darnall, Richmond and Woodhouse Mill. Specifically, the site is situated at the junction of Handsworth Road and Medlock Drive, where Medlock Drive is a "U" shaped residential street comprising of post-war semi-detached housing that provides access to other residential streets.

The site currently contains the club of Holme Lea, which is positioned on the southern half of the site and fronts Handsworth Road. It is predominantly two storeys in height with a slate pitched roof and rendered finish. There is a single storey element used as a large function room, which is a later extension and has a footprint extending along the eastern elevation of the main building. The northern half of the site is hardstanding and used as a car park.

The site is rectangular in shape and has an area of approximately 0.18 hectares. The topography of the site is flat having been built up on the eastern side in order to overcome the level of Handsworth Road, which slope downwards in a west to east direction.

A variety of land uses surround the application site and in addition to the residential properties on Medlock Drive to the north, other land uses include a Nursery School to the east (on the opposite side of Medlock Drive) and the Challenger vehicle repair garage to the west. The existing residential properties in this part of Handsworth vary between semi-detached housing and terraced houses, and they are predominantly constructed from brick or natural sandstone.

RELEVANT PLANNING HISTORY

There is no history relevant to this proposal.

SUMMARY OF REPRESENTATIONS

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

12 letters of objection have been received. This includes a letter from Councillor Mick Rooney who has registered his objections/observations on behalf of his constituent, and comments from Councillor Dianne Hurst.

A petition containing 517 names and individual comments has also been received. The names on the signatures come from a variety of postcodes and their comments discuss the loss of the Club and its impact on Handsworth.

The local representations have been supported by Clive Betts MP.

In summary, the objections relate to:

Loss of the Holme Lea Club and Impact on Handsworth

- The demolition would be a major blow to the community and be contrary to paragraph 70 of the NPPF and UDP Policy CF1 and CF2. The Council has, in the past, recognised the valuable role that working men's clubs play in the fabric of Sheffield's neighbourhoods, namely, by refusing the demolition of the Shiregreen WMC (08/02770/FUL).
- The application states that the club is unviable to run, however this is clearly not the case.
- The Holme Lea provides free function room facilities catering for all age groups and people rely on it as a safe meeting place offering a variety of family and children's events as well as supporting local charities (including Amy's House) who have benefited from funds raised by events. Other options (i.e. The Old Rectory) can be expensive.
- Handsworth is slowly losing its community facilities. Pubs have already been lost and pub chains are increasing the rent / leases to other public houses making them unviable. How long will it be before other pubs are demolished and turned into flats?
- Is the council hell bent on turning Handsworth into an uncaring concrete jungle?

Traffic and Parking Concerns

- More homes and cars will exacerbate pressures on Handsworth Road, which is already congested and at a standstill at peak morning / afternoon rush hours. Traffic along Medlock Drive will also be increased.
- The current access to the city centre bound traffic from the development is inadequate and will require as a minimum a controlled junction to allow traffic to freely join and not be blocked by queuing traffic. Handsworth Road is not suited to access from the opposing sides due to its central reservation
- You have to live here to truly appreciate the difficulty faced on a daily basis. Existing residents are already compromised.
- The proposed car parking will not be sufficient. Planning policy is out of touch and most households will have two cars. Residents will be more inclined to park somewhere that is more benefit to themselves rather than a specific allocation. This will increase on-street parking problems.
- The proposed cycle parking is merely paying lip service to planning policy. Cycling infrastructure for the area is poor and does not encourage people to take this up as an alternative method of transport. It is a tick box exercise to justify less car parking and satisfy the Council.
- Access from the underground garage on to Medlock Drive will create problems as non-residents use this area as a free “park and ride” area.
- The parking spaces will most probably be provided at an extra cost which prospective buyers will not bother to do. This will then increase parking in the area.
- The development will impact on air quality given its proximity to a local school and nursery.
- The Dominos Pizza development close to the application site has already made the highway situation worse for pedestrians as both customers and delivery drivers park their cars all over the pavement.
- Staff from the nearby Sunny Meadows nursery currently uses the car park as parking in the area is very limited. The application would change this.

New Homes

- There is no need for new housing. There are sufficient properties being built in the area over the past few years (Gateway and Waverley). To build the flats at the expense of a local community facility is wrong.
- More homes will exacerbate pressures on local facilities such as doctors’ waiting lists and local school numbers.

Amenity Concerns

- Concern that the development is imposing and will block the light from No.15 Medlock Drive (the house and conservatory) and will impact on the privacy of surrounding properties. The proposal is overdevelopment, contrary to UDP Policy BE5 and H14.
- Concern about the longevity of the wooden fence proposed between the application site and No.15 Medlock Drive. A brick wall would be preferred at the same height as existing or slightly higher.
- The proposed location of the bins is a concern. They will be left on the pavement on collection days, which will be a hazard for pedestrians.

Advertisement and Notification Concerns

- Concern that there are some residents who live close-by but do not know about the application. There has been no correspondence.
- During what hours will the building work take place? Bearing in mind there is a nursery directly opposite and lots of school children in a morning walking to local schools, what measures are going to be place to minimise/reduce incidents/traffic?

Coal Mining Concerns

- The site is situated in an old mining area and a mine was situated nearby on Finchwell Road. Therefore, a coal mining risk assessment needs to be completed before the application can be considered.

CIL

- Is there any CIL expected to control traffic access onto Handsworth Road?

PLANNING ASSESSMENT

Loss of Public House and Community Impact

UDP Policy CF1 (Provision of Community Facilities) states that community facilities will be promoted particularly where they would (a) be for disadvantaged people; or (b) be located where there is a shortage; and would (c) be easily accessible by public transport; (d) be located within the community they are intended to serve. Furthermore, UDP Policy CF2 (Keeping Community Facilities) states that development which would result in the loss of community facilities will be permitted if (a) the loss is unavoidable and equivalent facilities would be provided in the same area; or (b) the facilities are no longer required; or (c) where a change of use of a building is involved, equivalent accommodation would be readily available elsewhere.

The loss of the existing club and the impact that this will have on the local community is a concern that many objections discuss. It is stated that the Holme Lea offers a wide range of different activities and facilities for the community and wider public. The objections received suggest that there is a demand for the facility however the application submission contradicts this by stating that the Club is currently commercially unviable.

Whilst there is substantial support for the retention of the Holme Lea, and the building provides a variety of functions, the closure or sale of the pub is a commercial decision to be taken by the Owner. This could occur at any point and all facilities would be lost, regardless of whether planning permission has been granted for a new use or not. With this in mind, it is possible for local community organisations to nominate land or a building as an Asset of Community Value which, if registered, gives those communities the time to put together a bid to buy the Asset if it comes up for sale. It is confirmed that there is no such nomination in relation to this building at the time of writing this report.

The existing club is a 'Sui Generis' use. The prime use of the building would have originally been to allow working people to use the premises to enjoy a social drink, however such establishments have had to evolve and offer other entertainment facilities for use by members of the public. Such change is evident at the application site with the addition of the function room and the variety of activities held over the years.

The proposed development does not propose replacement or equivalent facilities so any functions currently provided at the club will be lost from the site. However, an audit of the area suggests that there are buildings that offer similar licenced and / or function facilities. Those situated closest to the application site include:

- Handsworth Social Club – licenced premises including a lounge bar, games room, and concert room with capacity for 200 people.
- Handsworth Methodist Church – has 4 rooms available for hire with seating capacities for 30 to 130 (restrictions apply).
- The Handsworth Inn – licenced premises including a function room with seating capacity for 50 people and 120 overall.
- The Old Rectory – licenced premises including space for events, conferences, meetings, and community classes.
- The Sword Dancer Public House – including function room.
- The Cross Keys Public House – licenced premises.
- Old Crown Public House – licenced premises.

In light of the above, it is evident that there are other buildings available for hire and public use within close proximity of the application site which offer very similar facilities to the Holme Lea.

Therefore, although it is regrettable that the proposed development would result in the loss of what appears to be a well-used club and facility, it is considered that the development does not conflict with UDP policies CF1 and CF2 and, therefore, refusal of this application on such grounds cannot be justified.

Land Use Issues

The National Planning Policy Framework (NPPF) sets out the Government's planning policies. It does not contain specific policies but its statements form part of the overall framework of national planning policy and they are a material consideration in decisions on planning applications. The key principle of the NPPF is the pursuit of sustainable development and the following assessment will have due regard to these overarching principles.

The application site lies within a Housing Policy Area as defined in the Unitary Development Plan (UDP), where housing is the preferred use. The principle of the development is therefore acceptable.

The Sheffield Development Framework (SDF) Core Strategy provides the overall spatial strategy for the city over the period 2009 to 2026.

Policies CS 22 'Scale of the Requirement for New Housing', CS 23 'Locations of New Housing', CS 24 'Maximising the Use of Previously Developed Land for Housing', and Policy CS 25 'Priorities for Releasing Land for New Housing' all promote new residential development in the city - at appropriate and sustainable locations - in order to assist the delivery of suitable sites for housing over future years.

Policy CS 41 (Creating Mixed Communities) seeks to encourage a mix of housing – including prices, sizes, types and tenures.

The proposed housing development will help towards achieving a 5 year supply of deliverable sites and will enhance the range of house types available in the area. The site is also in a sustainable location, in an urban area and on previously developed land. Therefore, the proposals are considered to meet the city's housing policy aspirations.

Design Issues

UDP Policy BE5 (Building Design and Siting) and Core Strategy Policy CS 74 (Design Principles) seek high quality design and materials which complement the scale, form and architectural style of the surroundings.

As the site lies in an Area of Special Character, UDP Policies BE15 (Areas and Buildings of Special Architectural or Historic Interest) and BE18 (Development in Areas of Special Character) are also relevant. These policies seek to retain features that contribute to the heritage of the Area and encourage development that respects it. Harmful development will not be permitted.

Proposed Demolition

It is considered that the existing buildings on this site do not have any architectural or historic qualities that contribute to the character of the Area. As such, and for the reasons discussed below, it is considered that the new development will improve and enhance the site's appearance.

It is also considered that the demolition of the existing buildings will not adversely affect the special character or appearance of the Area. However, given the prominence of the site on Handsworth Road, and in order to safeguard the amenities of the locality, it is recommended that any grant of planning permission should be conditioned so that a contract of works is required as evidence to prove that development will follow swiftly after demolition. Demolition will not be allowed to happen before this condition has been discharged in order to ensure that the site is not left empty for an extended period of time as this would be harmful to the appearance and character of the Area.

Proposed Layout

The proposed development comprises of an 'L' shaped building positioned on the south and east portions of the site, with its front elevations addressing Handsworth

Road and Medlock Drive. The building is set back on each frontage in order to respect adjacent building lines, which is welcomed.

Internally, the development will be built across four floors, comprising of three floors of apartments and a basement area containing ancillary car / cycle parking and storage facilities. The apartments will be accessed on foot via three communal entrance points; one on Handsworth Road and two on Medlock Drive.

A large soft landscaped area is situated in the north-west portion of the site, which will provide communal garden space as well as areas for covered cycle / bin stores and two light wells serving the basement. The position of this space, behind the building, represents a logical design approach as it will provide a secure private area for residents to use. There are also smaller soft landscaping pockets shown in front of the building to soften the spaces adjacent to road boundaries and create a front garden setting. The development will be contained by a new boundary wall (brick/railing) to the front elevations.

Overall, it is considered that the proposed layout responds well to the character of the site and respects surrounding streets in accordance with the relevant policies.

Proposed Scale

Large detached two and three storey stone built properties already exist in this part of Handsworth Road and they form part of the Area's Special Character designation. The new building responds to this character by proposing three storeys at the prominent Handsworth Road end of the site, stepping down to two storeys to reflect the suburban scale of the adjacent two storey dwellings on Medlock Drive. It is considered that this scale is satisfactory as it reinforces the corner position of the site and responds to the hierarchy of adjacent streets and the scale of the buildings that surround it.

Proposed Design

The proposed building has a traditional architectural style to ensure that it sits comfortably within the surrounding context. Whilst a contemporary design could have been considered at this location, there is no objection to the traditional approach given the quality of the designs proposed.

Good design is achieved through the hierarchy of building heights and strong, repetitive detailing, setbacks and projections (including recessed balconies). The generously sized windows are a particularly positive element of the design, improving the visual appearance and most likely the internal qualities of the development.

The building's main material palette will be natural sandstone, brick and natural slate. These are acceptable and compatible with the materials already used in the area. Appropriately, stone is intended to be heavily used for the part of the building that is adjacent to Handsworth Road, whilst brick will be used for the Medlock Drive frontage and internal elevations. Other materials within the palette include uPVC

windows, wrought iron railings and stone heads/cills, which are also considered to be appropriate on this site.

Overall, it is considered that the proposed design is an acceptable aspect of the development, responding well to the character of the site and respecting surrounding streets and the Area's special characteristics. It is therefore concluded that the proposals comply with policies BE5, BE15, BE18 and CS 74. Conditions are recommended to ensure that the details achieve the high qualities expected.

Density Issues

This site is previously developed and therefore the new housing proposed will contribute towards meeting the aim of Core Strategy policy CS 24 (Maximising the Use of Previously Developed Land for New Housing). Core Strategy policy CS 26 (Efficient Use of Housing Land and Accessibility) sets out appropriate density ranges for new homes depending on location and accessibility. This site is near to a high frequency public transport route and therefore the appropriate range is 40 - 60 dwellings per hectare. The proposal for 27 apartments on this site (of 0.19 hectares) represents a density of around 141 dwellings per hectare, which is considerably above the listed range.

However, exceptions to CS 26 can be made where the proposal represents good design, reflects the character of an area or protects a sensitive area. Firstly, it should be recognised that this is an apartment development and as a consequence the density will always be higher than a scheme comprising of individual houses. Secondly, and for the reasons discussed above, it is considered that this new housing development is well designed and will enhance the appearance and character of the site. On this basis, it is considered that the high density proposed does not represent over development and should not be resisted given the exceptions allowed in Policy CS 26.

It is therefore concluded that the proposals are consistent with the aims of Policies CS 24 and CS 26.

Highway Issues

UDP Policy H14 (Conditions on Development in Housing Areas) expects new development to provide safe access to the highway network, appropriate levels of off-street parking and to not endanger pedestrians.

Core Strategy Policy CS 23 (Locations for New Housing) states that new development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure.

Core Strategy Policy CS 53 (Management of Demand for Travel) (b) encourages the promotion of good quality public transport and routes for walking and cycling to broaden the choice of modes of travel.

There have been objections received in relation to traffic and parking impacts, with local residents concerned that the extra traffic generated will have a significant negative impact on Handsworth Road, Medlock Drive and the wider area. There is also concern that the loss of the Holme Lea would lead to a shortage of parking spaces for the community (including the adjacent nursery who are allowed to use the car park). However this is not a planning issue, it is a private agreement that could be withdrawn by the owner/operator of the site at any point.

To clarify, the Holme Lea currently has car parking facilities positioned at the rear, accessed via Handsworth Road, and the application indicates that there is capacity for at least 20 cars.

This application proposal includes 29 car parking spaces in a basement area (including 2 disabled spaces), which equates to 1.07 spaces per flat. The amended car parking layout includes no visitor spaces because these have been removed in order to increase the number of resident spaces. The removal of visitor spaces is not objected to because, in reality, it is not practical for visitors to use the basement spaces from a convenience and security/access point of view.

The new arrangement also includes the provision of tandem spaces, which will be allocated to some of the two bedroom units. As a result of this, there is now car parking for 23 flats rather than all 27. However, changes to the layout of the car park were necessary in order provide easy access to all of the spaces within the basement.

The inability to provide parking for all 27 units is considered to be acceptable because of the nature of the Council's car parking standards (which are maximum rather than minimum guidelines). Furthermore the sustainable location of the site has also been taken into account, which is only a short walk from the local amenities and bus stops on Handsworth Road. There are 7 bus services which stop at the closest stops and provide access to the City Centre as well as to outlying areas including Crystal Peaks, Woodhouse, Hillsborough, Wisewood, Rotherham and Dinnington.

Given the scale of development proposed, and because the site access has moved from Handsworth Road to a new entrance on Medlock Drive, it is likely that a small increase in traffic around this part of site will occur. However, it is reasonable to expect traffic movements to be spread throughout the day and be more irregular than the existing use, with small peaks during rush hours, rather than the concentration of movements that currently take place when functions / events are being held at the Holme Lea. It is therefore considered that the impact of the development on the local highway networks (including surrounding roads and junctions) will not be so negative as to warrant the refusal of the application. Furthermore, the amount of traffic being generated by the scale of development does not raise any significant concerns and the position of the access is considered to be acceptable in terms of distance from the junction with Handsworth Road (approximately 30m) and the adjacent dwelling (approximately 16m) as well as pedestrian intervisibility at the entrance point onto Medlock Drive.

The proposal provides areas for secure cycle parking in the rear amenity area and at basement level, which is welcomed. The quantity proposed will ensure that there is parking for residents as well as any visitors. Final design details of the shelter and the quantity of spaces will be secured by condition.

South Yorkshire Passenger Transport (SYPT) has been consulted and recognises the sustainable location of the site, thus they raised no concerns about the application.

However, a number of conditions have been requested that relate to highway matters and are intended to ensure that the development is constructed and operated in an acceptable manner.

In light of the above, and subject to conditions, it is considered that the proposal complies with the relevant aspirations of the UDP and Core Strategy policies identified.

Amenity Issues

UDP policies H5 (Flats, Bed-Sitters and Shared Housing), H14 (Conditions on Development in Housing Areas), and H15 (Design of New Housing Developments) encourage residential development that provide high quality conditions and environments for existing and new residents.

- Amenity Impact for Existing Residents

Proposed Demolition and Construction Works

The proposed works will generate HGVs and traffic movement as well as dust migration and noise. The works will take place with sensitive uses in close proximity and there is potential for disamenity during the development phase. A planning application cannot be refused on such concerns but it is necessary to ensure that mitigation is adequately addressed.

A Construction Method Statement has been submitted with the application and is considered to be acceptable in principle. Dust mitigation is appropriately addressed and the hours of construction (8am to 5pm Monday to Friday and 8am to 1pm Saturday) are acceptable. The proposed hours of site deliveries lacks clarity and, therefore, it is recommended that they mirror the operating hours.

Privacy Issues

The relationship between the proposed apartments and the existing surrounding properties is considered to be acceptable. Privacy distances in excess of 30m are achieved between the side boundary of the closest properties rear garden (No.15 Medlock Drive) and the apartment rooms in the section of the building which faces north and directly towards this shared boundary. Normally, a main elevation to side 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. The distance achieved is

consistent with this general advice and, therefore, the overlooking relationship is concluded to be acceptable.

Following comments raised by the occupier of No.15 Medlock Drive, the applicant has agreed to substitute the original timber wall for a brick wall along the shared boundary and final details will be secured by condition.

Overshadowing and Overdominance Issues

Owing to the layout of the proposed development and position of existing dwellings – including the good separation distances described above and the scale of the proposals (which reduce from three to two storeys) – it is considered that there will be no detrimental overshadowing and overdominance issues caused to neighbouring properties by this development.

The proposed development will be visible from properties close to the site. Whilst this change could be considered to be an enhancement, a change in view is not a material planning consideration.

Noise and Disturbance Issues

The proposed development will not cause a significant nuisance or disturbance to existing residents. The proposed residential use is more compatible than the existing use of the site.

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

- Amenity of Future Residents

Outlook

All habitable rooms within the development have clear openings overlooking either adjacent roads or the amenity space at the rear. It is considered that internal living environments will be well lit and will enjoy a good outlook.

Privacy

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

Outdoor Amenity Space

The development includes a variety of outdoor private amenity spaces, which is welcomed. There is also a communal landscaped rear garden area which measures approximately 300 square metres. In addition, 5 of the ground floor apartments will also have small outdoor patio spaces, and some of the upper level apartments have balconies.

Direct pedestrian access to the surrounding streets is proposed on both boundaries of the site to give residents and visitors alternative access points into the site and help enliven the site frontages.

Noise and Disturbance

The site is located within an existing residential area but the supporting noise impact assessment indicates that the surrounding ambient noise climate is dominated by road traffic. All other noise sources (including from the garage to the west) were negligible during the course of the survey. The assessment concludes that a scheme of sound attenuation will be able to achieve good internal noise levels and these will 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.

Sustainability Issues

Core Strategy Policy CS 64 (Climate Change, Resources and Sustainable Design of Developments) and Policy CS 65 (Renewable Energy and Carbon Reduction) require all new buildings to be energy efficient and use resources sustainably, including the provision of 10% of their energy needs from decentralised and renewable or low carbon energy.

Given the scale of the development, it is expected that the proposed development achieves 10% of its overall energy needs from renewable energy sources and this will be secured by condition.

Ecology Issues

UDP Policy GE11 (Nature Conservation and Development) aims to protect and enhance the natural environment, and potentially harmful effects on natural features should be reduced.

The Phase 1 Habitat Survey identifies that existing habitats on the site are not protected or of notable ecological value. It is also identified that there are no issues in relation to protected species (i.e. badger, amphibians, reptiles, and breeding birds). With regard to the impact upon bats, the Survey found that the buildings have low potential for supporting bats and that bat activity was very low. However, in accordance with the Survey, which states that demolition should be completed within one calendar year of its recommendations (May 2015), it is considered necessary to secure a further survey of the buildings prior to any demolition works occurring in order to re-confirm that no bat roosts are present.

Therefore, it is concluded that the proposal will not have a negative impact on the natural environment and is acceptable in terms of Policy GE11, subject to conditions.

Drainage Issues

Core Strategy Policy CS 67 (Flood Risk Management) (a) expects all developments to significantly limit surface water run-off and (b) requires the use of Sustainable Drainage Systems (SuDS) or sustainable drainage techniques on all sites where feasible and practicable.

The SuDS information and the wider drainage details provided are minimal. However, the site is presently developed and, therefore, it is likely to currently drain at a brownfield run-off rate. The existing drainage arrangement will have to be proven through a detailed survey (including existing peak flows into existing discharge outlets) ahead of any demolition works occurring on site. Once this is known, and in order to achieve the expectations of Policy CS 67, it is recommended that full details/design calculations of the proposed surface water drainage system are submitted, including demonstration that the surface water run-off rate will be reduced by at least 30%. It is normal for this information to be secured by condition and, subject to this occurring, it is concluded that proposal will not have a detrimental impact on flood risk management in the locality, in accordance with Policy CS 67.

Affordable Housing Issues

The application site is within the South East Affordable Housing Area. In accordance with the Core Strategy Policy CS 40 (Affordable Housing) and the Affordable Housing Interim Planning Guidance (2014), a contribution towards affordable housing is expected (equivalent to 10% of the units on the site being transferred at the Transfer Price).

The applicant has agreed to provide a financial contribution of £130,325 towards the provision of affordable housing in the South East Affordable Housing Area. This is considered to be equivalent to 10% of the units' value and is an appropriate level of contribution. Therefore, subject to the completion of a Section 106 legal agreement, the application is compliant with relevant policy and guidance.

Community Infrastructure Levy (CIL)

The site is within Charging Zone 3 therefore the charge that is levied upon this application equates to £30 per square metre.

With reference to the representations received about CIL, the money from this development will be pooled to help the city's strategic infrastructure needs, as set out on the Regulation 123 List. For example, they may go towards open space and education provision.

CIL monies are not spent on site specific highway improvements. If works are required to make the development acceptable in planning and highways terms, they are secured via a Section 278 Highway Agreement. In this case, such improvements are not considered necessary from a highway point of view.

Refuse Storage

The position of bin storage facility at the rear is welcomed as it will be hidden from public areas of the development. The bin and cycle stores will be constructed from timber and have a green roof, the final details of which will be secured by condition. A refuse collection point is proposed on Medlock Road, at the furthest point from the junction with Handsworth Road, for use on collection days. A refuse strategy will be conditioned in order to ensure the satisfactory management of this space.

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. Given the size and nature of the proposal it is considered that there are opportunities to integrate public art within the scheme. This will be secured by condition.

Air Quality Issues

Core Strategy Policy CS 66 (Air Quality) seeks to protect air quality and promotes further action to improve it across built-up areas and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

The proposed development does not trigger the requirement for an Air Quality Assessment given the amount of vehicle movements anticipated in any hour (which is unlikely to exceed 60+) and the existing authorised use of the site, which already has the potential to generate a similar volume of traffic. Therefore, it is concluded that the proposed development will not be contrary to Policy CS 66 and will not cause additional harm to air quality or subject sensitive uses to harmful air quality.

SUMMARY OF REPRESENTATIONS

1. Loss of the Holme Lea Club and Impact on Handsworth

The main objections received have been addressed in the report.

With regard to decision made on other applications (i.e. the Shiregreen WMC application - 08/02770/FUL), it is the case that each site must be assessed on its individual merits and these decisions do not set a precedent for the subject application.

2. Traffic and Parking Concerns

The main objections received have been addressed in the report.

The cost of the parking spaces at the point of sale is not a material planning consideration.

The car parking obstructions caused by Domino's Pizza is a Police matter.

3. New Homes

The main objections received have been addressed in the report.

4. Amenity Concerns

The main objections received have been addressed in the report.

5. Advertisement and Notification Concerns

The application has been advertised by neighbour notification letter, site notices and press advertisement in accordance with the Council's Statement of Community Involvement.

6. Coal Mining Concerns

The site is not within a Coal Mining High Risk Area and therefore it is not necessary for a Coal Mining Risk Assessment to be submitted with the application.

7. CIL

The question raised has been addressed in the report.

SUMMARY AND RECOMMENDATION

The proposed development will provide 27 new apartments in Handsworth. It is known that the loss of the existing building is a significant concern and objected to by local people and customers but, for the reasons set out in this report, it is considered that the Club's closure and the subsequent loss of the facilities it provides is not a sufficient reason to justify the refusal of this application.

The current proposals are considered to have an acceptable architectural style that will enhance the appearance of the site and the Area of Special Character in which it is located. Furthermore, it is expected that the development will enhance the mix and amount of housing in this designated Housing Area, which will aid the city-wide shortage.

The site overall is expected to achieve 10% of its energy needs from renewable energy as well as a reduction in surface water run-off by 30%. It is considered that it will not have a detrimental impact on the setting of the existing neighbourhood and the amenity implications for existing/future residents will be acceptable owing to the design of the scheme.

There are considered to be no significant highway implications generated by the proposal to justify the refusal of this application. The car parking levels proposed are acceptable and there are sufficient cycle parking facilities. Furthermore, the site is considered to be in a sustainable location given the high frequency bus route running immediately adjacent to the site on Handsworth Road.

In terms of landscaping, the proposals can only enhance the existing environment given that the site is currently void of any attractive planting. The requirement to provide public art as part of the development will further enhance the public appearance and interest of the development.

Overall it is concluded that the development will make a positive contribution to the site and the surrounding area.

Members are therefore recommended to grant planning permission subject to the proposed conditions and to the completion of the approved Planning Agreement under Section 106 with the following Heads of Terms identified below.

Heads of Terms

1. The Owners shall pay the Council [on or before the commencement of Development] the sum of £ £130,325 to be used by the Council towards the financing of new Affordable Housing (as defined by reference to the National Planning Policy Framework) by new building or the purchase, refurbishment or conversion of existing private housing within Sheffield.

Case Number	16/00388/FUL (Formerly PP-04795948)
Application Type	Full Planning Application
Proposal	Erection of three dwellings and detached garage building as amended 11.7.16, 5.9.16 and 30.9.16
Location	Land At Junction With Broomfield Court Broomfield Road Stocksbridge Sheffield S36 2AR
Date Received	01/02/2016
Team	West and North
Applicant/Agent	Mr Jeff Sowerby
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:

Red-lined Location Plan received on 1.2.16;
Drawing no. BRO 04 Rev F Site Layout received on 30.9.16;
Drawing no. BRO 05 Rev C Elevations received on 1.2.16;
Drawing no. BRO 06 Rev A Cross Section received on 11.7.16;

Reason: In order to define the permission.

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

3. Before development commences, details of the means of foul and surface water discharge from the site shall have been submitted to and approved in writing by the

Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory drainage arrangements

4. No development shall commence until a mines gas risk assessment has been undertaken and a desktop study report has 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.

5. Any intrusive investigation recommended in the Mines Gas Risk Assessment Desktop Study 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.

6. 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.

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

Highway Improvements:

(i) provision of replacement one-way signage; (ii) provision of concealed entrance signage.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

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

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

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

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

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

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

11. 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.

12. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

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

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

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

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

15. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

16. 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 shall not be brought into 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 Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

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

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

18. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

19. The dwellings shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the dwellings commencing, and shall thereafter be retained.

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

Other Compliance Conditions

20. No piped discharge of surface water from the application site shall take place until surface water drainage works including off-site works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage arrangements.

21. The development shall be carried out in accordance with the recommendations contained in Section 5 paragraphs 5.1 to 5.3.4 of the Bat Survey dated 5.9.16 (Ref No. 160861) prepared by Whitcher Wildlife Ltd unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ecology and biodiversity.

22. 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.

23. 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. 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

2. 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:-

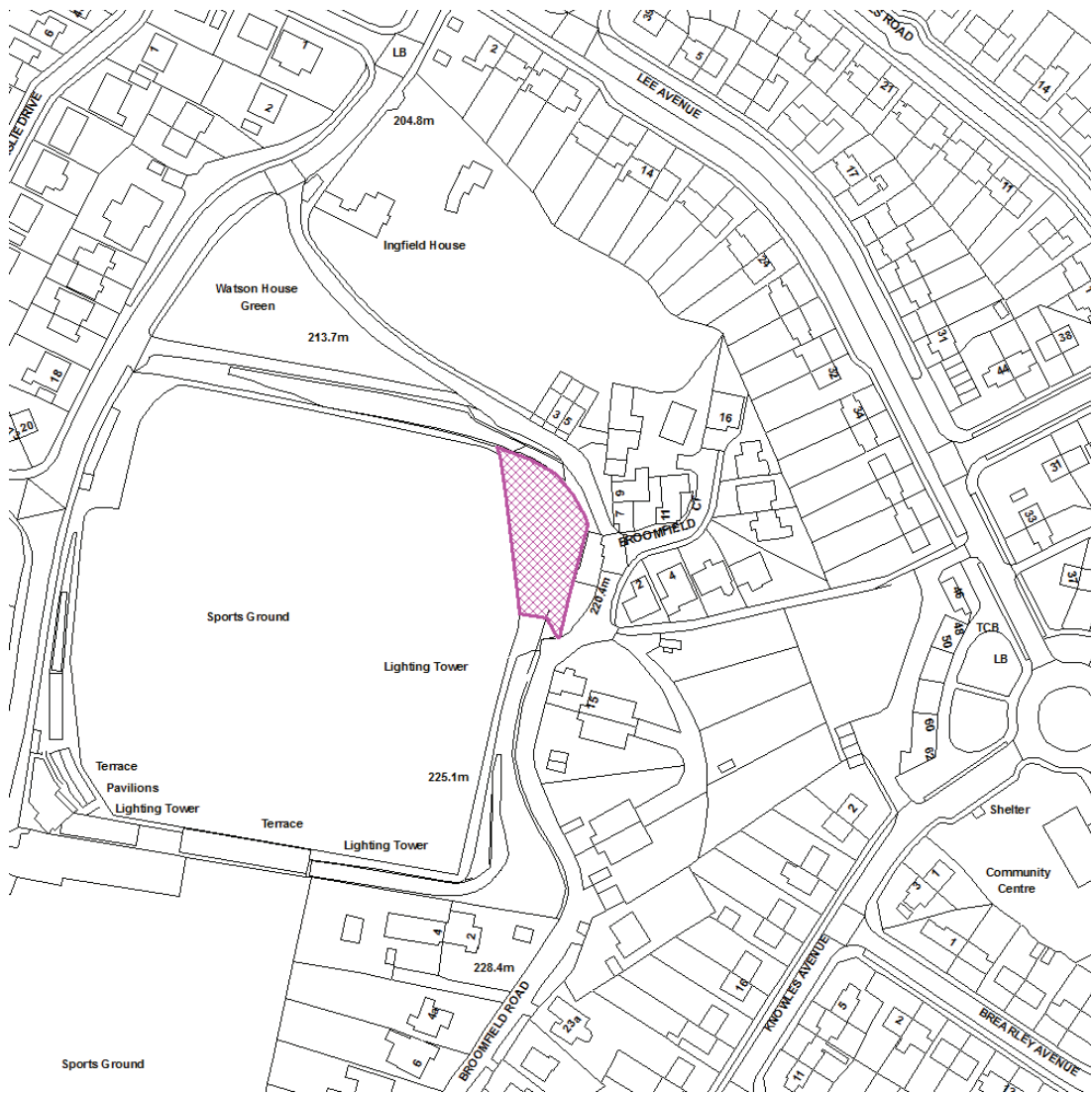
Sheffield City Council
Town Hall
Penistone Street
Sheffield
S1 2HH

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.

3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
4. 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.
5. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

Site Location



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LOCATION

The site lies on the western side of Broomfield Road opposite its junction with Broomfield Court in Stocksbridge. The surrounding area to the north, east and southeast is predominantly residential. There are sports grounds to the west and southwest of the site.

The site is generally semi-circular in shape with a curved frontage to Broomfield Road. There are two adjoining buildings on part of the frontage. The southernmost of these adjoining buildings is a single-storey ridged roofed garage building which is within the application site. The northernmost of the two buildings is a single-storey flat roof garage and car port which is outside the application site.

The application site also includes an area of overgrown land alongside and to the rear of these buildings which is part of the adjacent sports ground.

Whilst the site is generally level, Broomfield Road slopes down to the north resulting in the northern part of the site being higher than the adjacent road level with semi-mature trees on this part of the frontage.

PROPOSAL

The application has been amended since its original submission to revise the footpath layout within the site and to submit a bat survey report.

The proposal involves demolition of the existing single-storey ridged roof garage and seeks full planning permission for the erection of three three-bedroomed dwellings and a detached garage building that would accommodate 3 cars. An additional three surface car parking spaces are proposed.

The replacement garage building would be sited in a similar position to the existing garage building that is to be demolished but with the garage doors facing into the site and accessed via a shared surface drive off Broomfield Road on the southeast part of the site's frontage.

Two of the proposed dwellings would be sited on the northern part of the site with their rear gardens facing towards Broomfield Road. The third dwelling would be sited on the western part of the site.

The proposed buildings would be faced in stone with grey roof tiles.

RELEVANT PLANNING HISTORY

In 2015 outline planning permission was granted for the erection of one detached and two semi-detached dwellinghouses plus the conversion and extension of the existing building to form a fourth dwellinghouse. The 4 dwellings would be accessed via a single vehicle access off Broomfield Road on the southeast part of the site's frontage (application no. 14/01392/OUT refers).

SUMMARY OF REPRESENTATIONS

The application was publicised by letters to neighbouring properties.

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

- extra traffic will add to overused and busy road for its size, at most times the junction of Broomfield Court and Broomfield Road is congested with parked cars;
- access unsafe, concerns about traffic from the new development pulling onto Broomfield Road, limited view looking up Broomfield Road approximately 20m however guidelines state 60m for traffic in a 30 mph zone, limited visibility in the opposite direction;
- lack of pavements on road used by pupils going to and from High School;
- compromise privacy;
- location of gardens will introduce noise and light pollution to nos. 1,2 and 3;
- unresolved drainage issue with water gathering on road, existing drain not fit for purpose, additional soakaway may exacerbate this problem;
- the plot takes up an existing recreation area used for junior football, Sport England should be informed, no statement where the replacement of this recreational space will be;
- land is not fit for purpose as indicated by the Coal Authority, will compromise disturbance of residents, concern that any building work carried out may cause movement to existing residences near to the site;
- result in owners disposing of waste materials over fence;
- who is responsible for maintenance of the boundary wall as it is deteriorating, there is a problem with some trees pushing parts of the stone wall out, who is responsible for the wall and trees;
- improved signs and reduced speed limit are required to protect all road users;
- a road from Bocking Hill would be much safer;
- there has not been a public notice displayed.

PLANNING ASSESSMENT

Policy Issues

This site benefits from an extant outline planning permission for residential development.

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP).

The Pre-Submissions version of the Draft City Policies and Sites (CPS) Document and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State.

The UDP identifies the site as being mainly within an Open Space Area with the existing buildings on the site frontage being within a Housing Area.

The Draft CPS Proposals Map identifies the whole of the site as being within an Open Space area.

UDP Policy LR5 relating to development in Open Space Areas states that development will not be permitted where it would, amongst other things:

- cause damage to nature conservation sites or result in a significant loss of mature trees;
- harm open space which forms the setting for a Listed Building or other historic buildings;
- result in over-development or harm the character of an area;
- harm the rural character of a wedge of open countryside; or
- the proposed use would be incompatible with surrounding land uses.

Similarly, Core Strategy Policy CS47 relating to safeguarding Open Space seeks to safeguard open space to ensure that there is sufficient quantity to meet the needs of local people. It states that, the development of open space will not be permitted where:

- it would result in a quantitative shortage in informal or formal open space in the area;
- it would result in the loss of open space that is of heritage, landscape or ecological value;
- local people would be denied access to a park or small area of well used open space.

Where development results in the loss of open space, Policy CS47 generally requires replacement space to be provided in the local area.

An assessment of the levels of open space within the vicinity of the application site undertaken for the 2014 planning application found that, overall, there is sufficient provision of open space within the local area (a total of 4.62ha/1000). This assessment remains valid for this current application. The application site is designated for 'Outdoor Sport', of which there is also a sufficient quantity, and the assessment concluded that there would still be sufficient quantity if the application site were to be lost. Moreover, the land in question, though designed for outdoor sports, does not function as part of the playing field area, and is largely peripheral scrub land.

Core Strategy Policy CS47 permits the development of Open Space where the site is identified as surplus to requirements and cannot fulfil another unsatisfied open space need. The unmet needs for open space in the locality are for 'Parks and Gardens' and 'Natural and Semi-natural Greenspace'. It is considered unlikely that the application site would be suitable to fulfil either of these needs, largely due to its small size and location of the edge of a playing field. It can therefore be deemed fully surplus to open space needs, and development of the site is considered to be acceptable.

The proposal would not result in the loss of a sports pitch.

Regarding the buildings on the site frontage, these are within a Housing Area where housing is the preferred use in principle subject to satisfactory details.

It is considered that there are no policy objections in principle to the development of this application site for residential purposes.

Highway and Transportation Issues

UDP Policy H14 relates to conditions on development in Housing Areas including matters of highway safety.

Broomfield Road is a narrow lane with a series of bends and is a one-way road between its junction with Broomfield Lane and Bocking Hill with the direction of traffic flow being from south to north.

There is a pavement for a short length on the eastern side of Broomfield Road opposite the application site which continues into Broomfield Court, and a longer length of pavement again on the eastern side running north from nos. 1, 3 and 5 Broomfield Road down to Bocking Hill. The remainder of Broomfield Road has no segregated pavements.

Opposite the application site is the entrance to a public footpath that runs between Broomfield Road and Lee Avenue.

Whilst visibility from the junction is less than required, this is mitigated to an extent by the road being one-way. As only three dwellinghouses are proposed, the number of additional vehicle movements is expected to be relatively low.

The proposal would provide an acceptable level of off-street car parking provision to serve the proposed development.

As traffic along Broomfield Road can only travel one way, and the additional volume of traffic will be relatively low, it is considered that the proposed development, and access arrangements, are unlikely to impact upon highway or pedestrian safety.

Conditions are recommended to secure the replacement of a one-way sign (currently fixed to the building that is to be demolished) and provision of an advance warning sign.

There are no highway objections to this proposal subject to appropriate conditions. The proposal complies with UDP Policy H14(d).

Effect on the Amenities of Residents and the Locality

UDP Policy H14 relating to conditions on development in Housing Areas also includes matters of design and amenity. UDP Policy BE5 seeks good design in new developments and Core Strategy Policy CS74 relating to design principles also expects high quality development respecting distinctive features and heritage including townscape and landscape character.

There are residential properties opposite the site off Broomfield Road and Broomfield Court. The house at no. 2 Broomfield Court is single-storey, whilst the houses at nos. 1 to 11 (odd) Broomfield Road are two-storey.

The proposed single-storey dwelling alongside Broomfield Road (Unit 2) would have two obscure glazed windows on its southeast elevation facing towards Broomfield Road with a separation distance of at least 9.9 metres between it and the houses at nos. 7 and 9 Broomfield Road. There would also be a separation distance of approximately 22.5 metres between the rear elevation of Unit 2 and nos. 1, 3 and 5 Broomfield Road. Whilst the proposed dwelling would be sited on land approximately 2 metres above the road level it is considered that these separation distances would ensure that there would be no significant overlooking, overbearing or overshadowing of these or other nearby residential properties. The proposed arrangement of residential gardens is acceptable and would not cause undue noise or other disturbance to existing residents.

The existing residential properties on Broomfield Road together with the stone boundary walls contribute to the character of the locality. The barn at no. 17 Broomfield Court which lies alongside Broomfield Road to the northeast of the application site is a grade 2 listed building.

The existing ridged roof garage on the site also contributes to the group character of buildings in the area. The proposal seeks to demolish this building and replace it with a new ridged roof building on a similar footprint.

An appropriate bat survey has been submitted with this application. The survey concludes that the works have been assessed as having no potential impact on permanently roosting bats within the building and has a potential impact on temporary roosting bats which can be reduced by mitigation measures during building works.

The replacement building would maintain the enclosed character of the street and would be faced in stone to retain the character of the streetscene.

The layout and design of the proposed buildings is acceptable and would complement the character of the locality.

It is considered that the proposal would not harm the setting of the listed building or the appearance of the streetscene.

Conditions are recommended to secure the quality of external materials, appropriate landscaping/boundary treatments and ecological mitigation measures.

The proposal complies with UDP Policies BE5 and H14, and Core Strategy Policy CS74.

Ground Conditions

A condition is recommended to secure appropriate drainage arrangements.

The site lies within a Development High Risk Area as defined by the Coal Authority. The applicant has submitted a Coal Mining Risk Assessment with this application.

Following the applicant's submission of a Coal Mining Risk Assessment report the Coal Authority have advised that they do not object to the proposed development and have commented that there is a suitable ratio of rock cover to seam thickness such that the ground instability risk is low.

The Council's Environmental Protection Service has recommended that conditions are imposed to secure site investigation works and any necessary remediation works prior to commencement of development.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is applicable to this development. The site lies within CIL Zone 3 where the contribution is £30 per sq m. The funds generated through CIL will be used in connection with strategic infrastructure needs.

SUMMARY

Though the application site lies within an area designated mainly as Open Space, its redevelopment is considered to be acceptable as the site is deemed fully surplus to local open space needs.

As traffic along Broomfield Road can only travel one way, and the additional volume of traffic will be relatively low, it is considered that the proposed development, and access arrangements, are unlikely to impact upon highway or pedestrian safety.

There would be no significant overlooking, overbearing or overshadowing of these or other nearby residential properties. The proposed arrangement of residential gardens is acceptable and would not cause undue noise or other disturbance to exiting residents.

The replacement building would maintain the enclosed character of the street and would be faced in stone to retain the character of the streetscene. The layout and design of the proposed buildings is acceptable and would complement the character of the locality. It is considered that the proposal would not harm the setting of the listed building or the appearance of the streetscene.

RECOMMENDATION

It is recommended that planning permission is granted subject to conditions.

Case Number	15/04308/FUL (Formerly PP-04656408)
Application Type	Full Planning Application
Proposal	Erection of dwellinghouse
Location	Land Adjoining 21 Leyburn Road Sheffield S8 0XA
Date Received	26/11/2015
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Refuse

For the following reason(s):

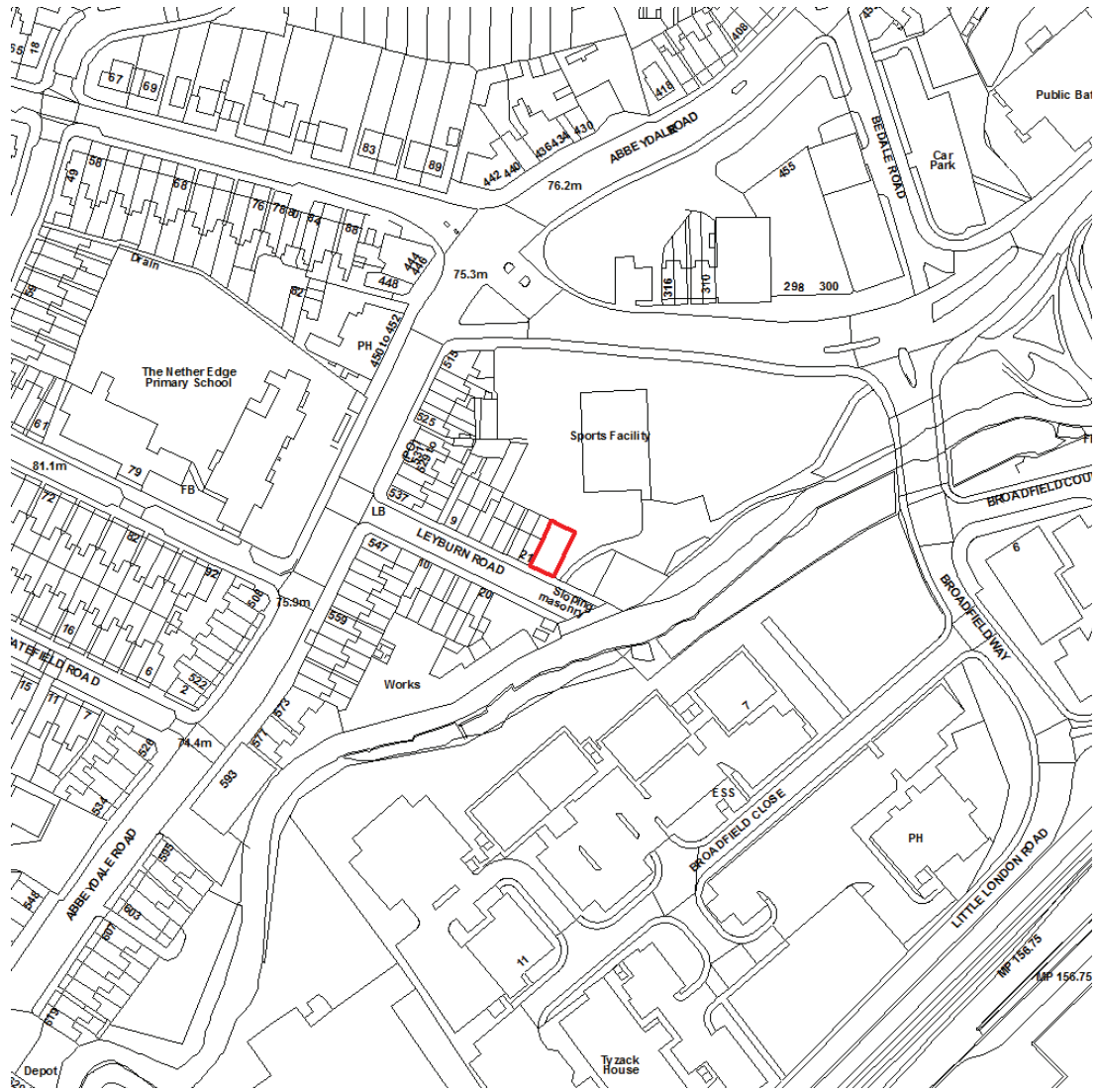
- 1 The Local Planning Authority consider that owing to the location of the site within an area of Medium probability of flooding (Flood Zone 2), and the inability of the proposed development to pass the Flood Risk Sequential Test to site selection, the proposed development represents a risk to occupants of the proposed dwelling and is contrary to guidance set out in Planning Practice Guidance Flood Risk and Coastal Change (March 2014) and Paragraph 101 of the National Planning Policy Framework.

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:

-08-0614-SK1.1C
-08-0614-SK1.2C
2. Despite the Local Planning Authority trying to negotiate in a positive and proactive manner during the life of the application the proposal has shown insufficient regard for policy requirement(s), so it has not been possible to reach an agreed solution.

Site Location



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Members will recall that the application was previously deferred from the Committee meeting dated 19 July 2016. The deferral was to allow further discussion between officers and the applicant to establish if a solution could be found given the level of flood risk affecting the site, and for more detailed information on the flood risk sequential test to be provided.

LOCATION AND PROPOSAL

The application site is located to the north of Leyburn Road. The street is characterised by two terraces of dwellinghouses, as well as a small industrial estate with converted units accessed at the end of the street on its southern side. The Broadfield Road Park is accessed via a pathway adjacent to the site.

The application seeks planning permission for a 4 bedroom dwelling, attached to the end of the existing terrace.

RELEVANT PLANNING HISTORY

An application was refused in 2010 (ref. 08/05223/FUL) for a dwellinghouse. It concluded that the scheme would have failed to pass the Flood Risk Sequential Test, it didn't meet the guidance given in the Flood Risk Planning Policy Statement, and it failed to comply with Policy CS67 of the Core Strategy.

A later application (ref.14/03920/FUL), also for a single dwellinghouse was refused in January 2015. This was again due to the site's inability to pass a Flood Risk Sequential Test, which resulted in the proposal being considered contrary to guidance set out in the Planning Practice Guidance on Flood Risk and Coastal Change.

The site had been re-designated from Flood Zone 3 (High Risk) to Zone 2 (Medium Risk) by this stage, and as a result the scheme did not fail to meet Policy CS67's requirements.

SUMMARY OF REPRESENTATIONS

After neighbour notification, no written representations have been received.

PLANNING ASSESSMENT

The Unitary Development Plan identifies the site as an Open Space Area.

The Strategic Flood Risk Assessment designates the site as being within Flood Zone 2 (Medium probability).

Main Issues

The main issues in this case are:

- 1) Whether the use of land designated Open Space is acceptable.

- 2) Whether the proposal would comply with national planning policy which seeks to steer development away from areas at medium and high risk of flooding.
- 3) Whether the proposal has an acceptable impact upon the street scene and
- 4) Whether the proposal has an acceptable impact upon neighbours' living conditions. Also of some relevance are the proposal's potential implications on highway safety.

Open Space

The site is located within land designated Open Space. However, the site is a privately owned, hard-surfaced area which doesn't provide any recreational value. On this basis, any development of the site wouldn't result in a loss of recreation space. Therefore, compensatory replacement in the site's vicinity wouldn't be required. Additionally, the site doesn't form an informal open space area, as it hasn't been open to public access, and isn't a setting for built development.

As a result the proposal isn't considered to conflict with recreation opportunities in the vicinity of the site, and therefore the proposal doesn't conflict with UDP policies LR5 and LR7 or CS47 of the Core Strategy.

Flood Risk

The site lies within Flood Zone 2 on the Environment Agency's flood risk maps and the Council's Strategic Flood Risk Assessment. The Zone 2 designation means that the site is determined as being at Medium Risk of flooding. This equates to land having between a 1 in 100 and 1 in 1,000 annual probability of flooding. For reference the site did not flood from the River Sheaf in the 2007 flood events.

Paragraphs 100 to 103 of the National Planning Policy Framework sets out the national policy approach for the consideration of development in areas of flood risk. The overall aim is to steer new development to the areas with the lowest probability of flooding, namely Flood Zone 1, by applying the Sequential Test to site selection. The 'Sequential Test' is a procedure where Applicants are required to review all reasonably available sites in low risk, Flood Zone 1 locations. Only where there are no reasonably available sites in Flood Zone 1, should Local Planning Authorities begin to consider reasonably available sites in Flood Zone 2 locations.

The Applicant's 'non-ownership' of any Zone 1 sites does not exempt them from inclusion as part of the Sequential Test process. Instead they would still need to be reviewed, and an explanation given as to why they were unsuitable for the proposed development. Where other similar sites would be available in low flood risk zones, it is instructed in paragraph 101 of the NPPF, that proposals should be resisted.

The current proposal is for a single dwellinghouse, and with this in mind the Applicant's Statement submitted with the application noted that the proposal would fail to meet the requirements of the Sequential Test, as there are alternative housing sites for a single dwelling across the City lying outside of the medium or high risk flood zones that would potentially be available.

The Statement argues there are significant benefits to the scheme, which outweigh the failing of the Sequential Test. The Statement makes the case that there are a number of material factors which need to be taken into consideration when assessing and determining the application, which they argue would outweigh the failing of the Sequential Test. The following points are made by the applicant:

- The site is in a sustainable urban location in close proximity to bus services and within walking distance of shops, essential services, recreation space and employment.
- The re-use of a vacant brownfield site, in-turn removing unsightly fly-tipping and use as an informal car park.
- Contribution to housing delivery.
- Enhancement of site's visual and environmental quality.
- Provision of a low carbon dwelling using renewable energy.
- Increase to flood capacity on the site, by incorporation of a water tank within the rear garden area of the proposed dwelling.
- Satisfaction of the Exceptions Test, which outweigh the flood risk implications of using the site.

These are considered in detail below.

It is acknowledged that the site is sustainably located, and that it would re-use a vacant brownfield site eliminating fly-tipping and use an informal car park. Core Strategy Policy CS24 requires no more than 12% of dwelling completions to be on greenfield sites. From 2004/5 to 2014/15 5.3% of dwelling completions have been on greenfield land, previously developed land, meaning that CS24's requirements are being comfortably satisfied.

Whilst it is acknowledged that the Council cannot currently demonstrate a 5 year housing land supply as required by the NPPF, it can demonstrate 4.7 years, not a substantial shortfall. A single additional dwelling would not represent a significant contribution to housing supply.

A single dwelling would be required to minimise water consumption, maximise water re-cycling, use sustainable materials, minimise waste and promote recycling under Core Strategy policy CS64. Additionally, it would also be required under the building regulations to reduce its overall predicted carbon dioxide emissions. As such, any new dwelling would have associated merits in sustainability terms, and the incorporation of solar panels would not represent a significant additional provision.

The suggested increase in flood capacity would be in the form of a tank of approximately 0.3m depth, covering approximately 75% of the rear garden. This would allow flood water to enter through the rear boundary wall, whereas currently this flow route wouldn't exist. This additional capacity wouldn't be considered to have a significant impact upon local flooding circumstances. Furthermore, the Environment Agency's flood model map shows that the parkland to the rear would not be susceptible to flooding, and therefore flood waters wouldn't access the flood

tank via the rear elevation. Notwithstanding this, the accesses for the flood tank could be relocated to the side perimeter, as the adjacent land is shown to experience flood waters.

Paragraph 102 of the NPPF states that the Exceptions Test is entered into after a Sequential Test concludes that it's not possible for development to be located in lower probability Flood Zones. Therefore, the submission of an Exceptions Test is not technically relevant in these circumstances.

The Environment Agency has not raised an objection to the current scheme due to the proposal's scale and the level of flood risk. They advise that the Local Planning Authority should be satisfied that the Sequential Test and where appropriate the Exceptions Test have been undertaken and passed, and if either of these tests is failed planning permission should be refused.

The Environment Agency map shows that in the event of a flood affecting the site, waters at the site and adjacent would be between 0mm and 280mm in depth. The proposed drawings show that the internal floor level at the site would be 100mm above the immediately adjacent level. As a result, the internal floor of the proposed dwellinghouse would be potentially vulnerable to water intrusion in the event of a flood.

As stated the level of flood waters adjacent to site would be between 0mm and 280mm. However, this level would increase to up to 680mm further along Leyburn Road towards Abbeydale Road. Flood waters up to 680mm in depth would be considered excessively deep to allow safe evacuation; given the presence of kerbs, and dislodged drainage grates and man-hole covers which would all be obscured during a flood event.

The map shows that some land within the adjacent park would not be flooded, and arguably these positions could be accessed via a gate in the site's rear boundary for example. However, these 'non-flood' locations would be relatively small island features in the open air and would not be considered a 'safe haven', as they would provide no cover from heavy rainfall.

It is therefore considered there wouldn't be a safe escape route to dry land during a flood event. On this basis, it is considered that the proposal would lead to unnecessary flood risks for the dwellings' potential occupants.

Notwithstanding these comments, it is understood that the site did not flood during the 2007 flood events. Additional to this, It's worth noting that following the 2008 application the site was re-designated from being in a Zone 3 (high risk) location, to being in a Zone 2 location. Therefore, the level of risk assigned to the site has been lowered since the 2007 flooding events.

In addition, the Applicant's Statement refers to previous planning permissions within Sheffield, where the Sequential Test wasn't met, but where other material considerations outweighed the flood risk concerns. The cases given were:

- a) Beeley Street (90 student bedrooms in 10 cluster apartments in a 6 storey block with Class A1/A3/A5 and B1 units on the ground floor), where it was concluded that the scheme resulted in significant benefits in terms of regeneration, and visual merits which would build confidence in the area acting as a catalyst for further investment and development. It was also agreed that there would be a contribution to housing supply, and that it would represent use of previously developed land. Weight was also given to the sustainable location of the development and inclusion of energy efficient measures; and
- b) Abbey Glen Laundry (29 apartments, 1 live/work unit, 2 offices and erection of 16 terraced houses). The Planning Officer in recommending approval referred to significant benefits to the scheme, including regeneration of a brownfield site as a benefit to the area.

Each of these schemes included significant benefits which outweighed the failure of the Sequential Test. Additionally, these other schemes included much larger developments where the regeneration benefits would be much greater than the current proposal. They were also highly visible, generating significant 'uplift impacts' within their respective localities including the delivery of a significant number of housing units.

The pre-existing uses had negative impacts in the locality. These advantages would not arise in relation to the current proposal. It is therefore considered that the proposal wouldn't demonstrate benefits to the same extent as the examples referred to, due to its smaller size and impact.

In light of the limited extent of the scheme's potential benefits, it is not considered that they outweigh the risks from flooding. It also is not able to be concluded that the proposed dwelling, or its occupants, would be entirely safe from flooding during a flood event. In addition, the Sequential Test has not been passed. It is therefore considered that the scheme would fail to meet the requirements of Paragraph 101 of the National Planning Policy Framework and the associated Planning Policy Guidance: Flood Risk and Coastal Change.

However, should Members be comfortable that the failing of the Sequential Test would be outweighed by the development's positive outcomes, and that the level of risk arising from the development would not be significant, consideration should be given to applying conditions to any approval requiring the agreement and implementation of flood resilience measures and flood evacuation procedures in order to best protect the dwelling and its residents during flood events.

Street Scene

The proposal seeks to add a dwellinghouse to the end of the existing terrace. It would be double fronted with a centrally located entrance door, using materials which would be required to match. The front elevation would be in keeping with

the existing terrace and, and would have an acceptable impact upon the street scene.

As a result the proposal would meet the requirements of UDP policy BE5, which requires developments to meet the forms and architectural style of surrounding buildings, and Core Strategy policy CS74 which states development should take advantage of the surrounding scale, layout, and built form.

Neighbours' Living Conditions

The proposal doesn't project beyond the rear elevation of the dwelling to which it would be attached. It would therefore avoid any overbearing impacts. The first floor windows would lead to overlooking onto the neighbouring garden. However, this wouldn't lead to any greater overlooking than occurs currently, and repeats a pattern common in the area. On this basis the proposal would avoid detrimental impacts upon privacy.

Therefore, the proposal would have an acceptable impact upon the amenities of neighbouring occupiers, and there is no conflict with policy H14.

Highways Issues

The proposed dwelling would lead to a small amount of on-street parking. However, the impact of this wouldn't be considered to lead to detrimental impacts upon the highway safety circumstances along the street and in the vicinity of the site.

As a result the proposal would have an acceptable impact in this regard, and meet the aims of policy H14.

SUMMARY AND RECOMMENDATION

The application seeks planning permission for a single dwellinghouse, at a site designated within Flood Risk Zone 2.

The proposal would not lead to a reduction in valuable open space, would have an acceptable impact upon the street scene, and also avoid any detrimental impact on neighbours' living conditions. An additional dwelling in this location would avoid a detrimental impact on local highway safety.

However the proposal would fail to meet the requirements of the Sequential Test, the benefits outlined by the Applicant are not considered sufficient to outweigh this fundamental failure and the following further assessment it cannot be concluded that the development or its potential occupants would be fully safe in the event of a flood.

Consequently, the proposal would fail to meet the requirements of Paragraph 101 of the National Planning Policy Framework and the relevant parts of the Planning Practice Guidance on Flood Risk and Coastal Change. For the reasons covered above, there is not considered to be a significant reason to alter the previous

recommendation of refusal. As a result, the recommendation for refusal is proposed as remains the same as previously put before the Committee Members in July.

Case Number	14/00318/FUL
Application Type	Full Planning Application
Proposal	Residential development comprising 413 dwellings with associated car parking accommodation, landscaping works, access roads, bridge, site infrastructure and open space (amended scheme)
Location	Land East Of The River Don And To The South West Of Station RoadDeepcarSheffieldS36 2SQ
Date Received	27/01/2014
Team	West and North
Applicant/Agent	Bloor Homes Midlands
Recommendation	Reserved Matters Approved 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:

30600_01 Rev G
30600_02 Rev G
30600_03 Rev E
30600_06 Rev B
30600_07 Rev C
30600_08 Rev B
30600_09
30600_10 Rev A
MI1090-PD-100 Rev B to 113 Rev B inclusive
MI1090-PD-114 Rev C
MI1090-PD-115 Rev C
MI1090-PD-116 Rev B to 119 Rev B inclusive
MI1090-PD-120 Rev C
MI1090-PD-121 Rev B to 125 Rev B inclusive

MI1090-PD-126 Rev C
MI1090-PD-127 Rev C
MI1090-PD-128 Rev B
MI1090-PD-129 Rev B
MI1090-PD-130 Rev A
MI1090-PD-133 Rev B
MI1090-PD-134 Rev B
MI1090-PD-137 Rev C
MI1090-PD-138 Rev A to 140 Rev A inclusive
MI1090-PD-141 Rev B
MI1090-PD-142 Rev C
MI1090-PD-143 Rev C
MI1090-PD-144 Rev B to 146 Rev B inclusive
MI1090-PD-156 Rev C
MI1090-PD-157 Rev B to 168 Rev B inclusive
MI1090-PD-169 Rev C
MI1090-PD-170 Rev C
MI1090-PD-171 Rev A
MI1090-PD-172 Rev A
MI1090-PD-173
MI1090-PD-174 Rev B
MI1090-PD-175 Rev A
MI1090-PD-176 Rev B
MI1090-PD-177 Rev A to 179 Rev A inclusive
MI1090-PD-180 Rev A
MI1090-PD-181 Rev A
MI1090-PD-182
MI1090-PD-183 Rev A
MI1090-PD-184 to 193 inclusive
MI1090-PD-194 Rev A
MI1090-PD-195 to 207 inclusive
MI1090-PD-208 Rev A
MI1090-PD-209 to 214 inclusive
MI1090-PD-750
MI1090-PD-751

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 improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
 - a) been carried out; or
 - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvements:

Provision of signal controlled site access with pedestrian crossing facilities and advance stop lines for bicycles (MOVA operated).

Provision of bus stop facilities (including the provision of shelters and raised footways to ease boarding/alighting) at 4 locations to be agreed in writing by the Local Planning Authority.

A change of operating mode at Vaughton hill traffic signals from vehicle detection to MOVA operation and provision of advance stop lines for bicycles.

Provision of measures to assist pedestrians crossing Manchester Road in the vicinity of the proposed southern emergency access en route to the proposed northbound bus stop likely to comprise a pedestrian refuge with speed traffic management.

Provision of bicycle connectivity with the Trans Pennine Trail (No 67).

Any Traffic Regulation Order (waiting/loading/revised speed limit) in the vicinity of the development site that is required as a consequence of the development, entailing advertisement, making and implementing the Traffic Regulation Order subject to the usual procedures (including provision of regulatory signs and road markings in accordance with Traffic Signs, Regulations and general Directions 2016).

Any accommodation works to general street furniture (including to any street lighting columns) deemed necessary as a consequence of development.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

4. Notwithstanding the submitted plans, before any of the following elements of the development commences, full details shall have been submitted to and approved in writing by the Local Planning Authority. The various elements shall have been provided in accordance with the approved details prior to occupation of the dwellings and in accordance with the approved phasing plan (drawing no. 30600_10 Rev A):

Geometry of the internal access road layout (including swept path analysis) to self regulate vehicle speeds to no greater than 20 mph whilst at the same time being able to accommodate refuse vehicles (12.2 metres Mercedes Econic, 4 axles, mid rear axle self steer type).

Full construction details of the internal access road (long sections and cross sections) including fill material supporting the access road upon leaving Manchester Road.

The design of the all purpose bridge spanning the River Don including structural calculations, soffit levels including agreement with appropriate River Authorities.

The footpath and cycling strategy within the development site (minimum 3.5 metres clear width for shared surfaces).

The design and provision of a pedestrian bridge spanning the River Don in the southern sector of the site to link to buses on Manchester Road (including structural calculations).

A dilapidation survey of any structures supporting Station Road along the development site boundary and repair or improvement works where appropriate.

Emergency access routes including the drop off/collection circle to the east of the site.

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

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

6. Prior to the commencement of the development, details, including a binding legal agreement of the re-location of the existing Waste Water Treatment Works adjoining the site shall have been submitted to and agreed in writing by the Local Planning Authority. The development of any dwelling shall not commence until the existing Waste Water Treatment Works has been de-commissioned.

Reason: In the interests of the amenities of residents.

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

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

8. 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.

9. 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.

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

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

It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

11. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

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

12. Prior to the improvement works indicated in condition 3 being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

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

13. Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be used unless visibility splays have been provided each side of the site access having the dimensions 4.5 x 120m. Thereafter, such splays shall be retained and no obstruction within the splays shall be allowed above a height of 600mm.

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

14. Prior to the commencement of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies CS51 and CS53

15. Before that part of the development commences full details of the proposed surfacing of individual and private drives shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the drives shall be implemented in accordance with such approved details and retained thereafter.

Reason: In the interests of ensuring satisfactory pedestrian and vehicular access arrangements.

16. Prior to the commencement of development, details including a management plan, shall have been submitted to and agreed in writing by the Local Planning Authority of the linear park along the River Don, the reed bed, surface water balancing pond, two sludge collection ponds and these facilities shall be provided, maintained and retained in accordance with such agreed details and retained thereafter.

Such details shall include;

A detailed planting layout including species.

Detailed layout of shared footpath/cycleways, picnic areas and seating.

The collection, treatment and disposal of the minewater sludge including the organisation responsible for such collection, treatment and disposal and the commuted sum required in the short term to fund this.

The development and maintenance of the linear park including the organisation who will assume responsibility for this facility.

Details of the service charge that would be provided by future residents.

Details of the biodiversity enhancement set out in the Ecological appraisal dated December 2015 and addendum to this dated September 2016.

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

17. Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of the site, shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

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

18. 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:
- a) Be based on the findings of the noise report by SLR Consulting Ltd. ref. 410.01068.00027.
 - b) 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).
 - c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

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

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

20. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local

Planning Authority and the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

Other Compliance Conditions

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

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

22. 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.

23. Where access driveways give both vehicular and pedestrian access to a dwelling, the driveway shall be at least 3.2 metres in width.

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

24. The dwellings shall not be used unless that part of the road providing access thereto has been provided in accordance with the approved plans.

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

25. The approved development shall include a proportion of housing that can be modified to meet Mobility Housing standards and this proportion shall be a total of 25% of the total provision. Such dwellings shall be provided as part of the approved scheme and retained thereafter

Reason: In order to meet the needs of disabled people.

26. The development shall be implemented in accordance with the details included within the Flood Risk Assessment submitted in support of the planning application dated 3 February 2016 and retained thereafter.

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

27. 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.

28. 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.

29. 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 shall not be brought into 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 Sheffield City Council 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.

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

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

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

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

32. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

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

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

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

You should apply for a consent to: -

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

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

3. 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.
4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

LOCATION AND PROPOSAL

The application site is located to the east of Deepcar on land previously used for industrial and mining purposes, principally by R G Stein Brickworks. It covers an area of 18.5 hectares and has been remodelled and subject to remediation works to address contamination problems associated with the former uses.

The bulk of the site lies to the east of the River Don comprising a linear parcel of land rising from the river to the west facing valley side where the land is steepest. Above this point lie Wharnccliffe Crags and Woods. A smaller part of the site lies across the River Don and has a frontage to the main A6102 Manchester Road.

To the immediate south of this smaller parcel on the same side of the river is Stocksbridge Waste Water Treatment Works (WWTW) which is separated from the application site by a small parcel of land containing Midge Hall, a refurbished former farmstead.

On the north side of the site are a number of commercial and industrial uses which are served by Station Road and there are also a small number of houses here.

The larger part of the site is subject to a 20 metre fall in level from east to west which would necessitate retaining structures to enable development to be accommodated within the changing site levels.

Part of the site is subject to a minewater outfall which currently flows into self-established reed beds.

The application, as originally submitted, was for 399 dwellings having a net density of 26 dwellings per hectare (ha), the net area being 15.52 ha. The dwellings would be a mix of 1 and 2 bedroomed apartments and 3 and 4 bedroomed houses. There was to be a scout hut as well with 14 car parking spaces and public open space and landscaping would be provided in the form of a linear park and walkway along the River Don covering 2.08 acres.

The remaining area of 0.84 ha would comprise a balancing pond and minewater treatment reed bed next to the river.

The topography of the site with its steep crossfall and linear shape has, to a certain extent influenced the layout resulting in a regular linear street pattern which follows the contours with development stepping down the changes in level.

An amended scheme increasing the number of dwellings to 413 was submitted early in 2016 which was the subject of a full re-consultation exercise. The dwelling mix is similar to the original proposal apart from there being no single bedroomed apartments and the scout hut is no longer included.

The open space areas and minewater reed bed are the same and the road layout remains very similar to the original submission due to site constraints.

RELEVANT PLANNING HISTORY

03/00020/OUT. Residential and mixed use development on land at Station Road and Manchester Road, Deepcar granted with legal agreement on 15 June 2007.

10/01899/OUTR. Application to extend time limit for implementation of 03/00020/OUT withdrawn.

10/01915/REM. Erection of 341 dwelling houses with associated car parking and landscaping works relating to 03/00020/OUT granted on 3 October 2012.

All the conditions for application 03/00020/OUT have been agreed and this application has been implemented by constructing a small section of highway.

SUMMARY OF REPRESENTATIONS

Two rounds of public consultation have taken place, the first in February 2014 on the original proposal for 399 dwellings and the second in February 2016 on the amended proposal for 413 dwellings. The representations for each are set out below.

Round 1.

8 letters of objection have been received from local residents.

- The scheme would result in an additional 1,000 to 1,500 people which would place an increased demand on NHS services and more GP's would be needed to meet demand.
- There are concerns about the impact of extra traffic on Station Road. Will this be the main entrance?
- 700 cars could use Station Road every day.
- If Station Road is included in a one way system all traffic would have to exit through the new estate.
- A new turning area would be required on Station Road.
- Station Road already gets heavily parked as there are no parking restrictions. It is not wide enough to cope with this and significant extra traffic.
- Station Road is quiet and peaceful and this would be lost if planning permission was granted for the scheme.
- The previous planning approval for housing on this site did not allow access into the site from Station Road apart from emergency access.
- Restrictions should be placed on construction hours limiting this to 0900 to 1700 hours weekdays only.
- Station Road is in very poor condition with numerous pot holes and ineffective drains.
- The bridge from Manchester Road should be built first then used as the main access.
- There are concerns that the emergency access from Station Road into the site would be used as a short cut by unauthorised vehicles.
- The visibility at Lowood's Club on Station Road is poor.

- There are concerns about the impact of the scheme on the quality of water in the River Don downstream of the application site.

Councillor Jack Clarkson has written 2 letters of objection.

- The bridge from Manchester Road should be completed before development starts then used as the main access.
- The application should be decided by the Planning Committee and not under delegated powers.
- The additional 50 houses on top of the previous approval are shoe horned into the site.
- There would be a massive impact on the local infrastructure, especially roads.
- The bridge at Vaughton Hill should also be improved as part of this scheme.
- A local play area should be included that should cater for formal sports provision.
- The riverside walk should be of tarmac or other hard surface to allow easy use by wheelchairs, prams and the elderly.
- Legal responsibility should be established for the red ochre run off from the former mines on the site.

Round 2.

2 letters of objection have been received from local residents.

- There is already heavy congestion at the bottom of Manchester Road and this will make it much worse and existing roads cannot support this development.
- There are no plans to improve education and health provision.
- More community consultation should be carried out.
- There is already congestion at Vaughton Hill.
- The bridge on Station Road is inadequate for the increased traffic.
- The new bridge is essential for the development.
- 417 houses is potentially 800 cars which will have a big impact in the local area.
- Children's play should be improved.

Tata Steel have various land interests in the Stocksbridge and Deepcar area including the Morehall Landfill site which is next to the application site to the south. Tata do not object to the principle of housing development but have expressed the following concerns.

Insufficient Information on Air, Odour and Noise issues.

- The Tata landfill site is accessed via Station Road and is used by 20 ton vehicles.
- The application site is located next to a Waste Water Treatment Works.
- A full assessment of the risks should be provided in line with Environment Agency guidelines. The current submissions fall short of this.
- No assessment of the risks to air quality and caused by odour and noise have been submitted.
- The proposal is contrary to paragraphs 109 and 123 of the National Planning Policy Framework (NPPF).

Impact on Existing and Future Operation of Neighbouring Uses.

- It is likely that future residents will complain that existing uses are causing disturbance and pollution.
- The proposal should not impede the economic activity of existing uses.

Impact on Tata Steel existing access on Station Road.

- The road is used by 20 ton lorries.
- The boundary of this application extends the boundary of the previously approved application to include the former Deepcar Railway Station.
- There would be a temporary access from Station Road to facilitate construction traffic and this would conflict with existing traffic which should not be impeded.

PLANNING ASSESSMENT

Planning Policy.

The adopted Unitary Development Plan (UDP) shows that the entire site is designated as a Fringe Industry and Business Area (FIBA) and UDP policy IB6 says that housing (C3) is acceptable on such designations even though preferred uses are Business (B1), General industry (B2) and Warehouses (B8 excluding open storage).

The use of the site for a non-preferred use would be contrary to UDP policy IB9(a) because this would prejudice the dominance of industry and business in the area or result in the loss of an important business site. However, the principle of housing has already been established in previous planning permissions and this is reflected in Core Strategy policy CS33 which would support an alternative use to employment.

The draft City Policies and Sites document proposed a housing designation for this site and confirmed a de-allocation for industrial use. CS33 says that new housing will be limited to previously developed land within the urban area.

Consequently, it is considered that the application satisfies policy CS33.

Earlier planning permissions are in place for both outline and reserved matters and the planning permission for 03/00020/OUT has been implemented by way of a section of road having been constructed. Members should be aware that this approval was for a smaller site which excluded the area on the west side of the River Don and the strip on the east side formerly used as railway sidings, both of which are now included within the site.

Core Strategy policy CS23 deals with the locations of new housing and says that this will be concentrated where it would support regeneration and support urban regeneration and make efficient use of land. Specific mention is made of the urban area of Stocksbridge/Deepcar.

Core Strategy policy CS24 confirms that priority will be given to housing development on previously developed or 'brown field' land. The application site was previously used for industrial purposes and this policy is fully satisfied.

Core Strategy policy CS26 requires urban land to be used efficiently and says that housing development on this site should be between 30 and 50 dwellings per hectare (DPH) although relaxations can be made in certain circumstances such as where there are site constraints.

The density for this scheme would be 26 dph which falls short of the threshold but this will be addressed later in this report as part of the design and layout assessment.

The National Planning Policy Framework (NPPF) says in paragraph 17 that planning should drive and support sustainable economic development including the delivery of homes and the effective use of brown field land. In support of this, paragraph 50 says that local planning authorities should deliver a wide choice of high quality homes.

NPPF paragraph 52 says that the supply of new homes can sometimes be best achieved through planning for larger scale development such as extensions to existing villages and towns.

Statement of Community Involvement.

The Sheffield Council Statement of Community Involvement (SCI) was adopted in 2006 and this encourages developers proposing major schemes that will impact on existing residents and stakeholders to engage in community consultation prior to the submission of a planning application. This is not a formal requirement but developers are strongly encouraged to do this.

Bloor Homes carried out a programme of consultation in line with the SCI for the application as originally submitted comprising:

- A public exhibition in Deepcar and public meetings.
- A leaflet which was distributed to 6,300 properties.
- The creation of a Community Information Line facilitating quick and easy contact.
- Various meetings with key stakeholders including the local MP, Members of the Town Council and local businesses.
- A Press Release in local papers serving Sheffield, Barnsley and surrounding areas.

A total of 99 comment forms were returned which showed that 78% of respondents agreed that this was a good site for housing. However, concerns were raised, mainly about the impact on traffic levels in the area and the need for a new scout hut.

Bloor Homes pledged to respond to concerns by way of:

- Providing improvements to the traffic signals at Vaughton Hill.

- Examining the potential for an additional access point from Station Road.
- Providing bus stops close to the site entrance.
- Providing a scout hut.
- Liaising with stakeholders on contributing to improvements to local facilities such as education. It is noted that the previous planning approval required a sum of £300,000 to be used for school improvements.

Design, Layout and External Appearance.

Paragraph 58 of the NPPF says that planning decisions should aim to ensure that developments function well, establish a sense of place, optimise the potential of the site to accommodate development, respond to local character and history, create accessible environments and be visually attractive as a result of good architecture and appropriate landscaping.

UDP policy BE5 requires good design and the use of good quality materials and BE6 requires good quality landscaping.

UDP policy IB6 says that new development in FIBAs should be well designed with buildings appropriate to the scale of the site.

UDP policy H14 relates specifically to areas designated for housing but also says that new buildings should be well designed and in scale and character with neighbouring buildings.

UDP policy H15 says that new housing should be easily accessible, provide adequate private gardens and links to public open space.

Core Strategy policy CS74 expects high quality development that would contribute to creating attractive, successful and sustainable neighbourhoods.

The proposal, as amended, falls into three distinct parts, the smaller being that part situated between Manchester Road and the River Don. That part of this section which lies closest to the river will not be built upon because of the sloping nature and close proximity to the river bank. The main entrance to the site will be taken from Manchester road through this part of the site and the entrance will be marked by symmetrical curved two storey development either side. Further two storey housing would be provided either side of the main access road served by residential access roads. In all about 50 new dwellings would be located on the west of the river.

There are existing houses either side of the site along Manchester Road but there is sufficient distance between these and the proposal to avoid any conflict in design.

A new bridge would allow the main road to continue into the site. The ground levels either side of the river would be raised up to 4 metres to allow the bridge to be put in place and also allow for pedestrian access along the river on both sides. The river bank would be protected at this point by a gabion mattress that would allow plants to grow.

The bridge would have metal safety rails on either side and would be supported either end by random rubble masonry which would be an acceptably distinctive contrast with the brickwork of the houses.

The second part of the site comprises a linear park incorporating a footpath/cycleway along the east side of the River Don for the entire length of the site and also the reed bed, attenuation pond and balancing pond on the southern side of the main access road and next to the linear park on the east. The purpose of the ponds is two-fold both control the waste material washed down by the water from the former mine shafts to the east of the site and also to provide an ecological water resource complementing the linear park. Once mature, this would be an attractive open space feature benefitting the outlook of the dwellings facing it.

Additional detail about the mine water treatment and the linear park will be provided later in this report.

The remainder of the proposal has a similar layout to the scheme as originally submitted because the topography of the larger part of the site dictates that a mainly linear road layout is provided because there is an overall fall of about 20 metres from east to west. The roads generally follow the contours and lines of houses step down the slope with retaining walls creating level plateau areas stepping from east to west.

The layout is not dissimilar to the earlier detailed approval in that almost all the dwellings would be two storey detached and semi-detached houses. However, there would be a small proportion of two and a half storey houses and three storey blocks of apartments in the northern part of the site close to the linear park and reed beds.

Given the unavoidable linear nature of the layout, a certain amount of repetition is a feature of the design but monotony has been avoided by the use of gable features, hipped and gable roofs, space between buildings of different widths and by a mix of differing boundary treatments.

A simple materials palette has been used with brick and grey roof tiles being used with differing types used to create some variety in external appearance. Different shades and textures of red brick would be used which would also assist in breaking up the built form.

All gardens sizes are acceptable, providing adequate, useable garden space and the distances between buildings are also acceptable.

This is a large housing development and the layout, external appearance and design are acceptable. A regimented and repetitive scheme has been avoided by way of variation within the scheme, the contoured site which will see the development stepping down the hillside and the inclusion of the linear park alongside the river.

Sustainability.

Core Strategy policy CS64 says that all new buildings must be designed to reduce emissions of greenhouse gases and should be designed to make the best use of solar energy, passive heating and cooling, natural light, natural ventilation and minimise water consumption.

More recent legislation has re-allocated the responsibility of sustainability from Planning to Building Regulations but the applicant has confirmed that the houses will be constructed to comply with the latest Building Regulations standards in relation to water efficiency and the conservation of fuel and power.

The following measures will be incorporated;

- Central heating systems with timer and thermostat controls together with high levels of insulation for water storage.
- Thermostatic radiator valves.
- Low energy internal light fittings.
- External lights with PIR sensors.
- Energy efficient hot water boilers.
- Dual flush wc's.
- Flow restrictors to taps.

Surface water drainage from the site will be attenuated before discharge into the River Don via a system of pipe storage and a balancing pond. Foul water will be dealt with by way of a gravity system to a pumping station in the eastern parcel of land.

Impact on Existing and Future Residents.

UDP policy H14 says that new development should not have an adverse impact on neighbours and Core Strategy policy CS74 says new development should contribute to the creation of sustainable and successful neighbourhoods.

There are a number of issues associated with this scheme which could potentially have an adverse impact on the quality of life of existing and future residents.

The existing Waste Water Treatment Works (WWTW) serving Deepcar and Stocksbridge lies directly opposite the application site and a 'cordon sanitaire' has been identified which extends well into the site within which Yorkshire Water who control the WWTW are firmly of the view that any houses will suffer from odours associated with the WWTW. The treatment of this particular aspect of disamenity will be discussed in detail later in this report.

There is also disamenity associated with the mine water which drains into the site from the slope to the east. This is also dealt with later in the report.

A railway line serving Tata Steel runs along the eastern side of the site which could result in noise and disturbance affecting the occupiers of proposed dwellings but, again, this issue will be assessed later in the report.

There is no potential for overdominance or overlooking between either proposed or existing dwellings or within the site between new houses and apartments. It is the case that, due to the 20 metre fall from east to west within the site dwellings will be higher than neighbours but the height differences are not such that there would be conflict between properties.

It is considered that the development would have an acceptable impact on the amenities of existing and future residents.

Highways, Access and Transportation.

UDP policy IB9 says that new development should be adequately served by transport services, provide safe access to the highway and provide appropriate off street parking.

UDP policy H14 says that new development will be permitted provided that there is safe access to the highway network and appropriate off street parking and not endanger pedestrians.

Core Strategy policies CS51 and CS53 seek to prioritise and manage travel and transport.

The application is supported by a Transport Technical note and a Design and Access Statement and both documents consider and compare the traffic movements associated with the previously approved scheme (03/00020/OUT) with the current proposal.

The pre-application public consultations and those done as part of the application process resulted in comments expressing concern about the added impact of the scheme on existing road congestion particularly at Vaughton Hill and heading south along Manchester Road to Middlewood.

The traffic lights at Vaughton Hill do not operate in an efficient manner and cause traffic delays. As part of a number of highways improvements, the signals will be upgraded and it is predicted that they will operate more efficiently during the peak hours so will help reduce delays.

There would be 413 dwellings on the site when it is completed and this means that there would be a significant increase in vehicle movements resulting from this development. However, off site highways improvements including junction improvements will allow the road network to cope with the increases.

Additional improvements would also include better pedestrian crossings on Manchester Road, better cycle connections with the Trans Pennine Trail which runs parallel to the east side of the site, parking restrictions close to the site and improved bus stops close to the site.

A high frequency bus service linking with Supertram at Middlewood now circulates in both clockwise and anti-clockwise directions connecting the development site to

schools and shops in both Deepcar and Stocksbridge reducing the reliance on the private car.

A footbridge would be required spanning the River Don at the south end of the site which would provide a pedestrian link with existing bus stops.

With respect to the proposed road layout, the main access into the site would be from Manchester Road and this would have acceptable visibility and be a safe distance away from the Vaughton Hill traffic lights. There would be a secondary, emergency access from Station Road which would have a turning circle with parking next to the former railway station. It is not intended that this be used as anything other than in emergencies.

The road layout is very similar to the earlier approved scheme and the land form does tend to dictate the layout because of rising levels up to the east. The roads tend to follow the contours and are, therefore long and straight so the primary concern is to restrict speeds within the site to 20 mph. The measures have yet to be agreed but these can be accommodated within the roads and would include such measures as speed humps and changes in surface materials.

The Trans Pennine Trail runs parallel with the east of the site and there is potential to improve cycle and pedestrian links between the site and adjoining paths and roads. For example, to the north, there is potential to create a pedestrian/cycle link with Station Road and these can be controlled by an appropriate condition.

Car parking provision is 2 or 3 spaces per dwelling which is acceptable.

It is considered that the layout, off site improvements and parking provision are acceptable.

Disabled Access and Inclusion.

UDP policy H7 deals with Mobility Housing and says that a proportion of all new houses shall be constructed to allow conversion to meet the needs of disabled people.

Core Strategy policy CS74 says that new development should meet the needs of disabled people.

The applicant has confirmed that all dwellings would be constructed to standards that are over and above those set out in part M of the Building Regulations. Part M sets out minimum standards and is limited to the curtilage of the building.

Policy H7 requires the provision of Mobility Housing and a condition will be attached requiring this which would be 25% of dwellings, a proportion which is consistent with requirements on other sites in the city.

The provision of conventional streets is welcomed because this will provide demarcation between carriageways and footpaths. However, there are minor

points still to be resolved such as clarification on shared routes and some surfacing but this can be controlled by a condition.

Reduction of Odours and Relocation of Waste Water Treatment Works.

UDP policy GE23 says that development will only be permitted where it would not locate sensitive uses where they would be adversely affected by air pollution.

UDP policy IB9 says that residents should not suffer from unacceptable living conditions.

Core Strategy policy CS74 says that new development should contribute to the creation of a healthy, safe and sustainable environment.

The NPPF says that the planning system should prevent new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of land, air, water or noise pollution.

The Stocksbridge Waste Water Treatment Works (WWTW) is located very close to the application site, across the River Don to the west and this is a source of odours which would have a significant and detrimental impact to future residents on a large part of the application site.

Yorkshire Water (YW) have identified a 'cordon sanitaire' around the WWTW and originally lodged an objection to this planning application because the odours would adversely affect future residents.

UDP policy H14(e) says that new housing should not suffer from air pollution and Core Strategy policy CS74 says that new development should contribute to the creation of sustainable and successful neighbourhoods.

This issue was resolved in the previous outline approval ref. 03/00020/OUT by agreeing that the WWTW would de-commissioned and relocated on a site to the south of the application site where it would not impact on any houses. This was controlled by a condition that ensured that no development could take place until a binding legal agreement was in place that guaranteed the relocation of WWTW. It is intended that the same approach be taken with this application.

Members should be aware that an Odour Report was not submitted as part of this application because it was always the intention to deal with this issue by relocation.

Yorkshire Water have lodged an objection to the application on the grounds that the applicant has not demonstrated that if the WWTW remains in its current location, its operation will not cause a loss of amenity to future occupiers of the application site. Furthermore, the WWTW would have to expand to cope with additional demand.

Yorkshire Water have said that the current application is unacceptable because it conflicts with the Development Plan and the NPPF in that future residents would suffer from unacceptable levels of odour pollution.

It has always been the case that this issue would be resolved by the de-commissioning of the existing WWTW and the facility re-located at the former More Hall Fisheries site to the south. An extant planning permission is in place for this and new sewage pipes beneath Manchester Road would create the required link down to the new facility. A condition would state that, prior to development commencing, a binding legal agreement shall be in place or a new WWTW shall be operational so that new residents would not suffer from odour.

Parallel to the progression of this application, work has taken place to ensure that the funding will be set in place to allow the applicant, Yorkshire Water and other interested parties, including the Council to agree a binding legal agreement which will allow the new WWTW to be built. Yorkshire Water would agree to the removal of their objection once the agreement is in place.

Minewater Treatment.

The steepest part of the site lies along the eastern edge and in the past this was used for mining. The old mine shafts have flooded and for a considerable period of time, ochreous red water containing mine waste, mainly iron, has seeped from the shafts down to a level area close to the River Don where a self-established reed bed prevents the ochre from entering the river.

As part of the new housing development, it is essential that the water and ochre is dealt with in a manner which avoids any spillage into the river and does not have a detrimental impact on residents' amenities.

Close liaison between your officers and the Coal Authority (CA) and Environment Agency (EA) has taken place so that this issue might be resolved. To this end, the applicant has submitted a Mine Water Treatment Scheme dated September 2016 which has assessed the mine water chemistry, discharge flow rate, accumulation of iron in the wetland, construction and maintenance.

The minewater would be piped beneath the surface from the top of the site into 2 settlement ponds each 3 metres deep which would collect the iron. The remaining water would flow into a reed bed next to the river. Alongside this would be a storm water attenuation pond to control discharge of the water.

The report addresses the removal of the sludge containing the iron and concludes that the two settlement ponds would need de-sludging about every 14 months. In addition, it is proposed that the reed bed/wetland planting should consist of a mixture of reed, rush, bulrush, iris and other appropriate species which, along with open stretches of water will create biodiversity and provide new habitats encouraging fauna and flora.

Control over the provision and maintenance of this part of the site would be done by way of an appropriate condition which would require, prior to the commencement of development a binding legal agreement to have been put in place which sets out the organisation which would be responsible for the liability

and maintenance of reed bed and ponds including de-sludging, the amount of money required to pay for this and the maintenance plan.

In the long term the occupier of each dwelling would have to pay an annual service charge to pay for this but in the short term, prior to the site being fully developed, the applicant will have to provide a commuted sum to cover this.

Subsequent to the submission of the report, your officers have consulted the CA and EA along with colleagues within the Council and all consider the proposals set out in the report to be acceptable. Consequently, with the inclusion of an appropriate condition this aspect of the proposal is acceptable.

Ecology.

UDP policy GE11 seeks to protect and enhance nature conservation.

Core Strategy policy CS73 deals with the Strategic Green Network which specifically mentions the Upper Don and this will be protected and enhanced.

An Ecological Appraisal dated December 2015 and a further submission dated September 2016 dealing with specific protected species have been submitted in support of the application.

Most of the site is cleared industrial land and the remaining natural area including trees lies close to the River Don. The reports set out in detail the recorded plants and wildlife species and concludes that the development would not cause harm to protected species.

The new linear riverside open space and wetland area provides a good opportunity to enhance the biodiversity of the riverside and a condition will require a management plan to be submitted which will include how the site will encourage wildlife.

Archaeology.

UDP policy BE22 says that development will not be allowed which might destroy or damage significant archaeological sites.

Core Strategy policy CS74 seeks to enhance the heritage of the city.

An Archaeological Survey and Report including a Written Scheme of Investigation (WSI) of the application site has been submitted. This sets out the industrial history of the site including coal mining and also the archaeological finds that resulted from trial trenches being dug. The finds were limited to mining pillar and stall features.

The information has been examined by the South Yorkshire Archaeological Service (SYAS) who conclude that the site may well have archaeological implications. That part of the site to the east of the River Don has been investigated but that which lies to the west has not. There has been activity on this site for centuries

dating back to the Iron Age and further work is required which would be controlled by a condition requiring a further WSI listing methodology and recording.

Ground Contamination and Remediation.

UDP policy GE25 says that development will not be permitted on or next to land which is contaminated unless this has been effectively treated to remove the risk to human health.

Core Strategy policy CS74 seeks to ensure that new development is safe.

The larger parcel of land to the east of the River Don was previously used for industrial purposes and the site has been cleared for a considerable period of time. As part of the previous outline and reserved matters applications (03/00020/OUT and 10/01915/REM), an application to agree the conditions relating to ground contamination including remediation measures was approved so there is no need to attach conditions again because the contamination has been dealt with.

With respect to the land between the river and Manchester Road, contamination surveys have not been carried out so conditions will be required to allow an assessment to be made.

Flood Risk.

Core Strategy policy CS67 seeks to reduce the risk of flooding and all new development is required to significantly limit surface water run off, promote sustainable drainage and only allow development on areas of high flood risk which is compatible.

A Flood Risk Assessment (FRA) dated 3 February 2016 has been submitted in support of the application. This confirms that the site lies within Flood Zones 1, 2 and 3 as identified by the EA. Zone 1 has a low probability of flooding, Zone 2 a medium probability and Zone 3 a high probability.

The bulk of the site lies within Zone 1 so a vulnerable use such as housing is acceptable here. There are areas that lie within Zone 2 either side of the river and housing is proposed in some parts of these parts. There are very narrow strips of land either side of the River Don which lie within Zone 3 but housing is not proposed in any of these areas.

The FRA takes regard of the previous detailed planning consent on a very similar sized site on the east of the River Don and has adopted a similar approach in dealing with housing development in Flood Zone 2. This was to ensure that housing in this area was constructed on a plinth high enough to be raised above the predicted Zone 2 flood levels which would be 600mm higher than the flood prediction.

In the event of housing development being proposed in Zone 3, a Sequential Test would be required in line with guidance set out in the NPPF but in this instance, no housing would be built in this zone so this test is not needed.

In terms of storm water, the amount of hard surfaces on the site will dramatically increase and surface water will need to be controlled before discharging into the River Don. A large balancing pond is proposed at one of the lowest parts of the site which will contain surface water which is an acceptable solution.

With respect to the minewater seeping from the site, this has been dealt with earlier in this report.

The design of the new bridge across the River Don has also been the subject of the FRA and the soffit of the bridge will be 872mm above the predicted flood levels to ensure that access across the river will be retained at all times.

A condition will be attached which says that development will be implemented in accordance with the details contained within the FRA.

Noise Impact.

UDP policy H14(e) says that new housing should not suffer from noise or disturbance and Core Strategy policy CS74 says that new development should contribute to the creation of sustainable and successful neighbourhoods.

A railway serving Tata Steel works in Stocksbridge runs close to the site and a Noise Report dated May 2015 carried out by SLR Consulting Ltd. Has been submitted which assesses both the trains associated with Tata and road traffic noise.

There are only two train movements per day on the line close to the site and it is very unlikely that there would be any significant impact arising from this. Noise measurements in the SLR report show that the dominant noise source affecting the site is from road traffic on Manchester Road but this is at a relatively low level and the conclusion of the report is agreed which states that 'traffic noise should not pose a material constraint for residential development on the site.'

It is considered appropriate to include a condition which requires that sound insulation measures should be incorporated into the construction of the houses.

Open Space, Riverside Walk and Landscaping.

UDP policy H16 says that for new housing developments, developers will be required to ensure that there would be sufficient open space to meet the needs of local people living there.

UDP policy GE15 says that trees and woodland will be encouraged and protected and any trees that are lost through development should be replaced within the scheme.

UDP policy GE17 deals with rivers and streams and as development of the Green Network, all rivers will be enhanced for the benefit of wildlife.

Core Strategy policy CS46 says that when opportunities arise, new open space will be created and CS73 refers specifically to the Strategic Green Network and this will be maintained and enhanced. The Green network follows the Upper Don and there is an opportunity to enhance the river alongside the application site

Core Strategy policy CS74 encourages the creation of attractive, sustainable and successful neighbourhoods.

The development includes a linear park alongside the eastern edge of the river. This will incorporate existing trees and be supplemented by native species. In addition, there will be a riverside walk included comprising a 3.5 metre wide shared surface for pedestrians and cyclists, picnic areas and seats.

The responsibility for managing and maintaining this open space/leisure area will eventually be assumed by a separate organisation paid for by a service charge levied on future residents. In the short term, the applicant would be responsible for providing finance and it is envisaged that the minewater treatment facility and surface water balancing pond would be included in this.

The organisation has yet to be identified and the commuted sum has not been agreed but this can be controlled by an appropriate condition which will also require the management and responsibility to be set out in a plan to be agreed by all interested parties.

It is the case that there are trees within the site close to the river in the southern part of the site which would be lost to new housing but these would be replaced as part of the linear park and throughout the site within the development. The retention of trees and provision of new ones would be controlled by appropriate conditions. Full details of species and planting layouts have not been submitted but, again, these issues will be controlled by conditions.

It is noted that the loss of the trees to housing was agreed as part of the earlier planning permissions so a precedent for this has already been established.

RESPONSE TO REPRESENTATIONS

Responses to a number of objections have already been addressed in the main body of the report but some additional responses are still required.

There are concerns that local facilities will not be able to cope with existing demand but under the requirements of the Community Infrastructure Levy (CIL), current indications are that this scheme would attract a CIL payment of approximately 1.3 million pounds and this would be used to improve services in the locality.

A number of representations have raised the issue of a possible permanent access from Station Road. This is not the case and the main access will be via the new bridge across the River Don. Station Road would only be used in times of emergencies.

The water quality of the River Don would not be affected because measures have been agreed to protect the river water.

The existing access to the landfill site to the south would be retained.

The proposal would not impede economic activity in the locality. Indeed, it is extremely likely that the increases in population from this large site would improve spending in the local area which would benefit local businesses.

SUMMARY AND RECOMMENDATION

This full planning application, as amended, seeks approval for 413 dwellings on land previously used for industrial purposes either side of the River Don at Deepcar. The site has an earlier detailed consent for housing which has set a precedent for housing on an area designated as a Fringe Industry and Business area in the UDP.

Planning policy set out in the UDP, Core Strategy and NPPF supports housing on the site and the design, layout and external appearance would be acceptable. The bulk of the proposal would be two storeys high and the mix of materials, although retaining a theme of red brick and grey roof tiles, would have enough variety to complement the variety that would be created by different built forms enhanced by significant level changes.

The impact on the road network would be acceptable but this would be dependent on off site improvements that would be controlled by conditions.

The two important issues regarding the re-location of the WWTW and the treatment of minewater have been resolved and, where necessary, will be controlled by conditions.

All issues have been resolved and the proposal will provide a high quality living environment in accordance with all relevant planning policy criteria and will make a significant contribution to the housing supply of north Sheffield.

The application is acceptable, compliant with planning policy and is, therefore, recommended for conditional approval.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 11 October 2016

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Claire Woods 0114 2734219

Summary:

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

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
11 OCTOBER 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 alterations to ground floor of building for use as hot food take away (Use Class A5) with ancillary seating area and installation of extraction equipment to the rear at 126 Birley Spa Lane Sheffield S12 4EJ (Case No 16/01299/FUL)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for Provision of vehicular access and hardstanding to front of dwellinghouse at 66 Psalter Lane, Sheffield, S11 8VQ (Case No 16/00993/FUL)

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for erection of a subterranean dwellinghouse land Between 405 And 411 Fulwood Road Sheffield S10 3GF (Case No 16/01425/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for two/single-storey rear extension to dwellinghouse including glass balustrade at upper ground floor level (Resubmission of 15/03157/FUL) at 112 Westwick Crescent Sheffield S8 7DJ (Case No 16/01439/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue to be the effect on living conditions of neighbouring properties, with particular reference to overlooking and privacy resulting from the presence of the balcony.

He noted that there was already a degree of mutual overlooking between

properties owing to the topography of the area, but also that in granting permission for a previous proposal, the Council had negotiated the removal of the balcony feature from the scheme.

He agreed with officers that the elevated position of the balcony would allow clear views into the private rear gardens of 110 and 114 Westwick Crescent, and back into the rear windows of 110 and 114, in particular the former to a degree there would be an unacceptable loss of privacy.

The appellant referred to precedents in the area but the Inspector determined this case on its individual merits and felt the purpose of the balcony was to form an outdoor facility likely to be regularly used by the occupants of the house, which would result in unacceptable loss of privacy for the neighbouring occupiers.

The appeal was therefore dismissed as contrary to the aims of UDP policy H14c and Guideline 6 of the Supplementary Planning Guidance 'Designing House Extensions' and the NPPF.

4.0 RECOMMENDATIONS

That the report be noted

11 October 2016

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