

Planning and Highways Committee

Tuesday 20 June 2017 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 Dianne Hurst (Chair), Peter Rippon (Chair), Ian Auckland, David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Bob Johnson, Alan Law, Zahira Naz, Joe Otten, Peter Price, Chris Rosling-Josephs 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
20 JUNE 2017**

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 30 May, 2017
- 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. Proposed Closure of Westbank Lane (Footpath) off West Street** (Pages 9 - 16)
Report of the Head of Strategic Transport and Infrastructure
- 8. Applications Under Various Acts/Regulations** (Pages 17 - 116)
Report of the Report of the Chief Planning Officer
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 117 - 122)
Report of the Chief Planning Officer
- 10. Date of Next Meeting**
The next meeting of the Committee will be held on 11 July 2017

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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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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 30 May 2017

PRESENT: Councillors Peter Rippon (Chair), Ian Auckland, David Baker, Jack Clarkson, Michelle Cook, Roger Davison, Dianne Hurst, Bob Johnson, Alan Law, Joe Otten, Peter Price, Chris Rosling-Josephs and Zoe Sykes

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Tony Damms and Zahira Naz.

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 Councillor Joe Otten declared a personal interest in an application for planning permission for the erection of a four-storey building comprising 45 apartments with an A1 unit at ground floor with associated surface car parking and roof top amenity space at Sheffield United Football Club, Bramall Lane, Highfield (Case No. 17/00555/FUL) as he supported Sheffield United F.C., but had not predetermined his views on the application and would speak and vote thereon.

3.2 Councillor Ian Auckland declared a personal interest in an application for planning permission to approve details of appearance, landscaping, layout, and scale - (matters reserved by application Case No. 15/00158/OUT - demolition of existing dairy and outbuildings, use of an existing farmhouse as a dwellinghouse and erection of up to 13 dwellinghouses) at Cowmouth Farm, 33 Hemsworth Road (Case No. 16/02968/REM) as it was located within his Ward, but had not predetermined his views on the application and would speak and vote thereon.

4. MINUTES OF PREVIOUS MEETINGS

3.1 The minutes of the meetings of the Committee, held on 9 and 17 May 2017, were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Chief Planning Officer, 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. PROPOSED DIVERSION OF FOOTPATH OFF OVEREND WAY, GLEADLESS VALLEY

6.1 The Head of Highway Maintenance submitted a report seeking authority to process a Public Path Diversion Order to divert the public footpath linking Overend Way and Raeburn Close, Gleadless Valley. The report stated that following the granting of planning permission (Case No. 16/02665/FUL) for an extension to an electricity substation compound at the location, it was necessary to realign the footpath which was routed through the site.

6.2 It was further explained that the diversion would not adversely affect the public's enjoyment of the area and would not have a detrimental effect on the surrounding network and its users.

6.3 **RESOLVED:** That (a) no objections be raised to the proposed diversion of the public footpath linking Overend Way and Raeburn Close, as detailed in the report of the Head of Highway Maintenance and as shown on the plan now exhibited, subject to satisfactory arrangements being made with the Statutory Undertakers with regard to their mains and services that may be affected;

(b) authority be given to the Director of Legal and Governance to take all necessary action to divert the footpath by an Order under the powers contained within Section 257 of the Town and Country Planning Act 1990; and

(c) in the event of no objections being received, or all objections received being resolved, authority be given for the Order to be confirmed as an unopposed Order.

7. TREE PRESERVATION ORDER NO. 413: 5 TO 9 HALLAMSHIRE VIEW

7.1 The Chief Planning Officer submitted a report outlining a response to objections received to Tree Preservation Order 413 which had been made in respect of trees in the rear gardens of 5 to 9 Hallamshire View. The report stated that the three sycamore and two pine trees included in the Order, had been inspected following a request from a resident to undertake removal/pollarding and pruning of trees at the site. An assessment of the trees found that they were visually prominent and contributed to the visual amenity value of the locality and the built form of the surrounding development. They were also considered to have a useful life expectancy and that there was no obvious health and safety reasons to require major intervention.

7.2 The reasons why some trees were omitted from the Order at 5, 6 and 9 Hallamshire View were outlined, together with a summary of the representations from the objectors and the officer's response.

7.3 The Order, Tree Evaluation Method and seven letters of objection were attached to the report now submitted

7.4 Oral representations were made at the meeting by two local residents and a local Ward Councillor speaking against the proposed Tree Preservation Order and

commenting on the work they wanted to undertake on the trees. A response was provided by an officer to the representations that were made.

- 7.5 **RESOLVED:** That, following consideration of the objections now reported, Tree Preservation Order 413 in respect of trees on land at 5 to 9 Hallamshire View, be confirmed unmodified.

8. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

- 8.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee for this date in respect of Case No 17/00555/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) having heard oral representations at the meeting from a local Ward Councillor commenting on the development and from the applicant's agent supporting the development, an application for planning permission to approve details of appearance, landscaping, layout, and scale - (matters reserved by application Case No. 15/00158/OUT - demolition of existing dairy and outbuildings, use of an existing farmhouse as a dwellinghouse and erection of up to 13 dwellinghouses) at Cowmouth Farm, 33 Hemsworth Road (Case No. 16/02968/REM) be granted, subject to (i) Condition 2 being amended in respect of the addition of a further plan to the list of approved plans, as detailed in a supplementary report circulated at the meeting, (ii) the completion of a Legal Agreement and (iii) an additional condition being attached in respect of public access to a walkway between the site access road and Warminster Place; and

(c) having noted an additional representation commenting on the proposed development, as detailed in a supplementary report circulated at the meeting, an application for planning permission for a residential development of 30 dwellings (conversion of an existing hotel to 6 x 2 bedroom apartments, and new build of 12 detached dwellinghouses and 12 x 2 bedroomed apartments) with associated parking, access and landscaping at the Beauchief Hotel and car park at 161 Abbeydale Road South (Case No. 16/01269/FUL) be granted, subject to an additional condition in respect of a Landscape Plan and an associated Landscape Management Plan being provided by the applicant, as detailed in the aforementioned supplementary report.

9. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 9.1 The Committee received and noted a report of the Chief Planning Officer 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.

10. DATE OF NEXT MEETING

- 10.1 It was noted that the next meeting of the Committee will be held at 2:00p.m. on Tuesday 20 June, 2017 at the Town Hall.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Culture and Environment

Date: 20 June 2017

Subject:

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257 PROPOSED CLOSURE OF WESTBANK LANE (FOOTPATH), OFF WEST STREET, SHEFFIELD S1.

Author of Report: Mark Reeder 0114 2736125

Summary:

To seek authority to process the Public Path Extinguishment Order required to close the footpath named Westbank Lane, off West Street, Sheffield, shown hatched black on the plan attached as Appendix A.

Reasons for Recommendations

The Highway Authority is satisfied that the proposed closure of the footpath is necessary to enable the approved Development to be carried out. Based on all of the above information, the application is supported.

Recommendations:

Raise no objections to the proposed closure of Westbank Lane (footpath), off West Street, Sheffield as shown on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

Authority be given to the Director of Legal and Governance to

- a. take all necessary action to close the footpath by order under the powers contained within Section 257 of the Town and Country Planning Act 1990.
- b. confirm the order as an unopposed order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the order being confirmed.

Background Papers:

Category of Report: OPEN

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DIRECTOR OF CULTURE AND ENVIRONMENT

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
20th June 2017

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257, PROPOSED
CLOSURE OF WESTBANK LANE (FOOTPATH) OFF WEST STREET, SHEFFIELD
S1.

1.0 PURPOSE

1.1 To seek authority to process the Public Path Extinguishment Order required to close the footpath named Westbank Lane, off West Street, Sheffield, shown hatched black on the plan attached as Appendix A.

2.0 BACKGROUND

2.1 On 26th January 2017, planning consent (ref: 16/03726/FUL) was given for the demolition of existing office block and former bar and erection of an 11 storey building for purpose built Student Accommodation (Sui Generis) comprising 284 student bed spaces and associated facilities. The development boundary is shown as a redline on the plan attached as Appendix A.

2.2 In order to enable the approved development to be carried out, it is necessary to stop up the footpath which runs through the site. To be done legally, an appropriate legal Order to close the footpath must first be made and confirmed.

3.0 CONSULTATIONS

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

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

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

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal and Governance has been consulted and has advised that, if the Council is satisfied that the Footpath needs closing to enable the approved Development to be carried out, it would be appropriate to process the closure using the powers contained within Section 257 of the Town and Country Planning Act 1990.

5.0 HIGHWAY IMPLICATIONS

- 5.1 Westbank Lane is an adopted cul-de-sac footpath off West Street in the City Centre of Sheffield.
- 5.2 As a cul-de-sac footpath Westbank Lane provides little or no benefit to highway users, mainly providing an access to the rear of properties that will be demolished as part of the development.
- 5.3 The closure of this footpath should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

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

7.0 ENVIRONMENTAL IMPLICATIONS

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

8.0 FINANCIAL IMPLICATIONS

- 8.1 All costs accruing to the Council (Highway Maintenance Division) in association with this proposal will be met by the Applicant.
- 8.2 As a result of this closure there will be a slight reduction in liability on the Highway Maintenance revenue budget.

9.0 CONCLUSION

- 9.1 The Highway Authority is satisfied that the proposed closure of the footpath is necessary to enable the approved Development to be carried out. Based on all of the above information, the application is supported.

10.0 RECOMMENDATIONS

- 10.1 Members raise no objections to the proposed closure of Westbank Lane (footpath), off West Street, Sheffield as shown on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.
- 10.2 Authority be given to the Director of Legal and Governance to
- a. take all necessary action to close the footpath by order under the powers contained within Section 257 of the Town and Country Planning Act 1990.
 - b. confirm the order as an unopposed order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the order being confirmed.

Steve Robinson
Head of Highway Maintenance

20th June 2017

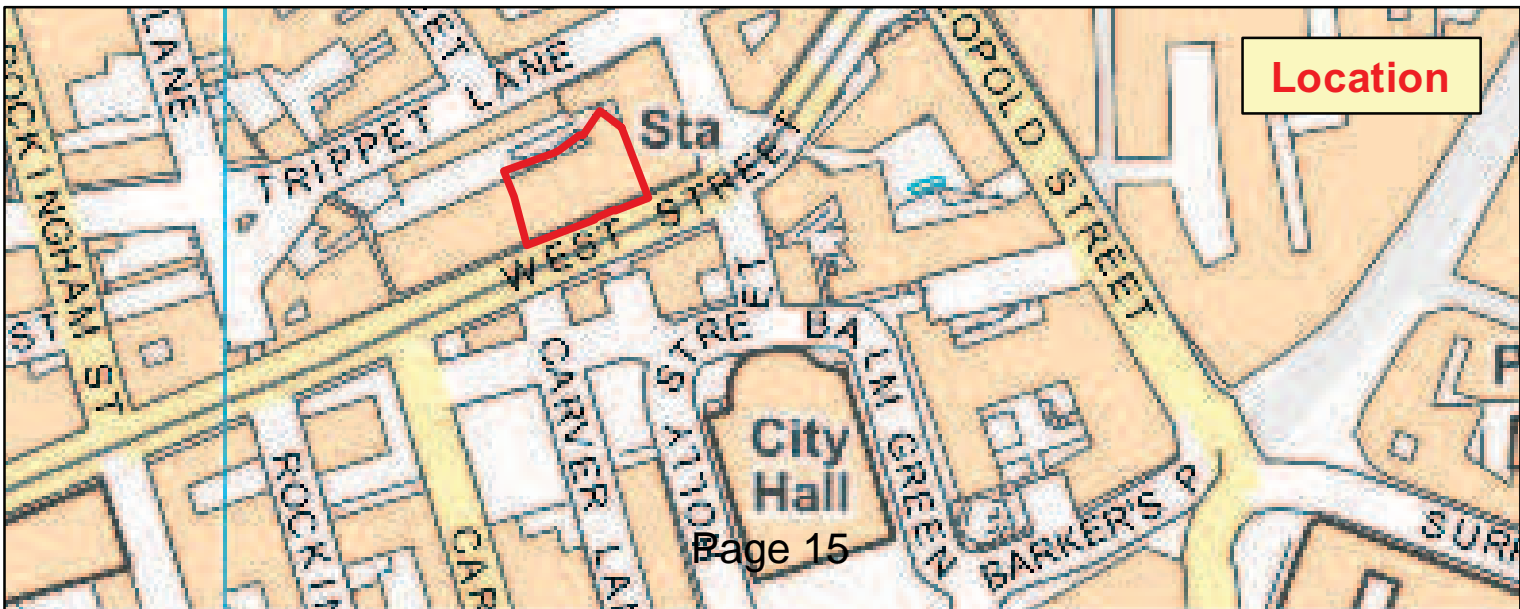
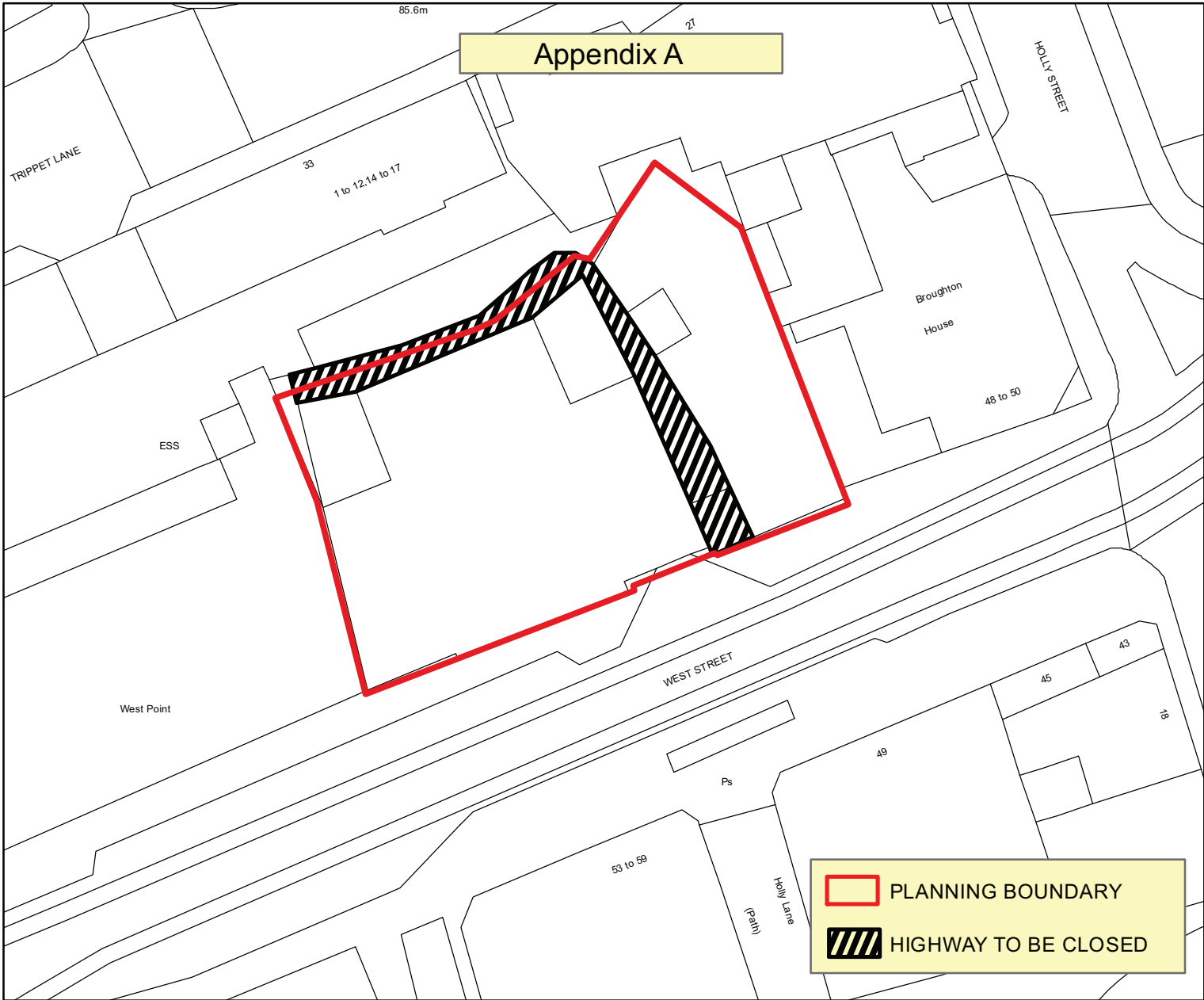
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PROPOSED CLOSURE OF WESTBANK LANE SHEFFIELD S1



Scale: 1:500



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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of Development Services

Date: 20/06/2017

Subject: Applications under various acts/regulations

Author of Report: Chris Heeley and John Williamson 2039183

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.
17/00869/LBC (Formerly PP-05838604)	Former Pye Bank Infant School Andover Street Sheffield S3 9EL	21
17/00868/RG3 (Formerly PP-05838604)	Former Pye Bank Infant School Andover Street Sheffield S3 9EL	38
17/00855/FUL (Formerly PP-05864412)	University Of Sheffield Athletic And Sports Ground Warminster Road Sheffield S8 8PS	61
16/02791/FUL (Formerly PP-05324624)	Cherry Tree Inn 2 Carter Knowle Avenue Sheffield S11 9FU	88
16/02782/FUL	99 Cross Hill Sheffield S35 9WR	110

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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 20/06/2017

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	17/00869/LBC (Formerly PP-05838604)
Application Type	Listed Building Consent Application
Proposal	Alterations to and refurbishment of Pye Bank school building, including demolition of toilet block, in association with development of new through school (for pupils age 3 - 18), provision of outdoor play areas, resurfacing of MUGAs, hard and soft landscaping, car parking and new boundary treatments
Location	Former Pye Bank Infant School Andover Street Sheffield S3 9EL
Date Received	28/02/2017
Team	West and North
Applicant/Agent	Mr Michael Edgar
Recommendation	Grant Conditionally

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 Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Approved/Refused Plan(s)

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

Existing Site Plan North 01101 01
Primary Ground Floor Demolition Plan 01108 Rev 02
Primary First Floor Demolition Plan 01109 Rev 02
Proposed Basement & Ground Floor Plan 01110 Rev 02
Proposed Mezzanine Plan 01111 Rev 02
Proposed First Floor Plan 01112 Rev 02
Proposed Roof Plan 01113 Rev 02
Proposed Elevations Sheet 1 01114 Rev 02
Proposed Elevations Sheet 2 01115 Rev 02

Reason: In order to define the permission.

Pre-Commencement Condition(s)

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

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

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

4. Masonry shall be pointed or bedded using a lime mortar mix that is weaker than the surrounding masonry. The colour of the new mortar should match the original mortar before weathering. No proprietary coloured mixes of pigments shall be used. A sample panel of proposed pointing shall be approved in writing by the Local Planning Authority before the development commences.

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

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

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

6. New windows shall have timber frames. The glazing pattern, the thickness and profile of the frame and glazing bars and the reveal depth shall match those of the original windows in the property and the windows shall be finished in gloss paint. Prior to installation, details of existing and proposed windows shall be submitted (at a 1:20 scale) and approved in writing by the local planning authority.

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

7. Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones,

security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

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

8. Details, specifications and finishes of all new external and internal doors, including frame section sizes, reveal depths and any mouldings and architraves at a minimum of 1:20 scale shall be approved in writing by the local planning authority before that part of the development commences. Thereafter, the new doors shall be installed in accordance with the approved details

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

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

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

10. Details of the new internal floor structure and its abutment with the existing building structure shall be approved in writing by the Local Planning Authority before that part of the development commences.

Reason: In order to ensure an appropriate quality of development

11. A schedule of all fixtures and fittings, with a photographic record, and details of their retention, repair, removal or relocation shall be approved in writing by the Local Planning Authority before that part of the development commences. The development shall then be carried out in accordance with the approved schedule.

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

12. Details of how cornices, skirtings, architraves, picture rails, dados and other decorative features are to repaired, replaced, altered, reproduced and protected during building works shall be approved in writing by the Local Planning Authority before that part of the development commences. The development shall then be carried out in accordance with the approved details.

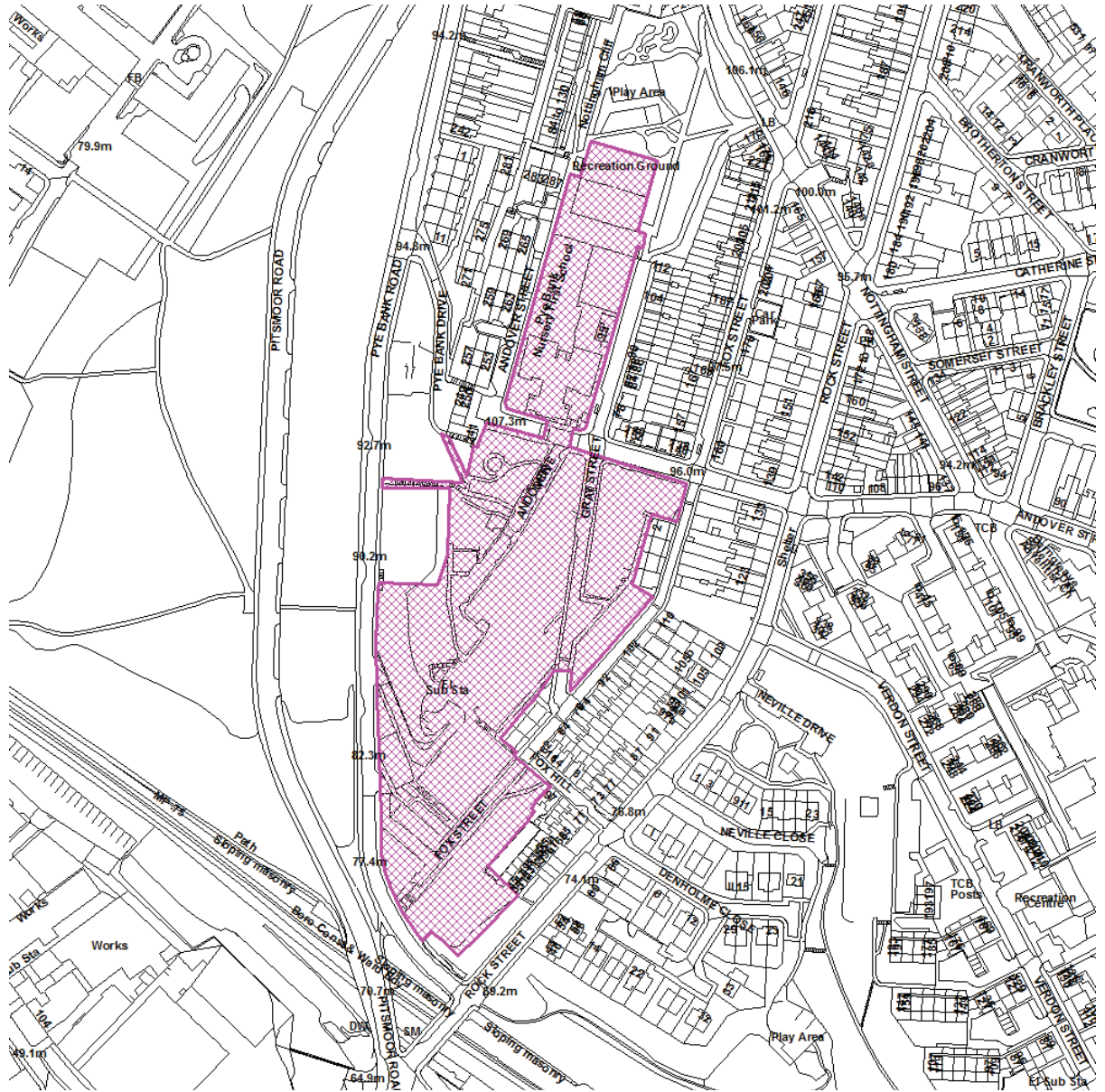
Reason: In order to protect the character of the original building.

Other Compliance Conditions

13. All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black.

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

Site Location



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LOCATION AND PROPOSAL

The application site, which comprises of a former housing site cleared of its high rise and maisonette housing blocks in the early 2000s, is bound by Andover Street to the north, Fox Street and Rock Street to the east and Pye Bank Road to the west. The site is largely vacant apart from 7 remaining 1960s terraced properties which front onto Fox Street.

The site sits on the crest of a south-west facing hill with views of the city centre and beyond. Ground levels across the site vary significantly as it slopes westwards towards Pye Bank Road (approximately 1 in 3), eastwards towards Fox Street (approximately 1 in 5) and ranges from approximately 75m AOD at the junction between Pye Bank Road and Fox Street to between 107m and 105m AOD at the crest.

To the north of the application site, on the opposite side of Andover Street, is the vacant grade II listed former Pye Bank Board School with attached caretaker's house and boundary wall (c.1875). Housing to the east of the site is characterised by two storey red brick terraced properties, while a new park is planned on the cleared land to the west.

In response to the need for more school places in Sheffield, planning permission and listed building consent are sought for the erection of a new through school (for pupils age 3 - 18) for approximately 1400 pupils. Nursery and primary school children will be accommodated in the former Pye Bank School, while secondary and sixth form pupils will be housed in a new school building on the vacant land to the south of Andover Street. It is intended that the new school, including the sports hall and outdoor multi-use games areas (MUGAs), will also be made available for use by the local community.

RELEVANT PLANNING HISTORY

16/04814/RG3 An application for the formal closure of Gray Street (south of Andover Street only), a section of Fox Street (Fox Hill to Pye Bank Road), Andover Drive and removal of a number of footpaths across the site, relocation of parking provision for properties 2, 4, 6 and 8 Gray Street, provision of site hoardings, 8 no. welfare cabins (double stacked), temporary haulage access, contractor parking, material set down areas and wheel washing facilities, bulk earthworks and removal of trees (Application for enabling /engineering works to facilitate future development of the site to provide a through school for 3-18 year olds) was approved in February 2017.

SUMMARY OF REPRESENTATIONS

No objections were received in relation to the proposed erection of a new through school. However, three representations were received, including one from Cllr Douglas Johnson.

Cllr Johnson raised concerns in relation to the impact of increased traffic on the local road network, having noted that the submitted Transport Study states that 'The proposed development is anticipated to significantly increase traffic volumes on the surrounding road network' but concludes that there are no inherent accident issues.

Cllr Johnson states: 'The surrounding roads to the East side (Fox St, Gray St, Andover St and Nottingham St) are residential streets and Andover St is very steep so they are not very suitable for the high volumes of traffic anticipated by the report. These streets very often have children playing out in them, which adds to the character of the street, and this is partly because car ownership and use is still very low...

Fox Street frequently has cars parked on both sides of the road ... (a)s the report notes, this obstructs traffic flow.

A significant increase in traffic on these streets, as anticipated, would have a serious detrimental impact on the residents wellbeing, health and safety, particularly those of the children.

By far the better option would be to route all main vehicular access via Pitsmoor Road / Pye Bank Road to the west ... This would achieve the desired segregation between vehicles and pedestrians by having pedestrians, cyclists etc. approach from the east, whilst cars would approach from the west.'

Further comments made by local residents include:

- A query regarding the location of the replacement car parking area;
- The inclusion of Nottingham Cliff Park in the plans as the park is 'not council land but land in trust for the local residents';
- The impact of road closures on locals who do not drive; and
- The loss of one of Sheffield's finest panoramic views to a car park.

In addition, the Victorian Society considered this application at their Northern Buildings Committee. They welcome the principle of restoring this important listed school and incorporating it into the wider proposal for a new through school. However, they made the following comments:

'Sheffield boasts an almost unrivalled collection of fine board schools. Given the board's tendency to choose elevated sites for its new schools – an advert for the importance of education and an expression of civic pride – the fact that Pye Bank School is one of the most prominent of them all is significant. At its opening it was described as a "*handsome new school fixed like an eagle's eyrie*". While the

immediate context of the school has changed repeatedly and significantly since 1875, the building nonetheless retains its impressive landmark quality. Despite closing in 1990 it is clearly very well preserved, including some particularly notable survivals, such as in-built and concealed cupboards, raked classrooms and historic air vents concealed within walls (such as in room 54).

Returning the building to its original use is certainly to be welcomed, particularly as it would appear much of the historic structure would serve largely non-teaching uses, thereby reducing the need to significantly alter its interior. Nonetheless, it is still proposed to remove the timber panelling from room 45, and to remove areas of parquet flooring, both of which we object to. These features, especially given their high level of preservation, contribute greatly to the building's character and should be retained and carefully restored. The air vents, handsome cast iron fireplace in room 36, concealed cupboards and bookshelves (room 51 and elsewhere) and charming coat hooks are unusual and greatly enhance the character of the interior. Again, these must be retained. Finally, the attractive glazed tiling should also be stripped of the concealing layer(s) of white paint. In general, an exemplary approach to the treatment of the historic interior is required.

We would not support the disposal of historic windows, which should instead be retained and renewed as being intrinsic to the fabric and interest of the listed building. Any new windows ought to reinstate the original pattern. Secondary glazing could be used to improve the thermal and acoustic properties of the building if single glazing was adopted, which would of course certainly be preferable.

Any new external doors – there are several proposed – should be appropriately detailed. The submitted drawings suggest relatively crude new openings and large glazed doors, which would likely strike a discordant note in the coherent and characterful external elevations.

As it is currently envisaged the new school would entirely deprive the listed building of its spectacular landmark quality. This would be highly regrettable. We recognise the restrictions of the site, but wonder whether it may be possible to reconfigure the plans in order to preserve a view of the building from the centre of the city. By way of mitigation, we suggest two further elements of reinstatement to the historic building that would represent significant heritage benefits. The first is the reconstruction of the original belfry that was the roof's crowning feature, along with the missing chimney. The litho-print of the school frontage included on page 24 of the Heritage Statement clearly illustrates them, and gives an indication of how valuable their reinstatement would be. The second is the reinstatement of the handsome but now fragmentary boundary railings and gate.'

PLANNING ASSESSMENT

Land Use

The National Planning Policy Framework (NPPF) was published in March 2012 and supersedes previous national planning guidance contained in various Planning Policy Guidance and Planning Policy Statements. The

NPPF sets out the Government's approach to planning matters, and is a material consideration in the determination of planning applications.

At the heart of the NPPF 'is a presumption in favour of sustainable development', where sustainable development includes the creation of 'a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.'

In relation to schools, the NPPF supports the need for sufficient choice of school places to meet the needs of existing and new communities, and local planning authorities are encouraged to 'take a proactive, positive and collaborative approach to meeting this requirement' by giving 'great weight to the need to create, expand or alter schools' (paragraph 72).

The statutory development plan for Sheffield currently comprises of:

- Sheffield City Council Core Strategy (March 2009); and
- Saved policies from the Sheffield City Council Unitary Development Plan (UDP) (1998).

The Core Strategy describes the vision for Sheffield and the provision of schools where they are needed is an important aspect of the city's aspirations for successful neighbourhoods and learning. Policy CS43 of the Core Strategy (Schools) states that the provision of sufficient modernised education facilities will include 'the redevelopment and refurbishment of all secondary schools and significant investment to upgrade some primary schools... (as well as) new education provision for ages 14-19 in the north-west.'

The application site lies in a designated Housing Area as defined in the Unitary Development Plan (UDP). Policy H10 of the UDP (Development in Housing Areas) states that community facilities and institutions (Use Class D1) are regarded as acceptable uses in Housing Areas as they generally meet local needs and people usually travel to them from home. This is certainly considered to be the case in relation to schools and, as schools fall within the D1 Use Class, the proposed development is considered to be acceptable in land use terms.

The site was cleared of its high rise and maisonette housing blocks in the early 2000s. In early 2015 the City Council produced a Planning and Design Brief for the wider site (which included Stanley Fields to the west) as part of the New Homes Bonus Programme. However, as marketing of the plateau adjacent Andover Street had suggested that housing development was unviable in this location because of the site constraints, it was recommended that flexibility was required in relation to land use allocations and that housing and open space could be swapped in order to make housing development more viable, provided that the loss of open space on Stanley Fields was compensated through the creation of a new open space. Land use options for the plateau were left open.

In October 2015 consultation document 'Providing More School Places For Sheffield Children' was issued by the City Council which highlighted the need for

additional school capacity, particularly at Reception level and to address the pipeline of pupils currently in Primary education but moving through to Secondary. The document sought feedback on the proposals for a new secondary school on the application site.

In February 2016, the Council published a Cabinet report 'School Places in Sheffield' which presented the findings of the feedback from the earlier consultation document – that members of the community in the north east of Sheffield were in support of a new school, that such a move would have a positive impact on the area and that the choice of the Pye Bank site would present an opportunity for regeneration and enhancement of local community facilities. Members authorised the commissioning of a new through school, which will be known as Woodside School, on the former Pye Bank School site.

This application is the next step in delivering the agreed proposals for education provision in the north east of the city.

Design and Heritage Issues

Policy CS74 of the Core Strategy (Design Principles) 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', including its topography, views to landmarks and skylines across the city and the distinctive heritage of the city (including board schools). Policy CS74 also advises that development should be of a high quality and 'help to transform the character of physical environments that have become run down and are lacking in distinctiveness.'

Policy BE5 of the UDP (Building Design and Siting) expects good design and the use of good quality materials in all new buildings. It encourages original architecture, which takes full advantage of a site's natural and built features, whilst maintaining a human scale. Wherever possible, particularly in large-scale developments, it advises that materials should be varied and the overall mass of buildings broken down.

BE5 also expects the design of buildings and landscaping to promote all aspects of personal safety and security and to meet the needs of its users, particularly people with disabilities.

The proposed through school comprises of two elements: the alteration and refurbishment of the grade II listed Pye Bank School for use by the Nursery and up to Year 4 children; and a new building which will accommodate Years 5 and 6, the secondary school, the sixth form and sports facilities.

The proposed new building, which reaches two and three storeys in height, has a long linear form which is designed to protect long views of the listed school building and maximise the set back from neighbouring residential properties so as to avoid harming the amenities of their occupants. Siting the school along the north-south ridge of this terraced site also minimises the amount of groundworks required.

A central glazed entrance separates the two wings of accommodation, with Years 5 and 6 located on the upper ground floor of the north wing from where they have easy access to the lower school and a degree of separation from the secondary school pupils who will largely inhabit the southern wing (save for the sixth form which is based on the first floor of the northern wing where it benefits from a balcony created by the projecting hall below). Shared spaces, including dining and library facilities, are positioned centrally for ease of access from both wings.

Facilities which are designed to be accessible to the public out of hours are also located near to the central school entrance or, in the case of the sports facilities, adjacent to the car park to the far south of the site.

As the new school site is visible from across the city, the design of the building has been developed to be read at a distance as well as from close quarters. The Design and Access Statement states how the scale and massing of the built form has been influenced by Stanage and Burbage Edge – similarly exposed sites with a large mass on the ridge. The building references the very visible vertical rock stacks seen on the Edge with the use of vertical glazing that slices through the solid mass of the school. It also steps in and out to create the appearance of rock overhangs, crags and crevices which help to vary the building's appearance and massing in all directions.

This approach is supported and, in large part, is considered to be successful. Concerns were raised regarding the siting of the extensive roof top plant, which had the effect of flattening out the building form and detracting from the Edge concept. However, the architect has been able to respond to this issue by raising the building parapet in key locations and zoning and screening the plant.

The reference to Stanage Edge has also been carried through to a detailed design level, with projecting brickwork headers and hit and miss pattern work (at high level) giving the impression that the building can be climbed, while vinyl manifestations featuring rock climbers, and cladding in a variety of sizes, textures and colours helps to add texture and detail. It is also hoped that a rock climbing wall will be provided within the building to embrace the site's proximity to the Peaks and enrich the range of activities on offer.

The proposed materials have been chosen to reflect the sites context and to establish visual richness at close quarters. A warm grey/brown brick is proposed which, it is considered, will sit comfortably against the natural tones of the stone built listed school building. The sports hall will be simply clad while coloured reveals, cladding panels and the spine wall will pick up on the colours found in the peaks such as orange lichens, green mosses and purple heathers.

The sloping site clearly created many challenges, not least in terms of access. However, it also allowed the formation of direct ground level access to several floor levels. Disabled parking bays are located adjacent the north-east corner of the new school building from where there is a level approach to the main visitor entrance/reception area and, as amended, a level route to the southern end of the building from where a lift provides access to the out of hours sports facilities.

Paragraph 132 of the National Planning Policy Framework (NPPF) notes 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.'

A similar duty is required by Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990, which states that that the local planning authority shall have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Policy BE19 of the UDP (Development Affecting Listed Buildings) expects proposals for internal or external alterations, which would affect the special interest of a listed building, to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest. Proposals for change of use are also expected to preserve the character of the building.

The former Pye Bank Board School, along with the attached caretaker's house and boundary wall, are grade II listed. The two storey school and house were built in 1875-1877, in a Gothic Revival style, from coursed square stone with ashlar dressings and gabled and hipped slate roofs – though many of the school's retained internal features are considered to belong the Arts and Crafts movement.

The re-use of the grade II listed Pye Bank School as part of the new through school is strongly supported. The proposed alterations include the removal of many twentieth century additions, including a rear extension thought to have been built in the late 1960s. These alterations are welcomed as they largely reinstate the original floor plan of the building, which is T-shaped and, according to archive records, follows the then popular German School Hall-style of the 1880s. The only new addition to the school footprint is a lift, which is simply designed and in an unobtrusive area of the building where it cannot be seen from the public highway.

The proposed repairs include a new roof and the replacement of the timber which forms the first floor, including the floor boards. A survey of the first floor and roof timbers found that dry rot, probably caused by significant damage and water ingress in the roof structure, is widespread to the extent that the first floor is not considered to be a safe working area. Existing parquet flooring is also rotten and displaced as a result of damp. Having been damaged beyond repair its removal is regrettable but considered to be acceptable.

New timber windows are proposed, though the submitted Heritage Statement concludes that the majority of window casements in the central and rear sections of the building are 20th century replacements. There are no objections in principle to the replacement of the existing windows with slim line double glazed units which reflect the design of the building's original windows.

A large number of surviving original features are to be retained, including timber panelling, in-built cupboards, fireplaces, mouldings, staircases, iron work and tiling. The repair and retention of these features will contribute to preserving the character and appearance of the listed building.

The Victorian Society commented that the proposed new school would deprive the former board school of its landmark quality, i.e. by obscuring it in long views. By way of mitigation they suggested the reconstruction of the original belfry and a the missing chimney.

While the reconstruction of these features would be desirable, the associated costs would be significant. Moreover, the design of new school building took into account the setting and long views of the listed building, with which it has a robust yet subservient relationship. As a result of the sloping nature of the application site the new school remains lower than the listed building, which will still be visible in many long views.

It is therefore considered that the proposed works are acceptable and will not cause significant harm the character or historic interest of the listed building, nor will the erection of the upper school cause detrimental harm to its setting.

Amenity Issues

The application site lies in a designated Housing Area as defined in the Unitary Development Plan (UDP) and policy H14 of the UDP (Conditions on Development in Housing Areas) expects development to safeguard the amenities of neighbouring residents.

As previously described, the long, linear form of the new school building was designed, in part, to provide a reasonable degree of separation between it and neighbouring dwellings, the closest of which are numbers 150 and 152 Andover Street which are located approximately 22 metres to the north east (on the opposite side of Andover Street), numbers 2 to 8 Fox Street approximately 36 metres to the east of the north wing and numbers 35 to 39 which are a minimum of 27 metres from the south wing. The properties on Fox Street are significantly lower than the new school building.

The school's core school hours will be 0800 hours to 1730 hours, however the site will be open from 0630 hours, primarily for kitchen staff, until 2200 hours. There is also potential for the site to hold one-off events which will require the site to be open until 2330 hours.

Noise from the school itself is not expected to be a problem as the building envelope has been designed to prevent noise outbreak. A substantial amount of mechanical plant will be required to serve the new school building, most of which will be located on the roof. Such plant can be noisy and, if not properly attenuated, can impact upon the amenities of the area. However, the submitted noise assessment suggests that plant and equipment will be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) will not exceed the LA90 background noise level at any time when

measured at positions on the site boundary adjacent to noise sensitive uses. This, along with the requirement wsto submit details of all externally mounted plant and equipment, including acoustic emissions data, will prevent any harm to the occupants of neighbouring dwellinghouses from plant noise.

Noise from use of the proposed multi-use games areas (MUGAs) is of greater concern. There are two double pitch outdoor sports facilities with bitumous macadam surfaces identified on the submitted plans; one to the north of the listed building which forms part of the Nottingham Street Park (and falls within the site boundary); and one to the west between the new school building and Pye Bank Road.

The MUGA within the park is an existing facility which is to be upgraded as part of the proposed development. It sits in close proximity to residential properties to the west and while use by the school could see activities intensify, this is likely to be restricted to core school hours. The improved facilities will, of course, be of benefit to the wider community and there is the potential that upgrading the surface of the MUGA will also encourage greater community use, potentially increasing noise levels outside of the school day. However, this is an existing facility in an established park. It is not considered appropriate to apply new restrictions to the use of the Nottingham Street Park MUGA simply because it is to be upgraded. Moreover, as the park is owned by the Council (Parks and Countryside), access to the MUGA can be controlled if noise, or anti-social behaviour, becomes problematic in the future.

The hard surfaced MUGA to the west of the new school building sits well within the school grounds, more than 60 metres from the nearest residential accommodation and will be partially screened by landscaping. Again, with use largely restricted to during the school day, it does not raise any amenity concerns.

An artificial grass MUGA is proposed at the southern end of the application site, less than 10 metres from the nearest residential property on Fox Hill. It is intended that this MUGA be used by both the school and the community.

The submitted noise report (Planning Stage Environmental Noise Assessment HRS Ltd. HRS Ref: 124497-AC-3v1) uses typical noise levels obtained from previous noise assessments to predict the likely level of noise from this MUGA for football/rugby training (an LAeq of 55-65dB with LAFmax levels of 65-85dB are cited). The report concludes that the impact from normal daytime use will be moderate, while evening community use could be potentially severe, though this is reduced to less than severe if activities are appropriately managed. There is some concern, however, that the assessment fails to afford adequate weight to the psycho-acoustic annoyance factor of the character of the noise maximums, typically a mix of shouting and ball impact noises. Therefore the impact of its use may have been underestimated.

Due to the concerns over noise from the southern MUGA, as well as the details of the assessment method, it is considered that additional work is required in order to evaluate noise from both school and community use.

While school daytime use of the southern MUGA is assumed to a viable proposal, subject to suitable mitigation measures designed to reduce the impact of noise on immediate neighbours, community use of the artificial grass MUGA outside of school hours will only be allowed if preceded by the submission and approval of a suitable and detailed noise impact assessment and the implementation of any necessary noise mitigation measures.

The applicant has confirmed that no floodlighting is proposed on any of the new or improved MUGAs.

Highway Issues

Policy H14 of the UDP expects development to provide safe access to the highway network and appropriate levels of off-street parking.

The application comprises of a primary school for 420 pupils, a secondary school for 750 pupils, and a sixth form for a further 200 pupils. When both schools are operating at full capacity, the number of staff will be in the order of 150. Sports facilities, halls and classrooms will also be made available for community use outside of core school hours.

A total of 117 off-street car parking spaces are proposed, including 12 disabled spaces. This figure exceeds the upper limit of the Council's car parking guidelines by 27 spaces. However, given the proposed community use and the potential for a degree of overlap between competing parking demands, the level of car parking provision is considered to be acceptable.

The start and finish times of the primary and secondary schools will be staggered to further reduce the impact on the local highway network during drop-off and collection times. The proposed start and finish times are as follows;

- Primary 0850 hours to 1530 hours
- Secondary 0830 hours to 1500 hours

Cycle parking for the primary school will consist of 10 stands (20 spaces) while 40 stands will be provided for the secondary school and sixth form (80 spaces). Student and staff cycle parking will be provided separately. While these figures are generally considered to be acceptable, further details are required and the demand for spaces will need to be reviewed within the required Travel Plan.

The area surrounding the proposed through school is predominantly residential in character and traffic calming measures have been introduced on many roads. Buses run along nearby Nottingham Street and Rock Street (services 3, 83, 83a and 703).

Whilst a strong and effective Travel Plan for the site is a top priority, it is acknowledged that an increase in pupil related car trips is inevitable. It has therefore been suggested that Pitsmoor Road be promoted for pupil drop-off and

collections as it is wide enough to accommodate on-street parking and still allow two-way traffic. Using Pitsmoor Road in this way will remove the need for pupil related school traffic to enter the residential roads to the east and south of the site.

It is considered that the volume of traffic currently using Rutland Road and Pitsmoor Road during peak periods creates a significant barrier for pupils approaching the site from this direction. To improve pedestrian access and facilitate the use of Pitsmoor Road for drop-off and collections, two Puffin crossings are required, the provision of which is reserved by condition.

Information collected in the 2011 school census has been used to estimate the likely modal split of pupils travelling to the proposed primary and secondary schools from within the catchment area. These are:

	Primary	Secondary
Walking	62.5%	50%
Cycling	0.2%	0.2%
Car	32.8%	11.6%
Bus	3.8%	34%
Train	0.2%	2.4%
Other	0.2%	2.6%

The submission of a detailed travel plan is reserved by condition. It is expected that the travel plan will seek to shift the balance away from car trips as much as possible.

The 2011 census data also contains information in relation to the age of residents living within sub-areas of the catchment areas of both schools. This information was used to derive the likely distribution of trips to the schools on the local highway network. The percentage increase in vehicular traffic on the surrounding highways was found to be minimal. The junctions in the immediate vicinity of the school have been modelled using the PICADY computer programme. The results show no queuing or delay at these junctions.

It is therefore considered that the proposals incorporate appropriate levels of off-street parking, that there will be no harmful impact on the local highway network, and that there will be a number of safe and sustainable travel routes for pupils travelling to the proposed through school.

Land Contamination

Land contamination issues were largely addressed as part of the earlier application for site enabling works (16/04814/RG3). On-going discussions in relation to land contamination resulted in the submission of an updated Site Investigation Report and a revised Remediation Strategy as part of this application. Conditions are proposed requiring the development to proceed in accordance with these up to date documents.

Sustainability

Policy CS63 (Responses to Climate Change) aims to give priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions, and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings to be energy efficient and to use resources sustainably, while policy CS65 (Renewable Energy and Carbon Reduction) seeks to secure the generation of energy from renewable sources. All significant developments are required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

The school will serve a catchment area largely within walking distance and the Transport Assessment shows that more than 50% of pupils are likely to choose to commute on foot, with travel by bus likely to be the next most popular choice. There are a number of bus stops on nearby Nottingham Street and Rock Street (Pye Bank Road, to the west, is closed to traffic) and 5 bus routes running within 1 km of the site. While an increase in the number of pupils choosing walk or take the bus to school will be sought through the travel plan, the application site is considered to be well served by sustainable forms of transport.

The submitted Sustainability Statement describes the energy efficiency of the building fabric and assesses the contribution that various renewable technologies could make to the efficiency of the school. It concludes that the location and orientation of the new school building allows for up to 420 sq.m of south facing photovoltaic panels to be erected on the roof which have the potential to meet the required 10% energy contribution. Moreover, the PVs would generate electricity every day during school hours, and would also earn money by feeding unused electricity into the grid (storing excess energy would be less desirable as the battery bank or fuel cells used would be large and costly).

In addition to the installation of PVs, a building management system will be used to monitor and control building services in order to meet demand and reduce wasted energy.

On this basis it is considered that the requirements of Core Strategy policies CS63 to CS65 will be met.

Community Use of the Site

Developing and maintaining buildings for community use can be costly and unprofitable. This is especially true in inner city areas where needs are greatest. The UDP states that the Council will use its planning powers to make sure that developments provide a wide range of benefits for the community. Specifically, policy CF1 of the UDP (Provision of Community Facilities) states that the provision of community facilities will be promoted, particularly where they are located within the community they are intended to serve and are easily accessible by public transport.

The planning application indicates that the new school, including the sports hall and outdoor multi-use games areas (MUGAs), will be made available for use by the local community and the applicant has committed, along with the relevant Academy Trust, to enter into a Community Use Agreement. It is expected that the Community Use Agreement, the submission of which is reserved by condition, shall include measures to manage community use so as to protect the amenities of the occupiers of neighbouring properties and the wider area.

SUMMARY AND RECOMMENDATION

Planning permission and listed building consent are sought for the erection of a new through school for approximately 1400 pupils, which includes the re-use of the grade II listed Pye Bank School.

The applications follow a 2015 consultation document, 'Providing More School Places For Sheffield Children', which highlighted the need for additional school capacity, and a 2016 Cabinet report 'School Places in Sheffield' which led Members to authorise the commissioning of the new through school on the application site.

It is considered that the design of the new school building responds positively to the topography of the site and seeks to protect long views of the listed school building as well as the amenities of the occupants of neighbouring properties. The design also makes reference to another local landmark – Stanage and Burbage Edge – which helps to add interest to the building's appearance and massing in an appropriate and meaningful way.

The school sits in a designated Housing Area. Generally, noise from the school or the school grounds is not expected to be a problem. However, noise from use of the proposed artificial grass MUGA at the southern end of the application site is potentially problematic. For this reason, and in order to avoid harming the amenities of those living adjacent or close to the application site, community use of the artificial grass MUGA will only be allowed if additional reporting shows that noise can be satisfactorily controlled.

As the proposals incorporate appropriate levels of off-street parking, there should be no harmful impact on the local highway network, and highway improvements reserved by condition will ensure that pupils can travel to school safely.

Finally, having had special regard to the desirability of preserving the grade II listed school building, its setting and features of special architectural or historic interest as required by Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990, it is considered that the proposals are acceptable and will not cause harm to the character or historic interest of the former Pye Bank Board School.

Members are therefore recommended to grant planning permission and listed building consent, subject to the proposed conditions.

Case Number	17/00868/RG3 (Formerly PP-05838604)
Application Type	Application Submitted by the Council
Proposal	Erection of new through school (for pupils age 3 - 18), including alterations to and refurbishment of former Pye Bank School, redevelopment of land (incorporating Fox Street, Andover Drive and Gray Street) to provide new school buildings with outdoor play areas, multi-use games areas (MUGA), hard and soft landscaping, car and cycle parking, new accesses to the site and new boundary treatments (Full application under Reg 3 - 1992)
Location	Former Pye Bank Infant School Andover Street Sheffield S3 9EL
Date Received	28/02/2017
Team	West and North
Applicant/Agent	DLP Planning Ltd (M Edgar)
Recommendation	Grant Conditionally

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:

Site Location Plan 0110 Rev 04
Existing Site Plan 0111 Rev 01
Lower Ground Floor Plan 0112 Rev 02
Ground Floor Plan 0113 Rev 02
Upper Ground Floor Plan 0114 Rev 02
First Floor Plan 0115 Rev 02
Roof Plan 0116 Rev 03
Proposed Elevations 0117 Rev 03
Proposed Substation Plans 0118 Rev 01

Primary Ground Floor Demolition Plan 01108 Rev 02
Primary First Floor Demolition Plan 01109 Rev 02
Proposed Basement & Ground Floor Plan 01110 Rev 02
Proposed Mezzanine Plan 01111 Rev 02
Proposed First Floor Plan 01112 Rev 02
Proposed Roof Plan 01113 Rev 02
Proposed Elevations Sheet 1 01114 Rev 02
Proposed Elevations Sheet 2 01115 Rev 02

WS-ALA-ZZ-ZZ-DR-L-0001 Landscape General Arrangement [Whole Site] S2-P10
WS-ALA-ZZ-ZZ-DR-L-0002 Illustrative Masterplan [Whole Site] S2-P04
WS-ALA-00-XX-DR-L-0005 Landscape General Arrangement 1 of 4 S2-P07
WS-ALA-00-XX-DR-L-0006 Landscape General Arrangement 2 of 4 S2-P07
WS-ALA-00-XX-DR-L-0007 Landscape General Arrangement 3 of 4 S2-P07
WS-ALA-00-XX-DR-L-0008 Landscape General Arrangement 4 of 4 S2-P07
WS-ALA-00-XX-DR-L-0010 Landscape Boundary Treatment [whole site] S2-P05
WS-ALA-00-XX-DR-L-0011 Landscape Site Sections 1 of 2 S2-P02
WS-ALA-00-XX-DR-L-0012 Landscape Site Sections 2 of 2 S2-P02
WS-ALA-00-XX-DR-L-0028 Detailed levels design 1of 4 S2-P02
WS-ALA-00-XX-DR-L-0029 Detailed levels design 2of 4 S2-P02
WS-ALA-00-XX-DR-L-0030 Detailed levels design 3of 4 S2-P02
WS-ALA-00-XX-DR-L-0031 Detailed levels design 4of 4 S1-P01

Reason: In order to define the permission.

Pre-Commencement Condition(s)

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 Improvement Works:

- Promotion of Traffic Regulation Orders in the local area (waiting/loading restrictions) and the making of Orders subject to the usual procedures, including the provision of road markings and signs as necessary;
- Provision of a plateau on Andover Street between the two school buildings, with associated road markings, and any necessary accommodation works;
- Review/provision of drop kerbs and tactile paving to assist pedestrian movement in the local area.
- Provision of two Puffin Crossings, one on Pitsmoor Road and one on Rutland Road, and any necessary accommodation works.

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. 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.

5. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be 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 shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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.

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

6. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy ref. TD/41999/RS/2; 23/05/17 and accompanying drawing WS-ALA-XX-00-DR-L-0001 (rev 09). 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.

7. 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.

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. Large scale details, 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 that part of the development commences:

Windows and window reveals;
Entrance doors;
Parapets;
Plant screens;
Curtain Walling;
Rainwater goods;
Railings and balustrades; and
Canopies.

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

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

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

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

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

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

12. Before the school is brought into use, a Framework Travel Plan to reduce dependency on the private car, which shall include clear and unambiguous objectives and modal split targets, together with a timebound program of implementation, monitoring and regular review and improvement, shall be 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.

13. Using the aforementioned Framework Travel plan as a basis, the following standards shall have been achieved using ModeshiftSTARS (www.modeshiftstars.org):

- after the first term of occupation, a Bronze Level Travel Plan;
- after one year of occupation, a Silver Level Travel Plan; and
- after 3 years of occupation, a Gold Level Travel Plan:

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield.

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

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield.

15. Prior to the installation of any kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) Plans showing the location of any external fume extract ducting, which should terminate with 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 approved equipment shall then be installed, 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.

16. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, 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.

17. The external lighting scheme shall be installed in general accordance with the approved External Lighting Report (N G Bailey; 10/02/2017) and accompanying External Lighting plans, and equipped with the recommended night time curfew switching control facility. The approved scheme shall be thereafter retained and operated in accordance with the approved details and night time curfew recommendations.

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

18. No works of construction, nor other enabling, engineering or preparatory works associated with this permission, shall take place until a Construction phase Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all such activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, and light nuisance. The CEMP shall include strategies to mitigate any residual effects from noise and vibration that cannot be managed to comply with acceptable

levels at source. The CEMP shall also include details relating to the permitted working hours on site, and include a fugitive dust management plan.

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

19. The development shall not be used until a Community Use Agreement has been submitted to and approved in writing by the local planning authority. The Community Use Agreement shall incorporate the principles outlined in the Community Use Briefing Note (dated 12th May 2017) and include measures to manage community use in order to protect the amenities of the occupiers of neighbouring properties and the wider area.

Reason: To provide benefits for the community in accordance with policy CF1 of the Unitary Development Plan (Provision of Community Facilities) and in the interests of the amenities of the locality and occupiers of neighbouring properties.

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

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

21. Before the development is occupied, details of how the car parking accommodation will be managed and allocated, including the operation of gates and barriers and the times when access in and out of the car park will be restricted, both during school hours and when in community use, shall be submitted to and approved in writing by the Local Planning Authority. The car parking accommodation shall thereafter be operated in accordance with the approved details.

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

22. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

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

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

24. Before the school is brought into use, arrangements shall have been entered into securing the installation/improvement of three bus stops/shelters in the immediate

vicinity of the development, with raised footway and tactile paving to assist boarding/alighting.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield.

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

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield.

26. Notwithstanding the approved plans, details of all means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced and the development shall not be used unless such means of site boundary treatment have been provided in accordance with the approved details.

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

27. A roof plan, with details of the layout and height of plant and of screening where required, shall be approved in writing by the Local Planning Authority before that part of the development commences.

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

28. 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.

Other Compliance Conditions

29. External sporting facilities, including the Multi Use Games Areas (MUGAs) proposed, shall not be equipped with sports floodlighting.

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

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

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

31. No gates shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

Attention is Drawn to the Following Directives:

1. The applicant is advised that the signage indicated on the submitted drawings is not approved as part of this permission and will require separate Advertisement Consent. To discuss arrangements for obtaining such consent, and to request application forms, the applicant should contact Development Control Section, Development Services, on Sheffield (0114) 2039183 or go to www.sheffield.gov.uk/in-your-area/planning-and-city-development
2. 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.
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. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

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

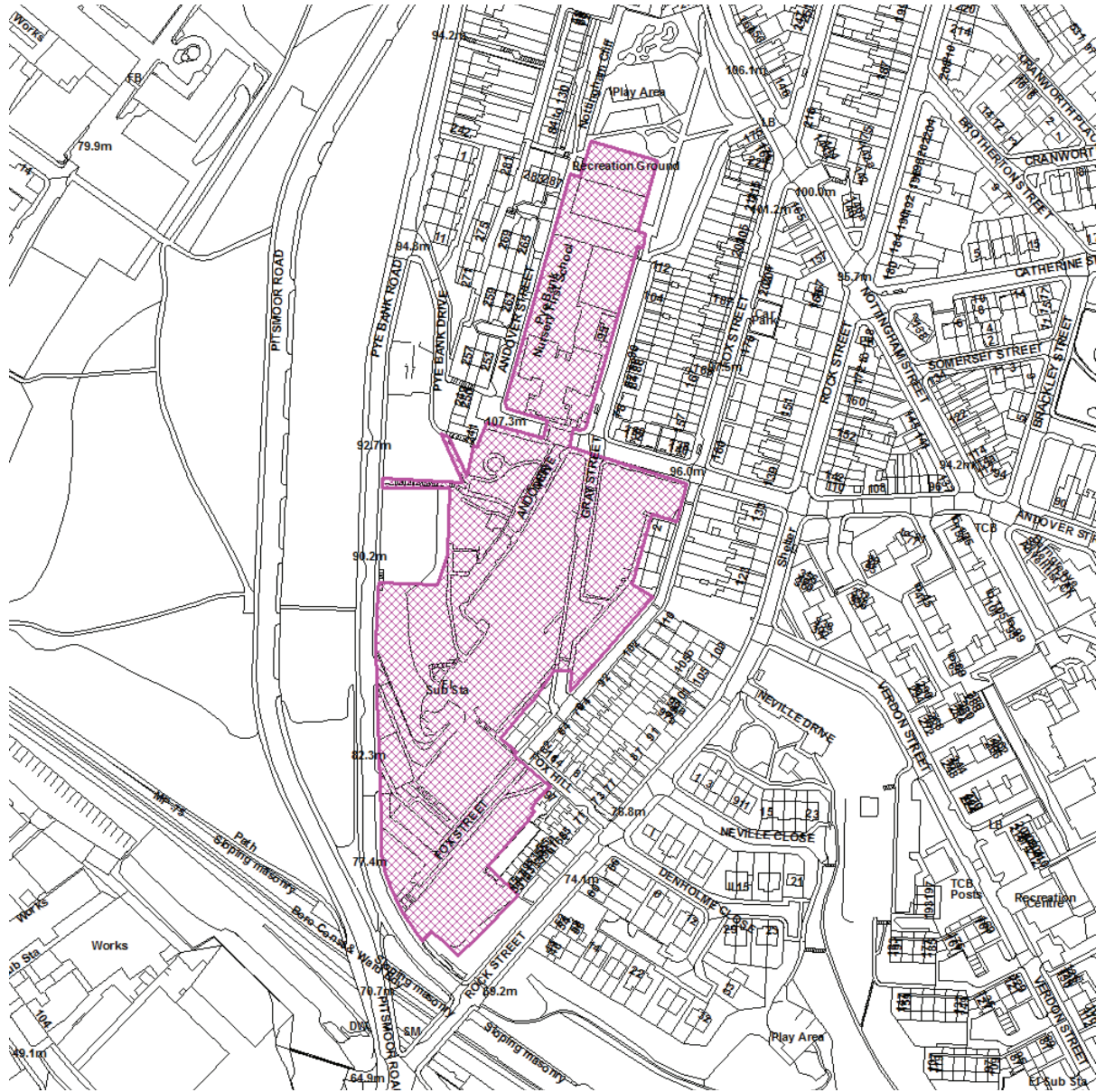
For the attention of Mr S Turner
Tel: (0114) 27 34383

5. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
6. 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, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.

7. 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.
8. 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.
9. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

The application site, which comprises of a former housing site cleared of its high rise and maisonette housing blocks in the early 2000s, is bound by Andover Street to the north, Fox Street and Rock Street to the east and Pye Bank Road to the west. The site is largely vacant apart from 7 remaining 1960s terraced properties which front onto Fox Street.

The site sits on the crest of a south-west facing hill with views of the city centre and beyond. Ground levels across the site vary significantly as it slopes westwards towards Pye Bank Road (approximately 1 in 3), eastwards towards Fox Street (approximately 1 in 5) and ranges from approximately 75m AOD at the junction between Pye Bank Road and Fox Street to between 107m and 105m AOD at the crest.

To the north of the application site, on the opposite side of Andover Street, is the vacant grade II listed former Pye Bank Board School with attached caretaker's house and boundary wall (c.1875). Housing to the east of the site is characterised by two storey red brick terraced properties, while a new park is planned on the cleared land to the west.

In response to the need for more school places in Sheffield, planning permission and listed building consent are sought for the erection of a new through school (for pupils age 3 - 18) for approximately 1400 pupils. Nursery and primary school children will be accommodated in the former Pye Bank School, while secondary and sixth form pupils will be housed in a new school building on the vacant land to the south of Andover Street. It is intended that the new school, including the sports hall and outdoor multi-use games areas (MUGAs), will also be made available for use by the local community.

RELEVANT PLANNING HISTORY

16/04814/RG3 An application for the formal closure of Gray Street (south of Andover Street only), a section of Fox Street (Fox Hill to Pye Bank Road), Andover Drive and removal of a number of footpaths across the site, relocation of parking provision for properties 2, 4, 6 and 8 Gray Street, provision of site hoardings, 8 no. welfare cabins (double stacked), temporary haulage access, contractor parking, material set down areas and wheel washing facilities, bulk earthworks and removal of trees (Application for enabling /engineering works to facilitate future development of the site to provide a through school for 3-18 year olds) was approved in February 2017.

SUMMARY OF REPRESENTATIONS

No objections were received in relation to the proposed erection of a new through school. However, three representations were received, including one from Cllr Douglas Johnson.

Cllr Johnson raised concerns in relation to the impact of increased traffic on the local road network, having noted that the submitted Transport Study states that 'The proposed development is anticipated to significantly increase traffic volumes on the surrounding road network' but concludes that there are no inherent accident issues.

Cllr Johnson states: 'The surrounding roads to the East side (Fox St, Gray St, Andover St and Nottingham St) are residential streets and Andover St is very steep so they are not very suitable for the high volumes of traffic anticipated by the report. These streets very often have children playing out in them, which adds to the character of the street, and this is partly because car ownership and use is still very low...

Fox Street frequently has cars parked on both sides of the road ... (a)s the report notes, this obstructs traffic flow.

A significant increase in traffic on these streets, as anticipated, would have a serious detrimental impact on the residents wellbeing, health and safety, particularly those of the children.

By far the better option would be to route all main vehicular access via Pitsmoor Road / Pye Bank Road to the west ... This would achieve the desired segregation between vehicles and pedestrians by having pedestrians, cyclists etc. approach from the east, whilst cars would approach from the west.'

Further comments made by local residents include:

- A query regarding the location of the replacement car parking area;
- The inclusion of Nottingham Cliff Park in the plans as the park is 'not council land but land in trust for the local residents';
- The impact of road closures on locals who do not drive; and
- The loss of one of Sheffield's finest panoramic views to a car park.

In addition, the Victorian Society considered this application at their Northern Buildings Committee. They welcome the principle of restoring this important listed school and incorporating it into the wider proposal for a new through school. However, they made the following comments:

'Sheffield boasts an almost unrivalled collection of fine board schools. Given the board's tendency to choose elevated sites for its new schools – an advert for the importance of education and an expression of civic pride – the fact that Pye Bank School is one of the most prominent of them all is significant. At its opening it was described as a "*handsome new school fixed like an eagle's eyrie*". While the immediate context of the school has changed repeatedly and significantly since 1875, the building nonetheless retains its impressive landmark quality. Despite closing in 1990 it is clearly very well preserved, including some particularly notable

survivals, such as in-built and concealed cupboards, raked classrooms and historic air vents concealed within walls (such as in room 54).

Returning the building to its original use is certainly to be welcomed, particularly as it would appear much of the historic structure would serve largely non-teaching uses, thereby reducing the need to significantly alter its interior. Nonetheless, it is still proposed to remove the timber panelling from room 45, and to remove areas of parquet flooring, both of which we object to. These features, especially given their high level of preservation, contribute greatly to the building's character and should be retained and carefully restored. The air vents, handsome cast iron fireplace in room 36, concealed cupboards and bookshelves (room 51 and elsewhere) and charming coat hooks are unusual and greatly enhance the character of the interior. Again, these must be retained. Finally, the attractive glazed tiling should also be stripped of the concealing layer(s) of white paint. In general, an exemplary approach to the treatment of the historic interior is required.

We would not support the disposal of historic windows, which should instead be retained and renewed as being intrinsic to the fabric and interest of the listed building. Any new windows ought to reinstate the original pattern. Secondary glazing could be used to improve the thermal and acoustic properties of the building if single glazing was adopted, which would of course certainly be preferable.

Any new external doors – there are several proposed – should be appropriately detailed. The submitted drawings suggest relatively crude new openings and large glazed doors, which would likely strike a discordant note in the coherent and characterful external elevations.

As it is currently envisaged the new school would entirely deprive the listed building of its spectacular landmark quality. This would be highly regrettable. We recognise the restrictions of the site, but wonder whether it may be possible to reconfigure the plans in order to preserve a view of the building from the centre of the city. By way of mitigation, we suggest two further elements of reinstatement to the historic building that would represent significant heritage benefits. The first is the reconstruction of the original belfry that was the roof's crowning feature, along with the missing chimney. The litho-print of the school frontage included on page 24 of the Heritage Statement clearly illustrates them, and gives an indication of how valuable their reinstatement would be. The second is the reinstatement of the handsome but now fragmentary boundary railings and gate.'

PLANNING ASSESSMENT

Land Use

The National Planning Policy Framework (NPPF) was published in March 2012 and supersedes previous national planning guidance contained in various Planning Policy Guidance and Planning Policy Statements. The NPPF sets out the Government's approach to planning matters, and is a material consideration in the determination of planning applications.

At the heart of the NPPF 'is a presumption in favour of sustainable development', where sustainable development includes the creation of 'a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.'

In relation to schools, the NPPF supports the need for sufficient choice of school places to meet the needs of existing and new communities, and local planning authorities are encouraged to 'take a proactive, positive and collaborative approach to meeting this requirement' by giving 'great weight to the need to create, expand or alter schools' (paragraph 72).

The statutory development plan for Sheffield currently comprises of:

- Sheffield City Council Core Strategy (March 2009); and
- Saved policies from the Sheffield City Council Unitary Development Plan (UDP) (1998).

The Core Strategy describes the vision for Sheffield and the provision of schools where they are needed is an important aspect of the city's aspirations for successful neighbourhoods and learning. Policy CS43 of the Core Strategy (Schools) states that the provision of sufficient modernised education facilities will include 'the redevelopment and refurbishment of all secondary schools and significant investment to upgrade some primary schools... (as well as) new education provision for ages 14-19 in the north-west.'

The application site lies in a designated Housing Area as defined in the Unitary Development Plan (UDP). Policy H10 of the UDP (Development in Housing Areas) states that community facilities and institutions (Use Class D1) are regarded as acceptable uses in Housing Areas as they generally meet local needs and people usually travel to them from home. This is certainly considered to be the case in relation to schools and, as schools fall within the D1 Use Class, the proposed development is considered to be acceptable in land use terms.

The site was cleared of its high rise and maisonette housing blocks in the early 2000s. In early 2015 the City Council produced a Planning and Design Brief for the wider site (which included Stanley Fields to the west) as part of the New Homes Bonus Programme. However, as marketing of the plateau adjacent Andover Street had suggested that housing development was unviable in this location because of the site constraints, it was recommended that flexibility was required in relation to land use allocations and that housing and open space could be swapped in order to make housing development more viable, provided that the loss of open space on Stanley Fields was compensated through the creation of a new open space. Land use options for the plateau were left open.

In October 2015 consultation document 'Providing More School Places For Sheffield Children' was issued by the City Council which highlighted the need for additional school capacity, particularly at Reception level and to address the pipeline of pupils currently in Primary education but moving through to Secondary. The document sought feedback on the proposals for a new secondary school on the application site.

In February 2016, the Council published a Cabinet report 'School Places in Sheffield' which presented the findings of the feedback from the earlier consultation document – that members of the community in the north east of Sheffield were in support of a new school, that such a move would have a positive impact on the area and that the choice of the Pye Bank site would present an opportunity for regeneration and enhancement of local community facilities. Members authorised the commissioning of a new through school, which will be known as Woodside School, on the former Pye Bank School site.

This application is the next step in delivering the agreed proposals for education provision in the north east of the city.

Design and Heritage Issues

Policy CS74 of the Core Strategy (Design Principles) 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', including its topography, views to landmarks and skylines across the city and the distinctive heritage of the city (including board schools). Policy CS74 also advises that development should be of a high quality and 'help to transform the character of physical environments that have become run down and are lacking in distinctiveness.'

Policy BE5 of the UDP (Building Design and Siting) expects good design and the use of good quality materials in all new buildings. It encourages original architecture, which takes full advantage of a site's natural and built features, whilst maintaining a human scale. Wherever possible, particularly in large-scale developments, it advises that materials should be varied and the overall mass of buildings broken down.

BE5 also expects the design of buildings and landscaping to promote all aspects of personal safety and security and to meet the needs of its users, particularly people with disabilities.

The proposed through school comprises of two elements: the alteration and refurbishment of the grade II listed Pye Bank School for use by the Nursery and up to Year 4 children; and a new building which will accommodate Years 5 and 6, the secondary school, the sixth form and sports facilities.

The proposed new building, which reaches two and three storeys in height, has a long linear form which is designed to protect long views of the listed school building and maximise the set back from neighbouring residential properties so as to avoid harming the amenities of their occupants. Siting the school along the north-south ridge of this terraced site also minimises the amount of groundworks required.

A central glazed entrance separates the two wings of accommodation, with Years 5 and 6 located on the upper ground floor of the north wing from where they have easy access to the lower school and a degree of separation from the secondary school pupils who will largely inhabit the southern wing (save for the sixth form

which is based on the first floor of the northern wing where it benefits from a balcony created by the projecting hall below). Shared spaces, including dining and library facilities, are positioned centrally for ease of access from both wings.

Facilities which are designed to be accessible to the public out of hours are also located near to the central school entrance or, in the case of the sports facilities, adjacent to the car park to the far south of the site.

As the new school site is visible from across the city, the design of the building has been developed to be read at a distance as well as from close quarters. The Design and Access Statement states how the scale and massing of the built form has been influenced by Stanage and Burbage Edge – similarly exposed sites with a large mass on the ridge. The building references the very visible vertical rock stacks seen on the Edge with the use of vertical glazing that slices through the solid mass of the school. It also steps in and out to create the appearance of rock overhangs, crags and crevices which help to vary the building's appearance and massing in all directions.

This approach is supported and, in large part, is considered to be successful. Concerns were raised regarding the siting of the extensive roof top plant, which had the effect of flattening out the building form and detracting from the Edge concept. However, the architect has been able to respond to this issue by raising the building parapet in key locations and zoning and screening the plant.

The reference to Stanage Edge has also been carried through to a detailed design level, with projecting brickwork headers and hit and miss pattern work (at high level) giving the impression that the building can be climbed, while vinyl manifestations featuring rock climbers, and cladding in a variety of sizes, textures and colours helps to add texture and detail. It is also hoped that a rock climbing wall will be provided within the building to embrace the site's proximity to the Peaks and enrich the range of activities on offer.

The proposed materials have been chosen to reflect the sites context and to establish visual richness at close quarters. A warm grey/brown brick is proposed which, it is considered, will sit comfortably against the natural tones of the stone built listed school building. The sports hall will be simply clad while coloured reveals, cladding panels and the spine wall will pick up on the colours found in the peaks such as orange lichens, green mosses and purple heathers.

The sloping site clearly created many challenges, not least in terms of access. However, it also allowed the formation of direct ground level access to several floor levels. Disabled parking bays are located adjacent the north-east corner of the new school building from where there is a level approach to the main visitor entrance/reception area and, as amended, a level route to the southern end of the building from where a lift provides access to the out of hours sports facilities.

Paragraph 132 of the National Planning Policy Framework (NPPF) notes 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. The more important the asset, the greater the weight should be.

Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.’

A similar duty is required by Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990, which states that that the local planning authority shall have ‘special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’

Policy BE19 of the UDP (Development Affecting Listed Buildings) expects proposals for internal or external alterations, which would affect the special interest of a listed building, to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest. Proposals for change of use are also expected to preserve the character of the building.

The former Pye Bank Board School, along with the attached caretaker’s house and boundary wall, are grade II listed. The two storey school and house were built in 1875-1877, in a Gothic Revival style, from coursed square stone with ashlar dressings and gabled and hipped slate roofs – though many of the school’s retained internal features are considered to belong the Arts and Crafts movement.

The re-use of the grade II listed Pye Bank School as part of the new through school is strongly supported. The proposed alterations include the removal of many twentieth century additions, including a rear extension thought to have been built in the late 1960s. These alterations are welcomed as they largely reinstate the original floor plan of the building, which is T-shaped and, according to archive records, follows the then popular German School Hall-style of the 1880s. The only new addition to the school footprint is a lift, which is simply designed and in an unobtrusive area of the building where it cannot be seen from the public highway.

The proposed repairs include a new roof and the replacement of the timber which forms the first floor, including the floor boards. A survey of the first floor and roof timbers found that dry rot, probably caused by significant damage and water ingress in the roof structure, is widespread to the extent that the first floor is not considered to be a safe working area. Existing parquet flooring is also rotten and displaced as a result of damp. Having been damaged beyond repair its removal is regrettable but considered to be acceptable.

New timber windows are proposed, though the submitted Heritage Statement concludes that the majority of window casements in the central and rear sections of the building are 20th century replacements. There are no objections in principle to the replacement of the existing windows with slim line double glazed units which reflect the design of the building’s original windows.

A large number of surviving original features are to be retained, including timber panelling, in-built cupboards, fireplaces, mouldings, staircases, iron work and tiling. The repair and retention of these features will contribute to preserving the character and appearance of the listed building.

The Victorian Society commented that the proposed new school would deprive the former board school of its landmark quality, i.e. by obscuring it in long views. By way of mitigation they suggested the reconstruction of the original belfry and a the missing chimney.

While the reconstruction of these features would be desirable, the associated costs would be significant. Moreover, the design of new school building took into account the setting and long views of the listed building, with which it has a robust yet subservient relationship. As a result of the sloping nature of the application site the new school remains lower than the listed building, which will still be visible in many long views.

It is therefore considered that the proposed works are acceptable and will not cause significant harm the character or historic interest of the listed building, nor will the erection of the upper school cause detrimental harm to its setting.

Amenity Issues

The application site lies in a designated Housing Area as defined in the Unitary Development Plan (UDP) and policy H14 of the UDP (Conditions on Development in Housing Areas) expects development to safeguard the amenities of neighbouring residents.

As previously described, the long, linear form of the new school building was designed, in part, to provide a reasonable degree of separation between it and neighbouring dwellings, the closest of which are numbers 150 and 152 Andover Street which are located approximately 22 metres to the north east (on the opposite side of Andover Street), numbers 2 to 8 Fox Street approximately 36 metres to the east of the north wing and numbers 35 to 39 which are a minimum of 27 metres from the south wing. The properties on Fox Street are significantly lower than the new school building.

The school's core school hours will be 0800 hours to 1730 hours, however the site will be open from 0630 hours, primarily for kitchen staff, until 2200 hours. There is also potential for the site to hold one-off events which will require the site to be open until 2330 hours.

Noise from the school itself is not expected to be a problem as the building envelope has been designed to prevent noise outbreak. A substantial amount of mechanical plant will be required to serve the new school building, most of which will be located on the roof. Such plant can be noisy and, if not properly attenuated, can impact upon the amenities of the area. However, the submitted noise assessment suggests that plant and equipment will be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) will not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to noise sensitive uses. This, along with the requirement to submit details of all externally mounted plant and equipment, including acoustic emissions data, will prevent any harm to the occupants of neighbouring dwellinghouses from plant noise.

Noise from use of the proposed multi-use games areas (MUGAs) is of greater concern. There are two double pitch outdoor sports facilities with bituminous macadam surfaces identified on the submitted plans; one to the north of the listed building which forms part of the Nottingham Street Park (and falls within the site boundary); and one to the west between the new school building and Pye Bank Road.

The MUGA within the park is an existing facility which is to be upgraded as part of the proposed development. It sits in close proximity to residential properties to the west and while use by the school could see activities intensify, this is likely to be restricted to core school hours. The improved facilities will, of course, be of benefit to the wider community and there is the potential that upgrading the surface of the MUGA will also encourage greater community use, potentially increasing noise levels outside of the school day. However, this is an existing facility in an established park. It is not considered appropriate to apply new restrictions to the use of the Nottingham Street Park MUGA simply because it is to be upgraded. Moreover, as the park is owned by the Council (Parks and Countryside), access to the MUGA can be controlled if noise, or anti-social behaviour, becomes problematic in the future.

The hard surfaced MUGA to the west of the new school building sits well within the school grounds, more than 60 metres from the nearest residential accommodation and will be partially screened by landscaping. Again, with use largely restricted to during the school day, it does not raise any amenity concerns.

An artificial grass MUGA is proposed at the southern end of the application site, less than 10 metres from the nearest residential property on Fox Hill. It is intended that this MUGA be used by both the school and the community.

The submitted noise report (Planning Stage Environmental Noise Assessment HRS Ltd. HRS Ref: 124497-AC-3v1) uses typical noise levels obtained from previous noise assessments to predict the likely level of noise from this MUGA for football/rugby training (an LAeq of 55-65dB with LAFmax levels of 65-85dB are cited). The report concludes that the impact from normal daytime use will be moderate, while evening community use could be potentially severe, though this is reduced to less than severe if activities are appropriately managed. There is some concern, however, that the assessment fails to afford adequate weight to the psycho-acoustic annoyance factor of the character of the noise maximums, typically a mix of shouting and ball impact noises. Therefore the impact of its use may have been underestimated.

Due to the concerns over noise from the southern MUGA, as well as the details of the assessment method, it is considered that additional work is required in order to evaluate noise from both school and community use.

While school daytime use of the southern MUGA is assumed to a viable proposal, subject to suitable mitigation measures designed to reduce the impact of noise on immediate neighbours, community use of the artificial grass MUGA outside of school hours will only be allowed if preceded by the submission and approval of a

suitable and detailed noise impact assessment and the implementation of any necessary noise mitigation measures.

The applicant has confirmed that no floodlighting is proposed on any of the new or improved MUGAs.

Highway Issues

Policy H14 of the UDP expects development to provide safe access to the highway network and appropriate levels of off-street parking.

The application comprises of a primary school for 420 pupils, a secondary school for 750 pupils, and a sixth form for a further 200 pupils. When both schools are operating at full capacity, the number of staff will be in the order of 150. Sports facilities, halls and classrooms will also be made available for community use outside of core school hours.

A total of 117 off-street car parking spaces are proposed, including 12 disabled spaces. This figure exceeds the upper limit of the Council's car parking guidelines by 27 spaces. However, given the proposed community use and the potential for a degree of overlap between competing parking demands, the level of car parking provision is considered to be acceptable.

The start and finish times of the primary and secondary schools will be staggered to further reduce the impact on the local highway network during drop-off and collection times. The proposed start and finish times are as follows;

- Primary 0850 hours to 1530 hours
- Secondary 0830 hours to 1500 hours

Cycle parking for the primary school will consist of 10 stands (20 spaces) while 40 stands will be provided for the secondary school and sixth form (80 spaces). Student and staff cycle parking will be provided separately. While these figures are generally considered to be acceptable, further details are required and the demand for spaces will need to be reviewed within the required Travel Plan.

The area surrounding the proposed through school is predominantly residential in character and traffic calming measures have been introduced on many roads. Buses run along nearby Nottingham Street and Rock Street (services 3, 83, 83a and 703).

Whilst a strong and effective Travel Plan for the site is a top priority, it is acknowledged that an increase in pupil related car trips is inevitable. It has therefore been suggested that Pitsmoor Road be promoted for pupil drop-off and collections as it is wide enough to accommodate on-street parking and still allow two-way traffic. Using Pitsmoor Road in this way will remove the need for pupil related school traffic to enter the residential roads to the east and south of the site.

It is considered that the volume of traffic currently using Rutland Road and Pitsmoor Road during peak periods creates a significant barrier for pupils

approaching the site from this direction. To improve pedestrian access and facilitate the use of Pitsmoor Road for drop-off and collections, two Puffin crossings are required, the provision of which is reserved by condition.

Information collected in the 2011 school census has been used to estimate the likely modal split of pupils travelling to the proposed primary and secondary schools from within the catchment area. These are:

	Primary	Secondary
Walking	62.5%	50%
Cycling	0.2%	0.2%
Car	32.8%	11.6%
Bus	3.8%	34%
Train	0.2%	2.4%
Other	0.2%	2.6%

The submission of a detailed travel plan is reserved by condition. It is expected that the travel plan will seek to shift the balance away from car trips as much as possible.

The 2011 census data also contains information in relation to the age of residents living within sub-areas of the catchment areas of both schools. This information was used to derive the likely distribution of trips to the schools on the local highway network. The percentage increase in vehicular traffic on the surrounding highways was found to be minimal. The junctions in the immediate vicinity of the school have been modelled using the PICADY computer programme. The results show no queuing or delay at these junctions.

It is therefore considered that the proposals incorporate appropriate levels of off-street parking, that there will be no harmful impact on the local highway network, and that there will be a number of safe and sustainable travel routes for pupils travelling to the proposed through school.

Land Contamination

Land contamination issues were largely addressed as part of the earlier application for site enabling works (16/04814/RG3). On-going discussions in relation to land contamination resulted in the submission of an updated Site Investigation Report and a revised Remediation Strategy as part of this application. Conditions are proposed requiring the development to proceed in accordance with these up to date documents.

Sustainability

Policy CS63 (Responses to Climate Change) aims to give priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions, and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings to be energy efficient and to use resources sustainably, while policy CS65 (Renewable Energy and Carbon Reduction) seeks to secure the generation of energy from renewable sources. All significant developments are required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

The school will serve a catchment area largely within walking distance and the Transport Assessment shows that more than 50% of pupils are likely to choose to commute on foot, with travel by bus likely to be the next most popular choice. There are a number of bus stops on nearby Nottingham Street and Rock Street (Pye Bank Road, to the west, is closed to traffic) and 5 bus routes running within 1 km of the site. While an increase in the number of pupils choosing walk or take the bus to school will be sought through the travel plan, the application site is considered to be well served by sustainable forms of transport.

The submitted Sustainability Statement describes the energy efficiency of the building fabric and assesses the contribution that various renewable technologies could make to the efficiency of the school. It concludes that the location and orientation of the new school building allows for up to 420 sq.m of south facing photovoltaic panels to be erected on the roof which have the potential to meet the required 10% energy contribution. Moreover, the PVs would generate electricity every day during school hours, and would also earn money by feeding unused electricity into the grid (storing excess energy would be less desirable as the battery bank or fuel cells used would be large and costly).

In addition to the installation of PVs, a building management system will be used to monitor and control building services in order to meet demand and reduce wasted energy.

On this basis it is considered that the requirements of Core Strategy policies CS63 to CS65 will be met.

Community Use of the Site

Developing and maintaining buildings for community use can be costly and unprofitable. This is especially true in inner city areas where needs are greatest. The UDP states that the Council will use its planning powers to make sure that developments provide a wide range of benefits for the community. Specifically, policy CF1 of the UDP (Provision of Community Facilities) states that the provision of community facilities will be promoted, particularly where they are located within the community they are intended to serve and are easily accessible by public transport.

The planning application indicates that the new school, including the sports hall and outdoor multi-use games areas (MUGAs), will be made available for use by the local community and the applicant has committed, along with the relevant Academy Trust, to enter into a Community Use Agreement. It is expected that the Community Use Agreement, the submission of which is reserved by condition,

shall include measures to manage community use so as to protect the amenities of the occupiers of neighbouring properties and the wider area.

SUMMARY AND RECOMMENDATION

Planning permission and listed building consent are sought for the erection of a new through school for approximately 1400 pupils, which includes the re-use of the grade II listed Pye Bank School.

The applications follow a 2015 consultation document, 'Providing More School Places for Sheffield Children', which highlighted the need for additional school capacity, and a 2016 Cabinet report 'School Places in Sheffield' which led Members to authorise the commissioning of the new through school on the application site.

It is considered that the design of the new school building responds positively to the topography of the site and seeks to protect long views of the listed school building as well as the amenities of the occupants of neighbouring properties. The design also makes reference to another local landmark – Stanage and Burbage Edge – which helps to add interest to the building's appearance and massing in an appropriate and meaningful way.

The school sits in a designated Housing Area. Generally, noise from the school or the school grounds is not expected to be a problem. However, noise from use of the proposed artificial grass MUGA at the southern end of the application site is potentially problematic. For this reason, and in order to avoid harming the amenities of those living adjacent or close to the application site, community use of the artificial grass MUGA will only be allowed if additional reporting shows that noise can be satisfactorily controlled.

As the proposals incorporate appropriate levels of off-street parking, there should be no harmful impact on the local highway network, and highway improvements reserved by condition will ensure that pupils can travel to school safely.

Finally, having had special regard to the desirability of preserving the grade II listed school building, its setting and features of special architectural or historic interest as required by Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990, it is considered that the proposals are acceptable and will not cause harm to the character or historic interest of the former Pye Bank Board School.

Members are therefore recommended to grant planning permission and listed building consent, subject to the proposed conditions.

Case Number	17/00855/FUL (Formerly PP-05864412)
Application Type	Full Planning Application
Proposal	Provision of two artificial sports pitches with 15m high floodlights and 3m high boundary fencing, erection of single-storey changing facility/management suite and covered spectator stand, provision of car parks, coach drop off point/parking area, boundary fencing and alterations to existing vehicular access from Warminster Road
Location	University Of Sheffield Athletic And Sports Ground Warminster Road Sheffield S8 8PS
Date Received	27/02/2017
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally

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 number 001 Rev P2 Location Plan
Drawing number 100 Rev P3 Proposed Site Plan
Drawing number 101 Rev P2 Proposed Plan - Northern Zone
Drawing number 102 Rev P2 Proposed Plan - Southern Zone
Drawing number 103 Rev P3 Proposed Changing Accommodation
Drawing number 105 Rev P2 Proposed Access Details
Drawing number 106 Rev P2 Proposed Coach Drop Off Details

Reason: In order to define the permission.

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

3. No development shall commence until full details of the following have been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction works shall only progress in accordance with the approved details:
- Construction method statement
 - Site safety
 - Any temporary site compound and temporary car parking arrangements for contractors
 - Haulage routes
 - Any times when construction works and movement of construction traffic will be restricted.

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

4. No development shall commence until details of the implementation, adoption, maintenance and management of the sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation, and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

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.

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

5. Prior to the artificial grass pitches hereby approved being brought into use, a Community Use Agreement shall be submitted to and approved in writing by the local planning authority, after consultation with Sport England. The scheme shall include details of pricing policy, hours of use, access by non-university users/non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of the use of the development.

Reason: To secure well managed safe community access to the sports facility and to ensure sufficient benefit to the development of the sport as to outweigh the detriment caused by the loss of the grass playing field.

6. No development on the rugby artificial grass pitch shall commence until details of the design and layout of the rugby artificial grass pitch have been submitted to and approved in writing by the local planning authority, after consultation with Sport

England. The rugby artificial grass pitch shall not be constructed other than in accordance with the approved details before it is brought into use.

Reason: To ensure the development is fit for purpose and sustainable in accordance with policy CS47 of the Core Strategy and policy LR2 of the UDP.

7. Prior to the development commencing, a detailed Travel Plan specifically covering the site, 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. Where there has been a previously approved Framework Travel Plan for the proposed development, the detailed Travel Plan shall be developed in accordance with it. The Travel Plan shall include:

- Clear and unambiguous objectives and modal split targets
- 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
- Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority
- 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

Upon completion of the ground improvements, the approved Travel Plan 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 Unitary Development Plan for Sheffield.

8. A comprehensive and detailed hard and soft landscape scheme for the site, to include the location replacement trees (including street trees), 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.

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

9. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interests of biodiversity.

10. Before the development is brought into use a detailed car park management plan shall be submitted to and approved by the Local Planning Authority. The plan will show how, at peak periods of demand, measures have been identified that will be used to mitigate the effects of increased traffic movements and parking demand on the school and surrounding highway network. Once agreed, the car park management plan shall be implemented in accordance the approved details.

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

11. Unless an alternative timescale has been agreed in writing with the local planning authority, prior to the development becoming operational, arrangements shall have been entered into to secure the relocation/improvement of bus stops in the immediate vicinity of the development, with raised footway and tactile paving to assist boarding/alighting. Please contact Simon Botterill (Traffic Management Team Manager) on 0114 2736167 for further information.

Reason: To ensure ease of access and in the interests of the safety of road users.

12. Prior to the commencement of development, a method statement for the construction/amendment of the vehicular access points to Warminster Road shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include the digging of trial holes, to establish if there are tree roots within the construction depth of the vehicular crossings. In the event that tree roots are found, arrangements to resolve the situation shall be entered into with the Environmental Maintenance Team (tel. 0114 2057424).

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

13. 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.

14. The development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the development commencing, and shall thereafter be retained.

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

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

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield.

16. 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.

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

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

18. Prior to the use of the artificial sports pitches commencing, all works detailed in ADT Noise Report (ADT2364 dated 23/2/17), which form part of a scheme of works to protect the occupiers of nearby dwellings from noise, shall have been implemented and thereafter retained.

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

19. 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.

Detailed proposals for surface water disposal shall include calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure satisfactory and sustainable drainage arrangements.

Other Compliance Conditions

20. The grasscrete car park and associated access improvements hereby approved shall only be used as follows:

- Up until 1900 hours Monday to Friday; and
- Up until 1700 hours on Saturdays, Sundays and Bank Holidays.

The access gates shall be closed 30 minutes after the use of the grasscrete car park ceases.

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

21. The floodlights hereby permitted shall be installed in accordance with the Kingfisher Lighting Plan, drawing number D27361/JP/F dated 20/2/17, and the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light".

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

22. The intensity, direction and angle of the floodlights shall be maintained to achieve the lighting levels set out in with the Kingfisher Lighting Plan, drawing number D27361/JP/F dated 20/2/17, and the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light" and the Local Planning Authority reserve the right to require modifications at any time.

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

23. The hockey artificial grass pitch hereby permitted shall not be constructed other than in accordance with the FIH technical guidance Design and Specification.

Reason: To ensure the development is fit for purpose and sustainable in accordance with policy CS47 of the Core Strategy and policy LR2 of the UDP.

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

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

25. Excavation work and heavy machinery shall not be carried out or used within 30 metres of an active badger sett and known foraging areas shall be maintained. Work which includes the creation of trenches or culverts or the presence of pipes shall not commence until measures to protect badgers from being trapped in open excavations/culverts are submitted and approved by the local planning authority. Such measures may include the creation of sloping escape ramps for badgers (achieved by edge profiling of trenches/excavations or by placing planks into them at the end of the working day).

Reason: In the interests of biodiversity.

Attention is Drawn to the Following Directives:

1. 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.
2. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
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

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

You should apply for a consent to: -

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

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

5. The applicant is advised that the rugby AGP should be built in accordance with RFU guidance note 7: Artificial Rugby Turf and tested bi-annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22.
6. The applicant is advised that a model Community Use Agreement is available on the Sport England website www.sportengland.org. The community use agreement should set out how community use will operate for hockey and rugby, however community use for football on the proposed artificial grass pitches should be limited to student use only.
7. 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.

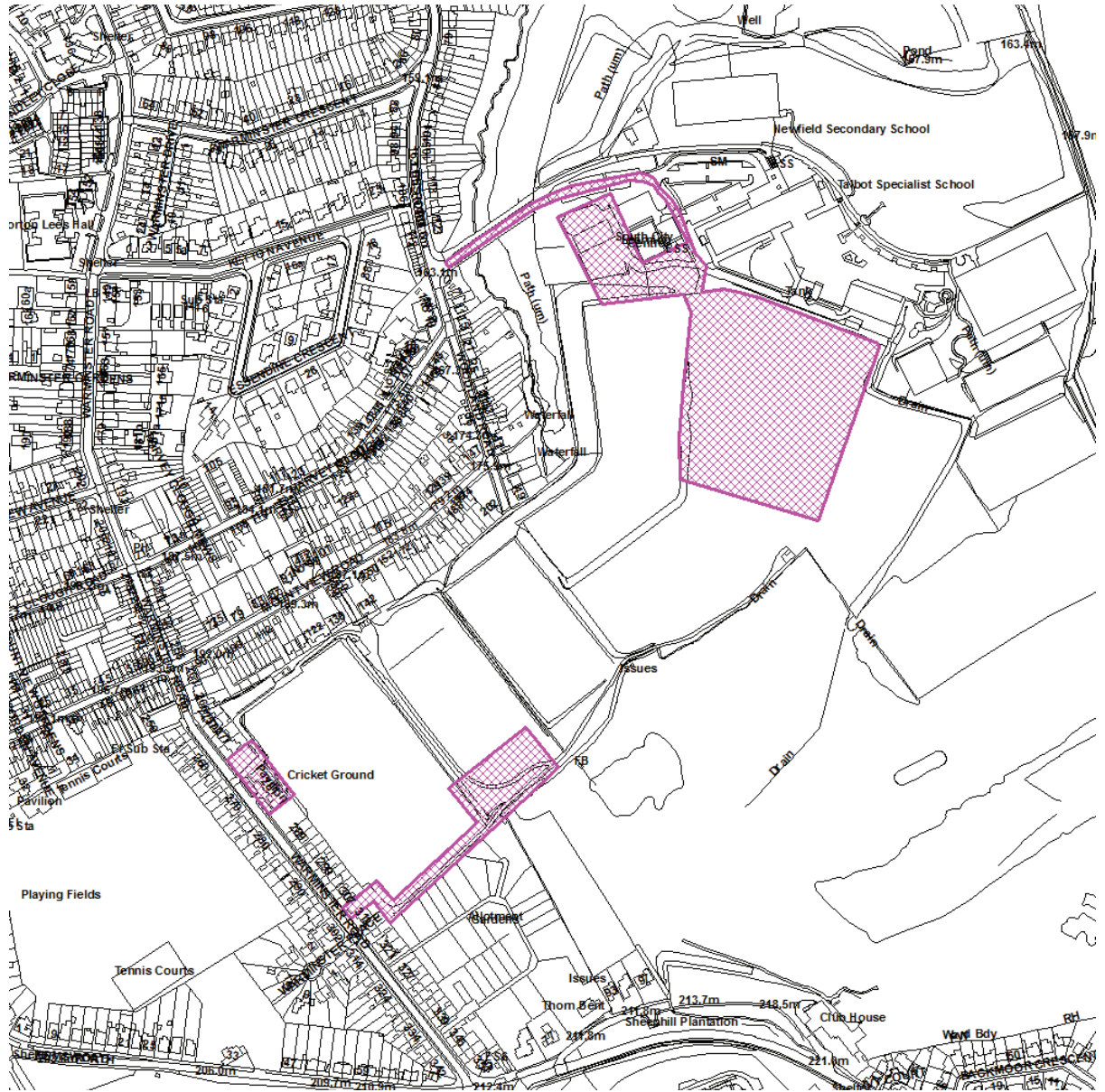
8. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected

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.

9. 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.
10. You are advised that, in order to form the new vehicular crossing, a lamp column must be relocated at the applicant's expense. Please contact Craig Spafford (Technical Officer) on 0114 2057422 for further information.
11. The applicant is advised to contact Duncan McIntyre (SCC Travel Plan Officer) regarding preparation of the Travel Plan on 0114 2053073.
12. Three highway trees are to be placed within the highway verge fronting the pavilion on Warminster Road to replace those lost due to works within the site boundary. You are advised that these must be provided at the applicant's expense and will include provision, planting and commuted sums for each tree. The provision of the highway trees will also require the relocation of a pole sign at the applicant's expense. Please contact the Environmental Maintenance Team on 0114 2057424 for further information.
13. The applicant is advised that any excavation works adjacent to any highway tree will be required to be hand dug and the use of a mechanical digger will be prohibited.
14. 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.
15. The applicant is advised that Japanese knotweed (*Fallopia japonica*) has been identified on site, although it appears to be outside of the potential development boundary. All Japanese Knotweed waste (the plant itself or any material containing parts of the plant) is classed as controlled/special waste and, if found, needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.
16. The applicant is advised that the provision of a raising main may be unnecessary and unsustainable. It should be possible to discharge to the watercourse by gravity from the northern parking area. The discharge route, which would go through SCC land, will need to be investigated.

Site Location



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LOCATION AND PROPOSAL

The application site comprises of the University of Sheffield's Athletic and Sport's grounds at Norton, an established use of the land dating back to the early twentieth century and which now extends over 11 hectares.

The grounds generally slope down, away from Warminster Road and towards the north east. This application relates to both the southern and northern ends of the sports ground.

To the south and west the site is bound by detached, semi-detached and terraced residential properties. Those running along Warminster Road, either side of the existing pavilion, are level with the top cricket and football pitches. Properties to the west, along Mount View Road, vary in position so that some (numbers 116 to 142) are elevated above the highway and have rear facing windows directly overlooking the playing fields. Others are set well below the application site.

The southern end of Woodland Road, to the north-west, abuts the sports ground around its midpoint but is set back from the north western boundary of the wider site by a wooded valley and Meers Brook. A minimum distance of 85 metre separates the rear boundary of rear gardens along Woodland Road from the application site (to the proposed car park), increasing to approximately 125 metres (to the proposed artificial pitches).

The south eastern boundary of the sports ground skirts the adjoining allotments, the Lees Hall Golf Course and the Lees Hall Wood Local Wildlife Site. To the north and north-east it bounds the site of Newfield School, a secondary school which was rebuilt in 2009 and which has existing outdoor sports facilities to the north and east of the school building.

In April 2016 an application for the installation of an artificial (3G) sports pitch on an existing grass pitch approximately 100 metres to the east of the Warminster Road pavilion was submitted. In addition to the all-weather surface, the proposals included 3m high sports fencing to the perimeter of the pitch, eight 15 metre high floodlights, a new grass roofed spectator stand for up to 150 people and the provision of an acoustic screen and bund to the north west of the 3G pitch.

Consent was also sought for the provision of a new car parking area for 132 cars located to the south east of the proposed 3G pitch, an access drive to the car park plus alterations to the means of access to Warminster Road, a coach drop off and parking area to the front of the existing pavilion and, following amendments, a 5 metre high cricket net (in season only) along the south west boundary of the 3G pitch.

However, following lengthy negotiations this application was withdrawn in January 2017. It was considered that the intensification of the use of the site as a result of the proposed improvements would impact upon the amenities of local residents, to varying degrees, and so conditions were proposed in order to minimise this impact, most significantly by controlling the hours of use. However, the proposed

restrictions on the hours of use were not consistent with the University's business case for the planned improvements.

Planning permission is now sought for the provision of two artificial sports pitches at the northern end of the sports grounds, adjacent Newfield School. The proposals in this location also include the installation of 15 metre high floodlights, 3 metre high boundary fencing, the erection of a single-storey changing facility/management suite and a covered spectator stand and the provision of a 79 space car park. At the southern end of the site, adjacent Warminster Road, the proposals comprise of a coach drop off point/parking area in front of the existing pavilion, boundary fencing, alterations to the existing vehicular access from Warminster Road (between numbers 307 and 313) and the provision of a grasscrete car park for 78 cars adjacent the eastern site boundary.

The provision of the two artificial grass pitches (AGPs) – a 3G artificial rugby pitch and a 3G hockey pitch – is linked to another as yet undetermined planning application submitted by the University of Sheffield for the erection of a four storey building for the Faculty of Social Sciences (FOSS) on land at the junction of Whitham Road and Northumberland Road, which is currently occupied by an artificial sports pitch and forms part of the facilities at the University's Goodwin Sports Centre (17/00855/FUL refers). The University proposes that the provision of improved facilities at their Norton site will facilitate the development of the FOSS building as there would be no net loss of AGP capacity across the University's sports estate.

RELEVANT PLANNING HISTORY

16/01384/FUL An application for the re-development of sports ground to provide an artificial (3G) sports pitch, 3m high boundary fencing, provision of car parking area, coach parking area, 8 x 15m flood lights, spectator accommodation, provision of acoustic screen and bund, access drive and alterations to means of access to Warminster Road was withdrawn in January 2017.

95/01790/FUL In August 1995, an application for the erection of a safety fence was granted.

92/01097/OUT An application for residential development and the provision of a buffer zone and playing fields with a pavilion and car parking accommodation was refused in June 1992.

90/03263/FUL Permission was granted for the erection of a rebound fence to the football pitch in January 1991.

89/03683/OUT An application for residential development was refused in September 1991.

SUMMARY OF REPRESENTATIONS

Representations

15 representations were received in relation to the proposed development. This comprised of 9 letters of objection, including one from Councillor Ayris and Councillor Auckland, 3 letters raising concerns and 3 letters of support, including one from Newfield School and one from the Rugby Football Union.

Cllrs Ayris and Auckland raised the following concerns:

- 'the proposed development still indicates a significant intensification of the current use of the site, impacting on the amenity of neighbouring properties. There is the potential for this now, under the revised submission, to extend to properties to the north of the site in the vicinity of Newfield School.'

Local Graves Park Ward councillors conducted a survey of local residents' views on the previous application. Of the 45 respondents, almost all cited current parking and traffic and grass verge issues in the area of the development. Similarly, a significant majority were fearful of the potential noise impact in the evening due to the proposed development.'

- 'The amended scheme should take into consideration weekend sports matches and sports training courses currently hosted by Newfield School and the combined impact of traffic and footfall on the local amenity of the area.'

- 'The Planning Statement acknowledges that, due to land level changes and proximity of adjoining land uses, access to the Warminster Road playing fields complex is "currently very restricted". Woodland Road and the connecting Lees Hall Road, Mount View Road and Harvey Clough Road, each narrow, parked roads in themselves, do not lend themselves to the additional traffic likely to be generated by the proposed new scheme.'

It does seem like the revised layout and access will at best shift traffic and parking problems from one part of the scheme to another - or at worst, replicate them at both Warminster Road and Woodland Road.'

- 'Lack of detail within the revised planning submission gives us concern regarding potential light intrusion from both car park lighting at the proposed car parking location next to Newfield School and car headlights and of noise reverberation to adjacent properties on Woodland Road and Mount View Road.'

- 'Issues around security remain unresolved. There is lack of clarity surrounding the community use agreement and the hours of use, about access by non- Sheffield University members, management responsibilities, etc. ... As stated in our objection to the earlier application, any 'policing' of coach parking, for example, would only be effective if there is a proper facility management scheme in place by the University. Until all these issues are properly clarified, we feel no approval should be granted.'

Other objectors made the following points:

- 'The roads leading to the new parking entrance are all suitable for single file traffic only and are already in a poor state of repair. They are not safe or suitable for the extra traffic that would be generated by this planning application.'

- 'The planning application says that rugby and hockey will be the main use of these pitches. This is a falsehood as the main use will be football. This was even plainly admitted at the meeting where University staff presented the plans to the public.'

- 'The Noise impact assessment was completed on a Thursday afternoon and evening. However, the most noise currently occurs over the weekend when shouting and swearing can be clearly heard both inside and outside the properties on Woodland Rd. The increased sports facilities including a covered spectator area for some 150 people and the extended operating times would significantly increase the level of noise pollution across the local area.'

- 'The snapshot traffic survey within the transport statement was completed on a Wednesday afternoon. The University have identified this as the peak time for the use of the current facilities. Although this may be true, the biggest impact on the local community occurs at weekends when more people appear to access the facilities by car. This would no doubt increase with the improved facilities.'

- 'I agree the site would benefit from increased parking facilities as the current facilities are not adequate. However the proposed parking accessed via the Newfield School drive would have an adverse effect on the local community. The infrastructure of the local side roads, specifically Harvey Clough Rd, Mount View Rd and Woodland Rd are not able to cope with the current volume of traffic accessing the school throughout the week. The roads often provide single lane access with few opportunities for drivers to 'pull in' and allow other road users to pass, due to the need for residents to park on both sides of the roads. The increased volume and frequency of traffic produced by the development would detrimentally affect the current situation. The extra traffic flow would also increase both noise and air pollution along with the risk of accidents.'

- 'The proposal to erect 15m high flood lights also has the potential to generate light pollution. The development is on the top of a hill behind the properties on Woodland Rd. Flood lights would potentially cast light across the back of the properties late in to the evening resulting in disturbed sleep for families with children.'

- The occupier of number 313 Warminster Road stated:

'For as long as I can remember, the University have used the access to maintain their land and to accommodate vehicle access at the weekend for football matches on the top field. Although I appreciate significant changes have been made since the previous application I would like to note my specific concerns with the proposed development.'

The space between 307 and 313 was not designed to take flowing traffic. The road is not wide enough to safely accommodate the planned access road and the road is too close to 307 and 313.

Although the plan is to use a noise reduction tarmac for the surface, there would still be a significant amount of noise and pollution at the side of my property caused by the extra traffic flow in and out of the development.

The use of a sound barrier that has been suggested to be wrapped around the rear of the adjoining properties would make our relatively small garden feel even more closed in.

From what I understand the gate access from the road will be open for as long as the development is open (potentially 12 hours a day during daylight hours) and there are no plans for security or a security type barrier.

I am concerned that the open access will make us susceptible to antisocial behaviour from certain sections of society on the entry road and fields, similar to that experienced in Graves Park, before the evening barrier was introduced.

Should this development go ahead it would cause a significant impact to our family life. ... We would no longer have the right to the quiet enjoyment of our garden especially in the summer months ...

... bedrooms are on the rear and the side of the property so the extra noise would keep (us) awake in the summer months when it is still light late into the evening and accessible with the flow of traffic.'

- 'Proposed hours of use are far in excess of the current use of the existing pitches, which will impact residents both in terms of noise, traffic and light.'

- 'It is not clear what level of illumination is to be provided to the proposed sports pitches.'

- 'Due to the proposed hours of use the level of noise from both the sports being played and vehicles used to access/egress the facilities will substantially increase. In particular shouting and swearing from the various teams will be heard which is presently clear to hear especially at weekends with the grounds current use, never mind if the hours are extended and spectator levels are to be increased with a covered stand that is proposed.'

- 'Any increase in traffic in the residential area will also impact the existing highway network which is already chaotic at school opening and closing times and was previously a major concern when Newfield School and Talbot Special Needs School were integrated into one site several years ago.'

- 'At weekends Newfield School also hosts sports matches and sports training courses which, if not considered in the round with what is being proposed, will again impact the immediate neighbourhood. The proposed car parking location

next to Newfield School has no details of lighting to be provided or what noise or lighting control measures will be put in place...’.

- The Matrix "Transport Statement" only makes a cursory statement regarding the Northern aspect of the scheme and all the detail provided, particularly the "Trip Generation" section concentrates entirely on Warminster Road. This is strange given that the University must be anticipating significant additional traffic given they see the need to provide 83 car parking spaces in the Northern section. The lack of any detailed analysis of the effects the Northern aspect of the scheme will have on traffic on residential streets is a significant omission from the planning documentation and means that any decision may be taken without the full facts being available.’

- ‘While it is pleasing that, following the public meeting, the pitches and floodlights have been moved further away from the houses this will not remove this pollution. All local residents currently enjoy quiet evenings and dark nights which will be disrupted to a significant level should this proposal be accepted.’

- ‘The proposed statement of usage anticipates that the facility will be closed on Saturday and Sunday evenings. This should be formalised within any planning permission, should it be granted, and extended so that the facility is also closed on Bank Holiday evenings. Planners should also consider imposing earlier closing times outside of term time so that residents at least have some respite for some parts of the year. I would suggest 7pm.’

- The planning application appears to have been made on the proposal of Rugby and Hockey being the main use of the pitches, without specific mention of football. With developments such as this, the main commercial use of these pitches will be for football. ... This omission or mention of football use does appear to be deliberate.’

- ‘The quiet aspect of the area is one of the reasons most people chose to live here, the impact of more shouting and swearing for extended hours will be detrimental to the local residents and be especially apparent in the summer months when enjoying our gardens.’

- Many children's bedrooms are at the rear of these properties where, with the windows open, shouting, swearing and whistles will be heard, this is inappropriate and will disturb them when they are trying to get to sleep in the evenings.’

- ‘The transport statement makes reference to students walking, cycling (acknowledging cycling is unlikely) and bus use. In reality cars will be the primary mode of transport for most people (students and public) travelling to and from the site.’

- Although I can support the proposed additional 'all weather' sports facilities, I object to traffic access via Newfield school. Woodland Road and the connecting Mount View Road and Harvey Clough Road are not suitable for the additional traffic that can be generated by the proposed development.

Having 'all weather' pitches with 10am to 9:30pm access bookable in 1.5 hours slots, 5 days a week can potentially generate 100 cars per hour until 10pm at night. This will be several times greater than the current traffic throughput significantly changing the area around the school entrance.'

Those who didn't object to the proposals but raised specific concerns made the following points:

- Coach parking on Warminster Road will require significant on site management to ensure that the proposals are enforced and to prevent the present situation of coaches blocking drives and causing severe congestion and disruption.'

- '... in the Statement of Community Involvement (3.12) at page 14 there is a reference to "The current pavilion should be used for wider events (parties/meetings etc.)". Precisely what kind of 'parties' are envisaged and will this involve alcohol and what kind of time will they conclude? This seems to indicate a significant change of use and one to which I would have significant objections.'

- 'Having read the updated Matrix Traffic Management Plan I'm not sure this adds anything to the process. There is still no assessment of the effect parking in the northern entrance will have on traffic levels in the surrounding residential streets. There now also seems to be the possibility that coaches will use this entrance which was not the understanding from previous documentation. All we now have is an undertaking to monitor traffic once the scheme is in operation.'

Supporters of the scheme made the following comments:

- I support this application in that I believe it makes appropriate use of the space indicated, whilst retaining the green space. The Southern Zone should vastly improve parking, alleviate congestion on Warminster Road and surrounding streets, damage to verges and inconvenience to residents' (the badly damaged verges should be restored as part of the works and a boundary fence be installed between the proposed development and the neighbouring allotments).

- The Northern Zone is I think an excellent use of currently derelict sites. My sole concern here is that the impact of light pollution from the floodlights to houses along Woodland Road is carefully considered. Our bedroom looks directly across to where the new pitches are proposed.... Light must be directed where it is required, and means put in place to prevent stray light beyond the perimeter of the facility, within reason.'

The Co-Headteachers of Newfield School wrote:

- 'I am writing to add the full support of Newfield School to the planning application...

The University has been working closely with us ... and we are extremely excited about the opportunities it provides for the school and the local community. For our students to have access to such high quality facilities so close to the school buildings will be an enormous benefit in terms of their health and well-being.

We are also very positive about the opportunity to work more closely with Sport Sheffield staff and students, and to benefit from their input into our students' sports and personal development.

We also feel that the further improvement of the site will be of benefit to the wider local community, providing enhanced sporting facilities for community use and bringing currently under-used space into a positive development.'

The Area Facilities Manager of the Rugby Football Union stated:

- 'It gives me great pleasure to endorse the planning application by the University of Sheffield to build two artificial grass pitches (AGPs) and associated facilities at their Norton Sports Site. The RFU support the plans of the University to provide more playing opportunities and enhance the experience of all users through the development of two new AGPs and changing pavilion. The RFU can confirm that, based on the local playing pitch strategy, a World Rugby compliant AGP would offer a solution to reduce the over play of pitches at the Norton site. It is also the RFU's view that if community access could be provided within the usage programme it could also provide a potential solution to the overplay of Rugby Union pitches in the wider Sheffield Local Authority area, as identified within the playing pitch strategy.

As a partner of the University of Sheffield, it is the RFU's view that installing a World Rugby compliant AGP will provide more opportunity for rugby union activity and development than the existing natural turf pitch provision and as such it will benefit the RFU and support the development of rugby union in Sheffield and surrounding areas. There is only one other World Rugby Compliant AGP in South Yorkshire, which operates at capacity, and as such we believe that the new pitches will be extremely well-used, attracting players from all around the region for training and match play, thus also benefiting the local economy.

Linked to the local RFU development team and rugby union clubs in the local area the creation of an AGP compliant for rugby union at Norton can also support the growth of rugby union in Sheffield, specifically by providing the local schools and colleges with additional capacity for both matches and floodlit training provision. Working across a number of projects in Sheffield relating to improving the sporting provision for the people of Sheffield, we feel this development will contribute significantly to Sheffield's increasingly strong image as a city where sport and outdoor activity are at the heart of its identity. We look forward to working closely with the University as the development progresses and to continuing to work in Sheffield and the wider region to promote it as a centre for rugby development.'

Sport England

As the proposal involves the use of land being used as a playing field, consultation with Sport England was a statutory requirement. They, in turn, sought the views of England Hockey (EH), the Rugby Football Union (RFU) and the Football Association (FA).

EH's comments can be summarised as:

- Having already discussed the proposed plans with the University, EH are happy with the planning application for the replacement floodlit sand dressed hockey AGP.

- It is to be built in line with FIH (International Hockey Federation) technical guidance.

-The proposed new hockey AGP will be developed and in use before the hockey AGP at the Goodwin Sports Centre is decommissioned.

In addition to their comments above, the RFU stated:

- The Warminster Road site is home to the Sheffield Medicals RUFC who run 3 senior teams and face challenges with playing and training due to access to facilities.

Based upon the Universities current activity levels community access may be limited due to their own student needs however the AGP would provide opportunities during the non-term time when student activity reduces, especially in December and January when local clubs have the biggest pressures on their own pitches due to poor weather.

The AGP and changing rooms have been designed using RFU guidance note 5 for 'clubhouses and changing rooms' and World Rugby regulations 22 performance standards and, on review, would only flag one point: World Rugby Guidance around safe run-off is 5 metres where practicable. The current design includes 5m at the ends but 3m at the sides. They recommend a review or advise that it will be the responsibility of the operator to risk assess use to ensure it is safe. The University will need to confirm performance standards have been met on completion of the project.

Comments of the FA are summarised as:

- The FA recognises that a 3G AGP would enhance the sporting facilities available to university students. They therefore have no objections to a 3G pitch for student use.

The FA does have concerns about the community use of the facility as there is no robust strategic justification for additional community demand in this area. The recently opened Parklife hub at Graves provides two full sized 3G AGPs that satisfy local community demand. In the event of the University offering community use, this would create an oversupply of 3G AGPs in the locality and have a negative impact on the local authority and FA's strategic plan to improve football facilities in Sheffield.

The Graves football hub is of city wide importance to football as profits will be reinvested in grass stock and support the intentions of the 2013 Playing Pitch Strategy.

The FA recommends that, before the new facility is constructed, the City Council, Sport England and the FA agree a management plan that will ensure agreed community activity does not unnecessarily compete on price or key partner user groups that could cause harm to the city's strategic plan for sustainable football facility stock.

Given the above, Sport England has not raised an objection to the proposed development. However, the absence of an objection is subject to the following conditions relating to the pitch specification and community use being attached to a positive recommendation.

PLANNING ASSESSMENT

Land Use

The National Planning Policy Framework (NPPF) states that 'access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities' and seeks to prevent the loss of sports land and buildings unless it is surplus to requirements or can be replaced by equivalent or better provision elsewhere.

The vast majority of the application site lies in a designated Open Space Area as defined in the Unitary Development Plan (UDP). The Core Strategy recognises the valuable contribution open space makes to communities and policies CS45 (Quality and Accessibility of Open Space) and CS47 (Safeguarding of Open Space) generally support the improvement of open space and related sports facilities. Similarly, policy LR2 of the UDP (New Leisure Uses and Facilities) supports improvements to existing leisure facilities. Therefore the principle of the development – the installation of two 3G artificial grass pitches and related improvements – is considered to be acceptable.

The southern site frontage, adjacent Warminster Road, lies in a designated Housing Area. This designation includes the existing car park, the pavilion and the access to the proposed grasscrete car park. The site of Newfield School, to the north, also falls within the designated Housing Area. This includes the area of the proposed new 79 space car park. Policy H14 of the UDP (Conditions on Development in Housing Areas) seeks to safeguard the residential character of the area, to protect residents from development that could harm their amenities, and to secure safe access to the highway network and appropriate levels of off-street parking. These matters are discussed in more detail below.

Design Issues

Design and visual amenity matters are largely limited to the proposed new fences, the floodlights, the changing rooms and spectator stand, and the two car parks. Policies H14 and LR5 (Development in Open Space Areas) of the UDP both expect new development to be in-keeping with the character of the area.

The proposed perimeter fencing to the 3G pitch (fence type 1) is to be kept to the minimum requirement of 3 metres high to the majority of the pitch with a 5 metre

zone behind each goal position. As this is situated over 140 metres from the boundary of the nearest residential property, and is in keeping with the nature of the sites sporting use, it is considered that it will have little impact on the character and appearance of the area.

Fence type 2 comprises of 1.2 metre high black painted vertical railings to match the existing railings which bound the site to Warminster Road. New railings will be erected where new or altered means of access are proposed. They are considered to be in-keeping with the character of the area.

Fence type 3 is a 2 metre high close timber board acoustic fence to be erected along the rear boundaries of residential properties on Warminster Road. At 2 metres in height the proposed fence does not require planning permission, but nevertheless would be considered to be in-keeping with the residential character of the area.

Proposed fence type 4 comprises of 2.7 metre high security fencing which will bound the new car park serving the 3G pitches at the northern end of the playing fields. Again this will be set well back and hidden from view from nearby residential properties and the public highway and so will have very little visual impact.

Fence type 5 comprises of 800mm high pitch side fencing which will be erected in front of the proposed spectator stand. It will have no impact on the character and appearance of the area.

Twelve 15 metre high floodlight columns line the proposed 3G pitches, four on each side and four shared centrally. Given their slim proportions and the fact that they are a minimum of approximately 125 metres from the nearest residential boundary, it is considered that they are unlikely to have a significant impact on the visual amenities of the area. The proposed floodlights contain low energy light fittings which focus light on the playing surface. The impact of the light from the floodlights is discussed below.

The proposed single storey flat roofed building, which will house the changing rooms and management suite, is situated to the north west of the 3G rugby pitch. It measures 26.4 metres long by 14.3 metres wide and 3.5 metres high and will comprise of a modular construction system dressed in metal cladding in the colours of the University and Sport Sheffield (anthracite and yellow). It is considered that this simple yet modern aesthetic will sit comfortably against the flat roofed contemporary appearance of Newfield School.

The proposed double sided spectator stand is located between the two 3G pitches. It comprises of four rows of seats (two facing each pitch) with a canopy over. The canopy measures 25 metres long by 6 metres wide and 3.939 metre at its highest point (the ground level of the two pitches varies by 660mm) and consists of a galvanised steel structure with a light weight canvas roof, the form of which is designed to represent the surrounding tree canopies. Along with the changing rooms, these structures lie some considerable distance from the housing area to

the west and so, while their designs are considered to be appropriate, their impact on the character and appearance of the area will be negligible.

The existing informal car parking area in the south east corner of the site is to be formalised by being surfaced in grasscrete. The new car park, which will accommodate up to 78 cars, is approximately 150 metres from the rear of residential properties on Warminster Road and, with its grasscrete finish, is unlikely to have a significant visual impact.

In addition to the grasscrete surfacing, alterations to the site entrance and access road leading to the car park are also proposed, including a new tarmac surface to the road, a new pedestrian footpath, low level lighting bollards and new gates and fence to site entrance, the opening to which will be widened to accommodate two-way traffic. The proposed access road makes use of an existing, but infrequently used site access point so in visual terms, it is considered that the proposed car park entrance, which will incorporate additional soft landscaping at either side, will not harm the visual amenities of the locality.

A second 79 space car park is proposed at the northern end of the application site. The area in question, to the west of the South City Learning Centre, is already largely hard surfaced, having previously been used for car parking. The car park will be accessed via the existing school drive from Woodland Road and will be screened from direct view by the dense tree belt that runs along the eastern side of Meers Brook. In visual terms, therefore, it is considered that the impact of the new 79 space car park will be negligible.

Amenity Issues

As previously described, policy H14 of the UDP also seeks to protect residents from development that could harm their amenities. Seeking a good standard of amenity is also one of the core land-use planning principles of the NPPF.

Local residents already experience some impact upon their residential amenities as a result of the use of the neighbouring and long established playing fields. However, the proposed alterations have the potential to impact further on the living conditions of those living near or next to the application site, with the key areas of concern being the introduction of floodlights, the impact noise from balls hitting the new means of enclosure and general noise from the increase in the intensity and hours of use of the proposed 3G pitches. In addition, the impact of cars using the two new car parks needs to be considered.

A Light Spill Assessment was submitted which describes the impact of the proposed floodlights. The plans indicate that the lighting intensity should be well within acceptable limits that comply with the Institute of Lighting Professionals guidance and that, as the floodlights lie over 40 metres from the garden boundary of the nearest residential property and are partially screened by trees, they will not have a significant impact on the amenities of the occupiers of neighbouring properties. It is inevitable that some residents will see a general glow from the floodlights in longer views or on the horizon, particularly during the winter months, light should not intrude into nearby properties.

Whilst it is therefore considered unlikely that neighbours will suffer any loss of amenity as a result of the installation of the floodlights, a condition is proposed that will allow the local planning authority to modify the intensity, direction and angle of the floodlights in the event that residents do experience problems.

A Noise Impact Assessment was submitted with the planning application and surveys were undertaken to measure the existing ambient noise levels at the site boundaries over a typical day time and evening period, and to measure the noise generated by existing similar 3G pitches.

The first survey was undertaken between 1200 hours and 1330 hours on Thursday 17 March 2016, at the Goodwin Sports Centre on Northumberland Road. It was undertaken in order to measure football noise and generally featured a mixture of shouting and ball impacts on the fence. The survey assumes that the noise emissions from the proposed rugby pitch will be similar to those of football.

The second and third surveys, which were carried out between 1400 hours and 1600 hours and between 2000 hours and 2200 hours on Thursday 17 March 2016 on the application site, were intended to provide background noise readings. The day time noise levels were controlled by a combination of distant traffic and lawn mowing (measurements were scheduled to avoid the mowing where possible) and during the evening by distant traffic and occasional dogs barking, sirens and other typical urban activities.

The fourth survey was carried out between 14:30 and 15:10 hours on Wednesday 22 February 2017, at the Goodwin Sports Centre hockey pitch. Noise levels were controlled by a combination of players and substitutes shouting, the referee's whistle, ball strikes with the stick and balls striking the goal line boards.

The survey goes on to predict noise levels of typical sporting activity at the nearest residential properties on Woodland Road. The figures, which include corrections for distance and the screening impact of the drop in land height, are well below the background noise readings taken during the day and are broadly similar to prevailing levels during the evening.

The predicted noise levels of the noisiest activities associated with rugby and hockey – which includes the rugby ball striking the fence, the whistle, the hockey stick striking the ball and the hockey ball striking the goal line board – are all within World Health Organisation (WHO) night time criterion for sleep disturbance, except for the hockey ball strike on the goal line board. However, as the proposed facilities include the use of a reduced noise goal line board, the assessment determines that this will eliminate the excess noise, bringing in below WHO limits.

The assessment concludes that, as the proposed development represents an intensification of activities on site, noise emissions will inevitably be higher than they are at the moment and will be audible at the site boundaries. It states, however, that the technical analysis confirms that the resultant noise levels at noise sensitive locations will be in line with World Health Organisation limits, which form the basis of the Noise Policy Statement for England (NPSE), and that the

environmental noise impact of the development should be noticeable but not intrusive.

A condition is proposed to ensure that the artificial sports pitches are not used unless all mitigation works detailed in ADT Environmental Noise Impact Assessment, which includes the use of the reduced noise goal line boards, have been implemented.

In relation to car parking, the noise assessment notes that the Woodland Road entrance is already an established and well used access route into the school site, and that the additional traffic resulting from the installation of the proposed 3G pitches is unlikely to significantly alter the noise impact of the existing access. While there will be additional vehicle movements during the evening, having entered the school site, traffic is sufficiently separated from neighbouring residential properties so as to not cause any loss of amenity through noise.

In relation to access and egress from the grasscrete car park, the assessment confirms that calculating the noise impact is not possible, but that the increased amount of traffic will affect the houses adjoining the site entrance. It recommends a series of mitigation measures in order to reduce the noise impact, including the provision of a 2 metre high timber acoustic screen, the use of a smooth asphalt road surface, a low speed limit and site management at the entrance during busy periods. It concludes, however, that some degree of residual noise impact is unavoidable given the proximity of the site entrance to neighbouring properties.

It is considered that restricting the hours of use of the altered vehicular access from Warminster Road is the only reliable way of preventing harm to the amenities of neighbouring residents during the quieter evening periods. Therefore, in addition to the condition securing the mitigation measures above, a further condition is proposed requiring the grasscrete car park to be cleared by 1900 hours Monday to Friday, and by 1700 hours on Saturdays, Sundays and Bank Holidays, with the access gates closed 30 minutes after the car park has been emptied.

On this basis it is felt that noise from the proposed development can be controlled and that the occupiers of neighbouring properties will not suffer from any significant loss of amenity as a result of noise.

Highway Issues

Policy H14 of the UDP (Conditions on Development in Housing Areas) seeks to secure safe access to the highway network and appropriate levels of off-street parking.

The two artificial sports pitches, changing rooms and existing grass pitches at the northern end of the sports grounds will be accessed via the existing drive to Newfield School. The drive is approached from the north by Lees Hall Road and from the south by Woodland Road, via a number of alternative east/west routes, all of which are residential in character. Some of these routes, particularly those closest to the school, become significantly narrowed by on-street parking at the beginning and end of the school day. The junction itself is raised and has a Traffic

Regulation Order (TRO) in the form of no stopping signs on the northbound carriageway.

The southern end of the site is accessed from Warminster Road, which carries the number 20 bus service between Hemsworth and Ecclesfield. The existing playing fields, and Graves Park to the south, generate on-street parking which appears to be problematic during busy periods. Adjacent the site frontage, Warminster Road is subject to a TRO on both carriageways in the form of single yellow lines. The TRO is only operational on Sundays between 0900 hours and 1300 hours and was introduced at the request of local residents to prevent on-street parking at a time when the playing fields were in regular use on Sunday mornings.

One of the key issues in relation to this planning application is whether, from a highway safety point of view, the installation of the proposed artificial pitches and provision of additional off-street car parking at both the northern and southern ends of the site will add to these existing problems to a significant degree.

It is proposed that the artificial pitches will be open from 0930 hours to 2200 hours Monday to Friday and from 0900 hours to 1700 hours on Saturday and Sunday. The existing grass pitches do not fall under the control of this planning application and will continue to be used as they are currently used, limited as they are to daylight hours. As part of a supplement to the originally submitted Traffic Management Plan, the University have indicated that during school term time, up until 1730 hours Monday to Friday (excluding Wednesday afternoons), the site will only be used by Newfield School, occasional other schools or by the Sheffield Eagles Rugby Club. These users are not likely to generate a high number of trips and so will not exacerbate the already busy periods at the beginning and end of the school day.

From 1730 hours (1830 hours on a Wednesday) until 2200 hours, Monday to Friday, the artificial pitches will be available for public bookings, external football leagues and rugby/football team training (the Community Use Agreement will identify if there are any limitations to the usage, for example the Rugby AGP should be used largely for Rugby). Off-street parking will be widely available in the evenings (subject to some restrictions on the use of the grasscrete car park accessed from Warminster Road) and surrounding streets will not be clogged up by school traffic. In addition, the Traffic Management Plan indicates that, before the start of each academic year, the University will liaise with Newfield School to identify the dates of parents' evenings and other events that can generate significant vehicular activity at the school. The pitches will not be available for booking on these dates.

On Wednesday afternoons, up until 1830 hours, the site will be used by the University of Sheffield. This is when the site is expected to be most intensively used, with the busiest period expected to be between 1300 hours and 1600 hours. Trip generation forecasts, which include an allowance for visiting teams, suggest that, were all of the site's 11 pitches in use on Wednesday afternoon and the spectator stand was at full capacity, there could be 192 arrivals and 27 departures between 1230 hours and 1330 hours and 14 arrivals and 161 departures between 1530 hours and 1630 hours, with a maximum demand for 136 car parking spaces.

However, these are worst case trip generation forecasts. While they confirm that the proposed development, which includes 174 parking spaces (including disabled spaces and the existing car park adjacent Warminster Road) has adequate parking to deal with maximum demand, in reality, additional information submitted by the applicant indicates that more typical usage will consist of 5 pitches in use at any one times. Furthermore, many University teams and players will car share or arrive via minibus or coach, thereby reducing the number of vehicle movements, and use of the grass pitches is seasonal, with less rugby and football played during the summer months and of course shorter hours of use during the darker winter months.

The proposals include the provision of a coach drop off and pick up facility immediately in front of the existing pavilion fronting Warminster Road, which would also serve as a parking area for two coaches. Although coaches can access the Newfield school site and use the existing loop arrangement within their grounds during the school day; coaches will be required to drop-off and collect users of the pitches from the new drop-off facility and users will be required to walk through the site to the new changing facilities and pitches.

The coach lay-by will operate as a one-way system with the entry point at the existing (widened) car park access and exit to the south of the Pavilion. Coaches currently park on street and so the provision of off-street facility is seen as an improvement in both highway safety and amenity terms – though arguably the proposed development will result in more coaches visiting the site. As set out in the Travel Plan, coaches that cannot park on-site but that need to stay in the area will be expected to find a suitable location to wait outside of the immediate residential area. Coaches that are bringing students from the central campus will be expected to return to the city centre.

In addition to the above, the following additional measures will be taken to minimise impact on the surrounding highway network:

- The introduction of a barrier system to control access to the proposed car park adjacent Newfield School in order to prevent misuse. This car park will not be available for use by school staff during the day but will be made available to school visitors during busy evening events (when the sports pitches are not in use).
- The implementation of pitch booking procedures which will include the provision of coach routing plans, car park access details and access restrictions, including no entry or exit to the car park adjacent Newfield School between 1445 hours and 1515 hours during term time.
- Regular monitoring and surveys of the site once works are complete to identify any issues, and the implementation of further mitigation measures or procedures where necessary.

Based on this scenario, whereby traffic movements associated with the sports ground are generally timed so as to avoid the beginning and end of the school day, it is considered that the existing highway can accommodate the additional traffic movements and that the development should not, if properly managed, exacerbate levels of on-street parking or congestion.

Ecology

As a key principle of the National Planning Policy Statement (NPPF) is to conserve and enhance the natural environment, the applicant submitted an Extended Phase 1 Habitat Survey to determine the impact of the proposals on local wildlife. It confirmed that a number of protected species were identified in the area surrounding the application site, including species of principal importance.

Badgers have previously been identified as being present on site, although the ecological report judged activity to be low, and the known setts lie some distance from the revised position of the proposed 3G pitches. Nevertheless a condition is proposed preventing the use of machinery within 30 metres of an active sett. Other setts must be monitored to assess whether they are active.

Trees

Seven trees are proposed for removal along the site frontage in order to facilitate provision of the coach drop off/parking bays. These are not street trees and could be removed without consent. Whilst that doesn't diminish the impact of the loss of the trees, which are adjacent to the front boundary of the site and therefore contribute to the character of the area, the applicant is proposing to replace the lost trees within the application site in locations to be agreed.

Land Contamination

A Phase 1 Site Investigation Report by ECUS (ref: RZ/9236/170124/P1, dated January 2017) was submitted with the planning application. The Environmental Protection Service (EPS) has reviewed the report, considers it to be satisfactory and concludes that no further intrusive investigation and remediation are necessary.

RESPONSE TO REPRESENTATIONS

It is considered that the representations have been addressed in the body of the report.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the installation of two artificial (3G) sports pitches, floodlights, changing rooms, a spectator stand, new fencing and two new car parking areas at the University of Sheffield's Athletic and Sport's grounds at Norton. The proposed 3G pitches will be used primarily for rugby and hockey, but will also be made available for schools, sports clubs and community groups.

The Development Plan recognises the valuable contribution open space makes to communities and generally supports the improvement of open space and related sports facilities. Therefore, the development is considered to be acceptable in principle.

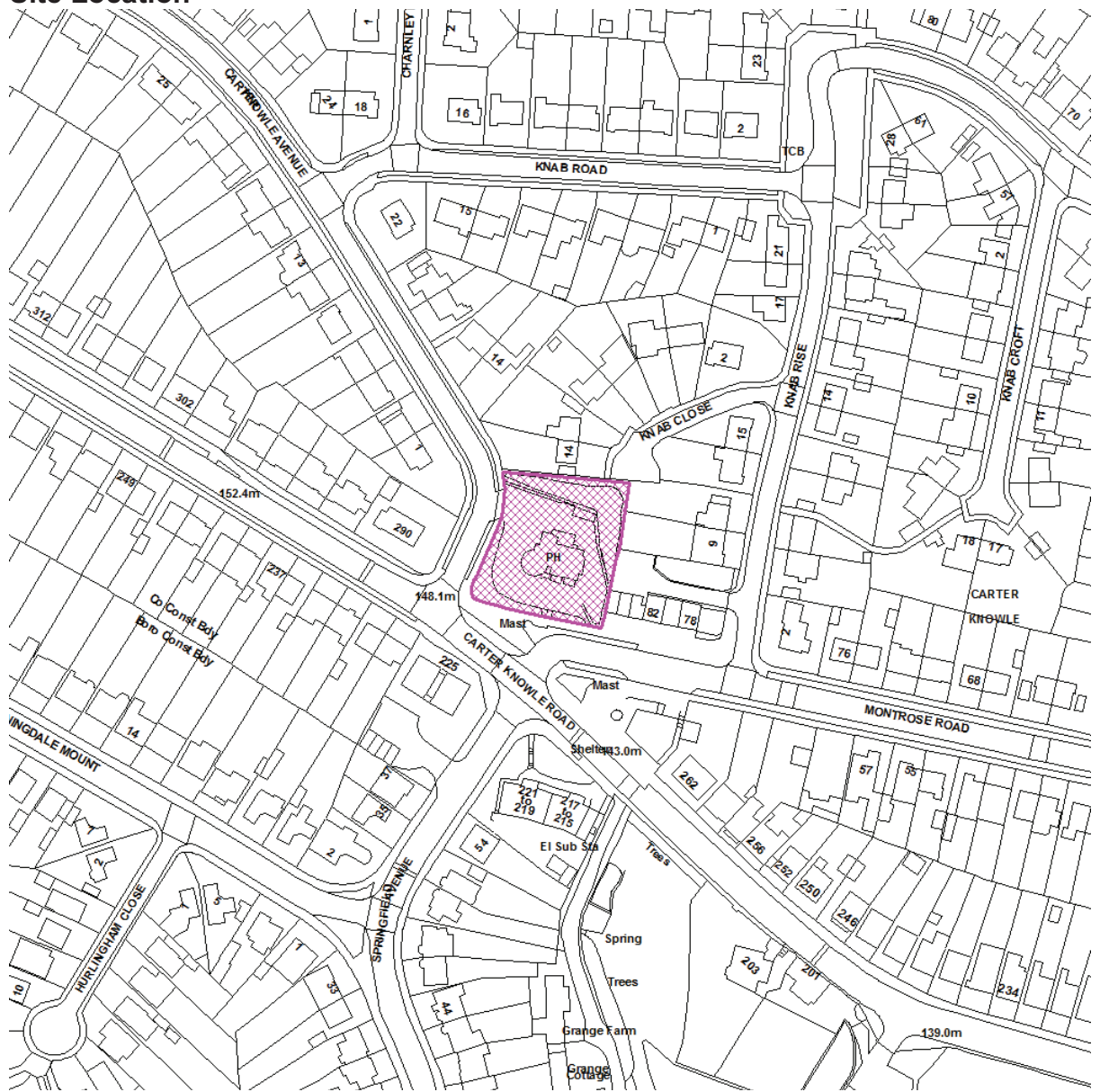
It is considered that the proposals will have little impact on the visual amenities of the local area. However, the intensification of the use of the site as a result of the improvements will have some impact upon the amenities of local residents. Conditions are proposed to minimise this impact, most significantly by implementing a series of mitigation measures, including the use of reduced noise goal line boards and by controlling the hours of use of the proposed grasscrete car park.

On the basis that traffic movements associated with the sports ground are to be timed so as to avoid the beginning and end of the school day, it is considered that the existing highway can accommodate the additional traffic movements and that the development should not, if properly managed, exacerbate levels of on-street parking.

It is therefore recommended that Members grant planning permission subject to the proposed conditions.

Case Number	16/02791/FUL (Formerly PP-05324624)
Application Type	Full Planning Application
Proposal	Demolition of public house and erection of single/two-storey retail unit (Use Class A1) with associated parking accommodation, automated teller machine (ATM) and plant and equipment
Location	Cherry Tree Inn 2 Carter Knowle Avenue Sheffield S11 9FU
Date Received	21/07/2016
Team	South
Applicant/Agent	EdgePlan Ltd
Recommendation	Appeal against non-determination

Site Location



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INTRODUCTION

As reported at the last Committee meeting, held on 30 May 2017, an application submitted with the Local Planning Authority to demolish the Cherry Tree Public House and erect a single storey retail unit is currently the subject of an appeal under the grounds of non-determination.

It is noted that, as the appeal is based on the grounds of non-determination, the final decision can only be made by the Planning Inspectorate. Therefore the purpose of the following report is to seek Members endorsement of the proposed approach/recommendation of the Local Planning Authority going forward.

By way of explanation, the delay in making a decision on this planning application is the result of somewhat prolonged Asset of Community Value application(s), which, although considered as a part of a process that sits outside the planning framework, do have a material bearing on the outcome of planning applications.

LOCATION AND PROPOSAL

This application relates to the Cherry Tree Public House (Use Class A4), which dates from the mid-1960s and is largely two storeys in height, but does have several further additions, including various flat roofed elements to the front and rear. The first floor is in use as ancillary residential accommodation.

The site, which extends to approximately 0.16 hectares, is bounded by both Carter Knowle Road and Montrose Road to the south and Carter Knowle Avenue to the west. A section of unused land, a car park and the end of residential gardens bound the site to the east and a residential property bounds the site to the north.

It is noted that three single storey commercial units sit adjacent the small section of disused land to the east. A largely single storey flat roofed commercial unit is also set directly across Montrose Road from these three existing units. This building, referenced in this assessment as 'the former Carter Knowle Food and Wine unit, 264 Carter Knowle Road', is currently vacant but has historically been utilised as a small convenience store.

With the exception of the small Unitary Development Plan (UDP) defined Local Shopping Area in which the application site is located, a large UDP defined Housing Area surrounds the site. Two storey largely semi-detached and detached properties define the general character of the housing area.

The surrounding area has a sloping topography with land falling from both south to north and west to east. The main body of the site itself is flat owing to the existence of steep embankments to the south and west, which actually result in the finished floor level and car park of the public house being below the majority of the surrounding street level, notably in some cases.

Vehicle access into the site is available from Carter Knowle Avenue and car parking for eighteen vehicles is currently spread across three sides of the public

house. Separate stepped and ramped pedestrian access points are available from the Montrose Road side.

The application comprises the demolition of the existing public house and outbuilding, and the replacement with a single retail building to be occupied by The Co-operative as a convenience store.

The main section of the building would be two storeys, with a small single storey flat roofed section to the north forming the main entrance/shop front. This unit would provide 392 square metres of gross internal floor space and no more than 280 square metres of net internal retail space, with the first floor being utilised for back of house functions. This proposal would also include the provision of an automatic teller machine, a customer car park (14 spaces), limited revisions to the existing landscaping and a plant compound.

The proposed building, which would operate between the hours of 07:00 and 23:00 hours, will be constructed in red brick with a tiled roof, while the main areas of glazing are focused on the northern elevation.

RELEVANT PLANNING HISTORY

None.

SUMMARY OF REPRESENTATIONS

- Petitions

Two separate petitions have been received in relation to the application with 735 & 97 signatures respectively.

The first petition (735 signatures) opposes the application on the following grounds:

- It would have a severe detrimental effect on the three family run businesses that are located just below the Cherry Tree and which are currently serving and meeting the needs of the local community (Knab Farm Shop, Rounds News and Away We Go Café).

- There are several existing supermarkets within a mile radius, which further reinforces the lack of need for this proposal.

The second petition (97 signatures) opposes the application on the following grounds:

- The scheme is for the financial benefit of the Co-operative Group, rather than reflecting the views of the local community.

- The pub is symbolic of what the nation stands for and has been used by local residents as a place to socialise for over forty years. It is also a means for elderly members of the community to have company.

- The Co-operative could explore the site across Montrose Road that already benefits from extant planning permission for the development of a new supermarket.
- The Co-operative already has another unit a mile away near Hutcliffe Wood.
- Owing to uncertainty about the site over a number of years landlords have not been confident to invest, but if this was to change the Cherry Tree could be a success.

Carter Knowle and Millhouses Community Group

This local community group raise objections to the application on several fronts. These being:

- There is no case for a supermarket in this location, which is well served by existing retail facilities. Examples given include the existing shops in the local centre and the larger supermarkets along Abbeydale Road.
- Concern is expressed that the proposed store would compete directly with the existing shops, rather than encouraging more local trade, which would conflict with the NPPF.
- The development of this type of store outside of Unitary Development Plan defined District Shopping Centres is contrary to local policies, including the emerging Sheffield Local Plan.
- Given that a supermarket operated on an adjacent site for a number of years and ultimately closed due to an apparent lack of trade this proposal would be unsuccessful and therefore unsustainable.
- A Co-operative store has recently closed at Hutcliffe Road, which is a similar distance from other larger supermarkets.
- Public houses are recognised as community facilities within the NPPF and offer social and recreational opportunities that are not provided by retail outlets.
- The Cherry Tree should be recognised as a community facility in relation to Policy CF2 within the UDP.
- Further policies within the emerging Sheffield Local Plan are referenced.
- Several points are made to explain the value of the public house to the community, notably that it does have potential to hold meetings and there is clear public opinion that it should be retained.
- It is also stated that the current owners of the Cherry Tree have purposely allowed the venue to run down in anticipation of selling it to a company such as the Co-op. If a more supportive approach was followed the venue could be a success.

- There are not similar alternative venues in the local area, with other public houses being more focused towards diners and car-borne traffic.
- Concern is expressed about the delivery vehicles and the potential for these to create road safety issues and increase air pollution.
- The scheme would increase on-street parking demands, which would have an impact on local residents, and the access is far from ideal for both servicing and customer car parking.
- The increased traffic would not be acceptable and the scheme does not appear to have been accompanied by an Air Quality Assessment or a Traffic Impact Assessment.
- The use would result in increased noise and disturbance.
- The proposed store is still presenting a relatively blank face to Carter Knowle Road, contributing nothing visually to the local street scene and the surrounding residential properties.

Local Representations Objecting

35 representations have been received from local residents objecting to the scheme. It is noted that of these, 7 are additional representations from individuals who had already provided an earlier written objection to the scheme.

Many of the comments made by the community group and outlined above are repeated within these individual representations, along with the following additional points:

- Since there is permission to convert the former Carter Knowle Food and Wine unit, 264 Carter Knowle Road into a retail unit, there might be two derelict supermarkets here if the Co-op finds it cannot attract enough trade and is forced to close.
- The building will front Carter Knowle Road and therefore occupy an obtrusive position, looming over an area which currently is an attractive open space with very wide pavements and longer views in many directions.
- The orientation of the store will encourage car journeys, rather than encouraging people to walk.
- The designs are not in keeping with the housing area and the building is too large.
- The Asset of Community value status must be given full weight.
- The use will create litter.
- The site would be better suited to a small bungalow or a health centre.

- Crossing Montrose Road is currently unsafe and this should be improved, indeed there are many accidents at the existing junction.
- The amount of school children in the area, which will be increased when the new Bannerdale School opens, only intensifies the issue of highway safety.
- Carter Knowle Avenue is not designed to receive large delivery vehicles and is not gritted during winter months which will create issues, particularly for service vehicles.
- The success of this proposed store would depend on the demise of the other local shops.
- Tearing down the old building could lead to issues with pests.

Local Representations Supporting

4 individual representations have been received from local residents supporting the scheme. The following points are made:

- The pub has always been an eyesore with a character out of keeping with the area.
- The pub has always been empty and a local convenience store would be a huge benefit to the area as there is nothing like this in the entire residential area.
- The only other option at present is to drive to a larger supermarket as the existing local shops are too specialised.
- The remaining public houses in the area could adequately serve the local community.
- The row of small shops opposite would benefit from the increased numbers of customers in the area.

Local Representations Neutral

One individual neutral comment has been received that does not raise points beyond those discussed above.

Campaign for Real Ale (CAMRA)

A representation has been received from the Sheffield and District Branch of CAMRA objecting to the proposal on the following grounds:

- The representation discusses the Asset of Community Value process and the benefits public houses can have for the cultural and social wellbeing of a community. Specific existing and future benefits associated with the Cherry Tree are identified, including its function as a meeting space.

- Concerns are expressed about the lack of car parking spaces and the consequences this would have for on-street parking.
- Other highways issues will be created.
- The proposal will increase local noise and disturbance.
- The applicant's assertion that there are alternative public houses in the area is challenged on the grounds of their distance away from the site and their alternative/non-comparable offer.
- Concern is expressed that the proposed store would compete directly with the existing shops, rather than encouraging more local trade, which would conflict with the NPPF.

PLANNING ASSESSMENT

National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The key 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 consider these overarching principles.

Asset of Community Value (ACV)

- Material weight given to ACV status

When considering planning applications that have ACV status, Paragraph 2.20 of the Department for Communities and Local Government's (Community Right to Bid) non-statutory guidance states that 'it is open to the local planning authority to decide whether listing as an ACV is a material consideration.....'

In addition, there are now appeal decisions that attach material weight to the ACV status of public houses and The Town and Country Planning General Permitted Development Order also recognises ACV listings as a material factor when considering permitted development rights surrounding changes of use for example.

As a consequence it is deemed as well established that the ACV status (or not) of a public house forms a material consideration in determining the outcome of planning applications.

It is reasonable to determine what weight ought to be given to this material consideration depending upon factors such as the level of interest shown by the local community as part of the application process, in this case substantial, and the evidence received from representations that the public house is, or until recently has been used, effectively as a community facility. The rigor of the relevant ACV

listing process is also a relevant factor when deciding the weight to be given to the asset.

- Policy Context

Although the importance of public houses as community assets is to be covered in detail within Sheffield's emerging Local Plan, as this document does not carry weight at this time the local policy context concerning the protection of public houses as community facilities is weak.

That Sheffield's local policies are silent on this subject (in relation to public houses) reflects the fact the ACV procedure is relatively new, and the Unitary Development Plan and Sheffield Development Framework Core Strategy (CS) date back to 1998 and 2009 respectively.

Given this situation Paragraph 14 within the NPPF offers the appropriate guidance, in that this states where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The weight of the Framework is reinforced within Paragraph 212, which states that 'the policies contained in this Framework are material considerations'.

Within the introduction of the NPPF the three key dimensions to sustainable development are highlighted as being economic, social and environmental. Paragraph 7 then discusses how these three dimensions give rise to the need for the planning system to perform a number of roles.

In relation to the social role, Paragraph 7 states that this is achieved in a sustainable way by supporting strong, vibrant and healthy communities and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

In addition the Framework, at Paragraph 70, seeks to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

Paragraph 70 also emphasises the role public houses can play as a community facility in terms of enhancing the sustainability of communities and residential environments. Although it must be noted that local shops are also recognised in the same way.

- ACV nomination process

Sheffield has a very robust process for determining an application to list something as an Asset of Community Value and this is set out as follows:

- When an application is received there will be a first stage check to ensure that the nominee(s) is eligible.

- The owner(s) of the relevant building is given the opportunity to object to the nomination.
- Although not a statutory requirement, Sheffield allows the relevant nominee(s) the opportunity for a rebuttal in relation to the relevant objection.
- All the information is then considered at a panel hearing, which is attended by the Director of Legal and Governance, the Deputy Head of Strategic Finance and one of the Head of Library's and Community Services, or the director of Business Strategy. A representative from legal services is also in attendance and a recommendation is put forward.
- This recommendation and the accompanying report are then forwarded to the relevant local Member of Cabinet, who will make the final decision.
- There is then a five day period for any other local councillor to call the decision into a scrutiny panel. For reference the Cherry Tree decision was not called in.

A measure of Sheffield's robustness in relation to such applications is demonstrated by the fact that 15 (48%) of the 32 applications to list a building as an ACV have been refused since July 2013. This includes the first application to list the Cherry Tree Public House (discussed further below).

- Value of the Cherry Tree as a Community Facility

The venue's value as a community facility was recognised by Sheffield City Council through its designation as an Asset of Community Value on 11 May 2017. In terms of this process the initial ACV application was refused based on the grounds that the original nomination failed to provide details to demonstrate that the public house acts as a focal point or hub for a significant proportion of the community.

In response the community group responsible for the bid resubmitted a second ACV application with more information, including testimonies from patrons of the venue, in an attempt to address the original reason for refusal. This second application was successful with the background report stating that this property's actual and current use furthers the social wellbeing and interests of the local community.

It is also apparent from the evidence/representations provided by the local community that the Cherry Tree is well regarded. Indeed this planning application has received 35 letters from the local community objecting to the scheme and two petitions totalling 832 signatures. This compares to 4 letters of support. One of the key reasons for objecting is the importance of this public house as an asset to the community.

It has been stated by residents that there are no suitable alternative premises within a reasonable travelling distance for many of the individuals who use the venue and this is contested by the applicant's team.

The clearest alternatives are the Prince of Wales, which is situated approximately 580 metres to the west and the Millhouses and Robin Hood set a similar distance to the south.

It is accepted by officers that these alternatives do have a much stronger emphases on food and, owing to their locations on main arterial routes close to main road junctions, also have a different demographic in terms of catchment. As such, they are much more likely to be a destination for people travelling from outside the area as opposed to the Cherry Tree, which is set much more centrally, at the heart of a clearly defined residential area.

In conclusion, owing to factors such as the volume of representations received, the robustness of the ACV process that has been followed and the limited comparable alternatives, it is considered that the current use furthers the social wellbeing and interests of the local community.

Its status as an Asset of Community Value is therefore considered to be justified and this should carry substantial weight within the decision making process.

- Need for a Convenience Store (The Applicants Case)

The applicant's team have provided a statement in response to the assertions made within the local representations that question the need for a convenience store in this location. This statement requires consideration when assessing the value of a convenience store as a community facility in this location.

The supporting statement begins by recognising that the application site is located in a defined Local Shopping Centre at Montrose Road, which is an appropriate and sustainable location for retail development of the scale proposed. This statement is not challenged by officers (see Land Use Section below).

Furthermore, it is stated that owing to the limited scale of the net sales area, the proposed shop is likely to function as a small convenience outlet meeting the day-to-day needs of local residents throughout the day and early evening, seven days a week. It is also noted that, owing to the scale, the proposal will not have any noticeable impact on other shopping areas. Once again officers agree with this assertion (see Land Use Section below).

The applicant's team then provide information about the wider strategy of the Co-operative Group, which details how they have recently relaunched their branding along with a new membership offer, with an aim to become the leading convenience retailer in the United Kingdom.

There is a stated recognition that shoppers are increasingly switching to convenience shopping within their local community rather than exclusively shopping at large, out of town superstores, as has been the case over recent years. Therefore it is claimed that a focus on a community-based strategy and the development of neighbourhood convenience stores has never been a stronger proposition than it is now.

It is stated that the experience of stores in similar locations in the Sheffield area suggests that a store on the application site would be sustainable and would contribute positively to the business.

In response to comments made in the local representations about the recent closure of a Co-operative store at Hutcliffe Wood Road, the applicant's team have stated that the new focus on the food business has resulted in the disposal of a number of smaller footprint properties, including the store at Hutcliffe Wood Road, to McColls who specialise in Confectionery, Tobacco and News (CTNs), a business which is more suited to less spacious stores.

In response to the assertion that there is an alternative site across Montrose Road (the former Carter Knowle Food and Wine unit, 264 Carter Knowle Road), it is stated that as both this existing shop, and the proposed redevelopment scheme lack customer car-parking, have limited storage, sales space and servicing facilities and potential conflict between residential and retail uses it is considered that the redevelopment of the current application site is preferable.

In relation to this alternative site, officers note that the planning consent for a convenience store has now lapsed and planning permission to use the existing building as a physiotherapy clinic was granted in January 2017 (see 16/04337/CHU). It is understood that conversion works to this building are underway, but it is unclear what the final use will be at this stage.

Based on the above, and without prejudice to other material considerations, it is concluded that a reasonable case for a convenience store on the proposed site has been made.

- Value of the proposed Convenience Store as a Community Facility

Paragraph 70 within the NPPF lists local shops as community facilities and it could therefore be contended that providing the proposed convenience shop would be of value to the community. However, officers would contend that the site is more valuable to the community as a public house than as a convenience shop and the following points are put forward to support this stance:

1. Although limited in scale, there is an existing retail offer within the existing parade of shops and it is clear from the local representations that these are popular within the community.

These existing shops are much more accessible/convenient when compared to walking some 570 metres to an alternative public house should the Cherry Tree be lost.

2. There are several shops that provide the convenience goods offer within existing local shopping centres on Ecclesall Road South to the north, and Abbeydale Road to the south, in addition to a Tesco Superstore within one kilometre of the application site that opens 24 hours a day.

3. The Cherry Tree is now recognised as an ACV, and therefore carries more weight than a convenience store that holds no such credentials.

4. Both the existing and proposed uses offer similar economic benefits in terms of factors such as employment.

The above serves to demonstrate that there is a significant diversity of retail offer already in the local area, including retail units directly adjacent to the application site. Therefore the loss of a recognised Asset of Community Value to accommodate additional retail space is not deemed appropriate.

- ACV Conclusion

Owing to factors such as the robustness of Sheffield's ACV designation process, the extent of local representations and the lack of suitable alternatives, it is considered that the removal of this designated Asset of Community Value would be in conflict with the aims of the NPPF, in terms of the social dimension of achieving the overriding golden thread of sustainable development.

Secondly, it is not considered that the information provided in support of the application has demonstrated that the benefits the scheme would bring in relation to the economic and environmental dimensions of sustainable development would significantly outweigh these concerns. Therefore, when assessed against the policies in the NPPF, taken as a whole, the loss of this designated Asset of Community Value is considered to conflict with this document.

Land Use

- National Context

A key planning principle of the NPPF is the encouragement of the effective use of land by reusing land that has been previously developed (brownfield land).

The application site would constitute brownfield land and the proposal would therefore accord with this section of the NPPF.

When considered against the requirements of the NPPF, there is no requirement for an Impact Assessment for the retail element as the floor area is below the 2500 square metre threshold stated in that document.

As the unit is within an existing UDP defined shopping area it is considered to be sequentially acceptable.

- Local Context

Policy S5 (Shop Development outside the Central Shopping Area and District Centres) within the UDP states that retail development, other than within or at the edge of the Central Shopping Area or District Shopping Centres, will be permitted where the development is:

- a) A small shop; or
- b) At the edge of a local centre for appropriately sized food stores and other facilities to serve the day to day needs of the local population.

Small shops are defined in the Unitary Development Plan as having a sales area of less than 280 square metres.

As the proposed store has a total gross sales area of less than 280 square metres it accords with Policy S5.

Policy S7 (Development in District and Local Shopping Centres) within the UDP lists a number of uses that are considered to be preferred, acceptable and unacceptable.

The proposal is a preferred use and therefore accords with Policy S7.

Section a) within Policy S10 (Conditions on Development in Shopping Areas) within the UDP states that in such areas new development should not lead to a concentration of uses which would prejudice the dominance of preferred uses in the area.

Given that the proposal would replace an acceptable use with a preferred use the situation in relation to dominance is improved.

Design

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 within the UDP states that good design and the use of good quality materials will be expected in all new buildings.

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.

Although there are elements of the scheme that are considered to reinforce the surrounding context, most notably the scale and proposed materials, there are several fundamental concerns that result in the scheme not being supported from a design perspective and these are set out below.

The main design objection relates to how the scheme responds/addresses the surrounding highways. Whilst it is appreciated the site has constraints, most notably the need to respond to the existing building lines, the limited options in terms of vehicle access and the topography, there is a fundamental tension

between the operating model of a small supermarket/convenience store with associated car parking and the nature of the site. This model is based upon setting the building to the back of the site facing onto a surface car park, which in turn borders the street and vehicular access.

To achieve this model it is proposed to take level access from Carter Knowle Avenue and then position the building so that its back faces onto Carter Knowle Road. This means that the largely blank rear of the building will form the edge of the principal street, with the shop windows and entrance, which generate all the activity and animation, facing into the site. This is poor urban design practice.

Despite the fundamental difficulties with the proposed arrangement officers have suggested ways to mitigate it and gain the maximum potential benefit whilst also allowing the operating model to be achieved. These suggestions have been:

- a) To reposition the building to provide a firm building line to both Carter Knowle Avenue and Carter Knowle Road. Crucially the new store needs to 'hold' this prominent corner, by coming as close as possible and adopting a suitably strong architectural response.
- b) Introduce greater fenestration interest and detail to ensure the roads are not presented with dead frontages as these are the public faces of the building and these elevations must contribute strongly to local character.
- c) To relocate back-of-house and servicing functions away from the road frontages.

Despite raising these issues, the unattractive plant enclosure remains in the most prominent position on the site, that being the corner of Carter Knowle Road and Carter Knowle Avenue. Moving the enclosure to the opposite end of the building would for example conceal it within the main body of the site and enable the two storey building to move closer to the corner.

Opportunities to introduce additional fenestration, which would for example enliven the blank gable, have been largely ignored, despite the presence of staff circulation space within this portion of the building which would benefit from the penetration of natural light.

Although the suggested changes are relatively minor, officers feel that these would have a major impact on the quality of the proposals and go a long way to mitigating the fundamental difficulties with the proposed arrangement and make a positive contribution to the local character/sense of place.

Therefore, overall the proposals still represent poor design and cannot be supported at this a prominent site on the corner of two significant streets.

Highways

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

Section f) within Policy S10 (Conditions on Development in Shopping Areas) within the UDP states that new development should be adequately served by transport facilities and provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

The application has been accompanied by a Transport Statement that discusses the key highway issues relating to the scheme and this is summarised as follows.

- Servicing

Service vehicles would utilise the only vehicle access point, which is off Carter Knowle Avenue, and these deliveries would take place within the proposed car park.

It is anticipated that this size of store would be visited by around four service vehicles per day, the largest of which would be a 10.35 metre rigid vehicle and it would be anticipated that this larger vehicle would visit a maximum of twice in one day. All other servicing would be carried out by a transit size of vehicle.

The larger vehicles would reverse into the site from the carriageway and leave the site in a forward gear. During these times car parking on the site would be reduced, but this would only be for a limited time so must be tolerated. The proposal would be to utilise a banksman to ensure the reversing manoeuvre for the larger servicing vehicle is done in a safe manner.

It is noted within the servicing information that with the use of software deliveries can be managed so that they avoid specific times of the day, including school drop-offs and pick-ups. This ensures that the impact on the local highway network is kept to a minimum.

All the relevant measures can be secured via a service management plan if planning permission was to be approved.

- Car Parking Provision

Car parking will be provided for fourteen vehicles, including two mobility spaces, and this is slightly below the maximum parking standard of 18 spaces, as defined by the Sheffield Unitary Development Plan.

This slight under provision of car parking is considered to be appropriate for a store of this scale that will also be in easy walking distance for a large number of surrounding residents. In addition, given the numerous other retail options in the surrounding area, in particular along Ecclesall Road and Abbeydale Road, it is reasonable to assume this store would not attract significant traffic from outside the area and this is reinforced within the Vehicle Distribution Section below.

The proposal also includes cycle parking as an alternative to visiting in a motor vehicle.

- Vehicle Distribution

In relation to traffic impacts the Transport Statement uses recognised vehicles distributions modelling, known as TRICS, to identify the likely maximum levels of trips the proposed use would generate. This is anticipated as being 57 two way trips in the weekday AM peak and 74 two-way trips in the weekday PM peak.

The Transport Statement notes that a substantial number of these trips will not be new to the highway network and many visitors, likely to be around 60%, would be passing the location already. This assertion is supported by research linked to travel patterns relating to food stores and is deemed reasonable by officers. It is also noted that the existing public house would also generate a degree of traffic.

From a traffic generation perspective the demands the development would therefore place on the existing highway network are considered to be limited in comparison to the existing situation.

The proposal is therefore considered to be acceptable from a highway perspective.

Sustainability

As the store is less than 500 square metres the sustainability policies set out in the Sheffield Development Framework Core Strategy do not apply. However, it is still proposed for 10% of energy to be provided through renewable, decentralised or fabric first measures and this is welcomed.

Air Quality

Within the representations the possible negative impact on air quality has been raised as an issue. The application itself has not been accompanied by an Air Quality Assessment as it does not meet the criteria for such a statement to be required owing to it not being within 200 metres of an area exceeding Air Quality Limitation Values.

It is also noted that, given the distance away from any main highway junction/node (over 500 metres), such as the Ecclesall Road and Carter Knowle Road junction for example, based on officer experience with similar sites, it would be considered highly unlikely that air quality around the application site would be in breach of any of the relevant air quality objectives.

In addition, the submitted Transport Statement has identified that the vast majority of vehicle movements associated with the proposed use, particularly at peak times, would already be on the highway network.

A planning condition would be placed on any permission to control any dust issues during demolition.

Based on the above the proposal is considered to be acceptable from an air quality perspective.

Amenity

Section b) within Policy S10 (Conditions on Development in Shopping Areas) within the UDP states that new development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

Policy GE24 (Noise Pollution) of the UDP requires development to not create noise levels causing a nuisance, and sensitive uses and noisy uses should not be located close together.

There are a number of residential uses surrounding the application site, including three addresses that share a common boundary (9/11 Knab Rise and 14 Knab Close). Protecting the amenity of these residents is therefore of paramount importance.

The proposed hours of operation are between 07:00 and 23:00 hours on any day and this is considered to be reasonable given the existing use of the site as a public house, which clearly has potential to create more notable noise and disturbance in the evenings than the proposed store.

Planning conditions could be imposed if permission was to be granted in order to deal with issues such as noise emissions from plant and equipment, delivery times and the times when it would be acceptable to move items such as bins.

The presence of existing landscaping and new boundary treatments will ensure the potential for overlooking into residential gardens/windows is managed/not an issue.

The main building itself will be set approximately 29 metres from the common boundary to the north, which is shared with 14 Knab Close, while the single storey element will be approximately 26 metres away from this boundary. The building will be set away from the common boundary shared with the Knab Rise properties, sitting adjacent to the commercial units and the associated car park. The properties to the south and west will be separated from the building by existing highways.

As such, even with the sloping topography taken into account, the proposals will not give rise to unacceptable overshadowing or over dominating impact.

Based on the above comments and with the imposition of planning conditions the proposal would be considered as acceptable from an amenity perspective.

Landscaping

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

The amount of hardstanding will be slightly reduced in comparison to the existing and increased areas of porous paving will be introduced, which is welcomed.

The proposals include the removal of a large conifer type tree that fronts Carter Knowle Avenue. Whilst this is a good specimen, it is overly large for the location and not really in character with the local area. Its removal can therefore be tolerated given that landscape improvements will be secured within planning conditions should a scheme be approved.

The trees to the north of the site will be cut back to a degree but the proposal is for these to be retained, which is welcomed.

The indicative landscape proposals are supported with the final scheme to be agreed via planning conditions if permission is to be granted.

Land Contamination

The site has been accompanied by a Phase One Risk Assessment which characterises the potential land contamination risk on the site. In this case it has been recommended that more detailed reporting is required, including proposals for remediation, before any development commences. These recommendations would be secured via planning conditions should permission be approved.

Drainage

The site is within Flood Zone 1 and it is less than one hectare in area. As such a Flood Risk Assessment has not accompanied the scheme.

As identified in the landscaping section the proposals reduce the amount of hardstanding, while also increasing the area of permeable paving. A condition would also be proposed if permission was granted to reduce surface water run-off from the site going forward.

Access Issues

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

The scheme includes two mobility parking spaces next to the entrance and a level access into the store from the car park. A non-stepped route is also provided from Montrose Road into the site and this runs adjacent to the east façade.

The proposals are considered to be acceptable from an access perspective.

Archaeology

The South Yorkshire Archaeology Service has confirmed that the site holds no interest in respect of archaeology.

Community Infrastructure Levy

This type of application is not the subject of the Community Infrastructure Levy as this levy only applied to out of centre retail that is in excess of 3000 square metres.

RESPONSE TO REPRESENTATIONS

The majority of the issues raised in the objections have been addressed in the above assessment. The remaining issues are addressed as followed:

- It would have a severe detrimental effect on the three family run businesses that are located just below the Cherry Tree and which are currently serving and meeting the needs of the local community (Knab Farm Shop, Rounds News and Away We Go Café).

In response, there are a number of examples of small supermarkets operating adjacent to smaller retail shops and it could be equally argued that any increased footfall into the area could be of benefit to the existing units.

In addition, the representations show clear support for these existing units and the community have the discretion to choose which outlet to visit. Furthermore, the NPPF does encourage competition.

Based on this and the other relevant issues discussed in the above assessment it would not be reasonable to refuse the scheme on these grounds.

- The scheme is for the financial benefit of the Co-operative Group, rather than reflecting the views of the local community.

In response, the commercial motivation behind the application is not relevant to the outcome.

- The Cherry Tree should be recognised as a community facility in relation to Policy CF2 within the UDP.

In response, Policy CF2 does not list public houses as community facilities.

- Policies within the emerging Sheffield Local Plan are referenced.

In response, the emerging Sheffield Local Plan does not currently hold any weight and therefore does not form a material planning consideration.

- It is also stated that the current owners of the Cherry Tree have purposely allowed the venue to run down in anticipation of selling it to a company such as the Co-op. If a more supportive approach was followed the venue could be a success.

In response, no evidence has been provided to demonstrate this is the case.

- The building will front Carter Knowle Road and therefore occupy an obtrusive position, looming over an area which currently is an attractive open space with very wide pavements and longer views in many directions.

In response, it is felt that locating the building adjacent to the primary highway (Carter Knowle Road) is the appropriate response to the context.

- The use will create litter.

In response, there is no obvious additional risk of litter issues in comparison to the existing use.

- The site would be better suited to a small bungalow or a health centre.

In response, the Local Planning Authority can only consider the scheme being presented to them.

- Crossing Montrose Road is currently unsafe and this should be improved, indeed there are many accidents at the existing junction. In addition, the amount of school children in the area, which will be increased when the new Bannerdale School opens, only intensifies the issue of highway safety.

In response, the existing highway network has speed humps to control vehicle speeds and, as identified in the submitted information, the majority of vehicle movements will not be new to the network.

- Carter Knowle Avenue is not designed to receive large delivery vehicles and is not gritted during winter months which will create issues, particularly for service vehicles.

In response, the existing public house has servicing requirements and the information provided has shown the new servicing arrangements would be successful. There is no reason why the highway can't begin to be gritted if required.

- Tearing down the old building could lead to issues with pests.

In response, there is no reason to suggest why this is a likely problem and it could be dealt with by Environmental Health if this is an issue.

SUMMARY AND RECOMMENDATION

As reported at the last Committee meeting, an application submitted with the Local Planning Authority to demolish the Cherry Tree Public House and erect a single storey retail unit is currently the subject of an appeal under the grounds of non-determination.

Owing to the grounds this appeal, the final decision can only be made by the Planning Inspectorate. Therefore, the purpose of this report is to seek Members endorsement of the proposed approach/recommendation going forward.

Although a need for a convenience store in this location has been reasonably demonstrated, insufficient justification has been provided to satisfy officers that this

need is such as to warrant the loss of a designated Asset of Community Value, given the negative impact this would have on the social wellbeing and interests of the local community.

The weight given to this ACV as a material planning consideration is reinforced owing to factors such as the robustness of Sheffield's ACV designation process, the volume and content of local representations and the lack of suitable alternatives comparable venues for the existing community.

In relation to design, although there are elements of the scheme that are considered to reinforce the surrounding context, most notably the scale and proposed materials, there are several fundamental concerns relating to how the scheme responds/addresses the surrounding highways. This includes the largely blank rear and gable walls of the building forming the edge of the principal streets, with the shop windows and entrance, which generate all the activity and animation, facing into the site. This is poor urban design practice.

The highways information provided has demonstrated that with the imposition of planning conditions the site could be serviced successfully. In addition, owing to the limited additional vehicle trips and location a slight reduction in maximum parking standards can be justified.

Again in relation to the amenity issues, with the imposition of planning conditions, and bearing in mind the current use of the site as a public house, it is felt that the living conditions of surrounding residents could be suitably protected.

RECOMMENDATION

Members are requested to endorse the suggested officer approach to defend the current non-determination appeal on the grounds of the loss of an Asset of Community Value and on the basis of poor design.

The following reasons for refusal are suggested:

The Local Planning Authority considers that the loss of the Cherry Tree Public House, which is a designated Asset of Community Value, would have an unacceptable negative impact on the social wellbeing and interests of the local community, which would be in conflict with the aims of the National Planning Policy Framework, when considered as a whole, in relation to the social dimension of achieving the overriding golden thread of sustainable development.

The Local Planning Authority considers that owing to its failure to address the surrounding highways appropriately, which includes poor siting and a lack of meaningful openings in the rear and gable elevations, the scheme represents poor urban design. The application is therefore considered to be contrary to the National Planning Policy Framework, Policy BE1 & Policy BE5 within the Sheffield Unitary Development Plan, Policy CS74 within the Sheffield Development Framework Core Strategy, and paragraphs 60 and 61 of the National Planning Policy Framework.

Case Number	16/02782/FUL
Application Type	Full Planning Application
Proposal	Use of building as micro-pub and erection of front access ramp
Location	99 Cross Hill Sheffield S35 9WR
Date Received	19/07/2016
Team	West and North
Applicant/Agent	Mr S Price
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The use of the premises as a micro public house shall cease on or before the expiry of 12 months from the date of this permission

Reason: A trial period has been granted in order to assess the impact of the proposal on the adjoining occupiers and the surrounding area.

Approved/Refused Plan(s)

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

as submitted 21.07.17

Reason: In order to define the permission.

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

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

Other Compliance Conditions

3. No customer shall be permitted to be on the premises outside the following times:

16:00 to 21:00 Monday to Thursday

15:00 to 21:00 Friday

11:00 to 20:00 Saturday

12:00 to 18:00 Sunday.

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

4. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, 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.

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

Such scheme of works shall:

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

b) Be capable of restricting noise breakout from the building to the street to levels not exceeding the prevailing ambient noise level by more than 3dB when measured;

(i) as a 15 minute LAeq, and;

(ii) at any one third octave band centre frequency as an 15 minute LZeq.

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

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

6. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0800 hours to 1800 hours Mondays to Saturdays.

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

7. All windows shall be kept closed; the fire exit doors shall only be used as an emergency exit and shall not at any other time be left standing open.

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has 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. On the expiry of the 12 month trial period, a further planning permission will be needed to continue the use. You are advised to submit such an application prior to the expiry of the period in order to ensure continuity of use should the proposal be acceptable.

Site Location



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LOCATION AND PROPOSAL

The site is located within the Ecclesfield district of Sheffield. No. 99 Cross Hill is a single storey brick built building which previously was an A1 (shop) use (flooring sales showroom).

Planning permission is being sought for the change of use of the building to a micro-pub (A4 drinking establishment) and to erect a front access ramp.

Plans submitted show no significant external alterations to the building other than the proposed front ramped area to be erected immediately in front of the existing main entrance into the shop unit. Submitted forms indicate that proposed micro-pub to have the following openings hours; 4pm to 9pm Monday to Thursday, 3pm to 9pm Friday, 11am to 8pm Saturday, 12pm to 6pm Sundays, with maximum of 2 staff and provisions of 2 car parking bays. The plans show that the micro pub to have a capacity of approx. 40 people within the unit at any one time. There will be no food prepared/cooked on the premises.

SUMMARY OF REPRESENTATIONS

Ecclesfield Conservation and Local History Group have objected (indicated below) and supported local residents objections as outlined below.

Ecclesfield Parish Council- no objection raised specifically but requested that we consider representations received.

Cllr Andrews has raised objections (outlined below).

Cllr Smith/Kay forwarded an objection letter from their constituents (outlined below).

Stagecoach bus company raised concern with problems with free flow of public transport if cars are parked on the road

A further 110 representations have been received, of which 2 are supporting the application.

The objections raised are outlined below;

- Wrong location for such a use
- Inadequate notification regarding the proposal
- Noise issues
- Nuisance/disturbance issues
- Parking problems
- Traffic problems
- Other pubs have closed down in the immediate vicinity so why need another
- Anti-social behaviour
- No control of people drinking outside the premises
- Increase in litter problems

- Potential signs that could impact on visual amenity
- Impact on public transport
- Problems with free flow of public transport if cars are parked on the road
- Request the application go to committee and not be delegated
- Other non-planning issues

PLANNING ASSESSMENT

Policy

The site is located within a Housing Area as defined in the UDP and Policy H10 suggests that Housing is a preferred use in such areas. A4 uses are not mentioned within this policy and as such the proposed change of use will be assessed on its own merits.

Amongst other things Policy H14 of the UDP states that any change of use must ensure that the living conditions of existing occupants are not compromised and that there is no impact upon the highway network. The policy also suggests that the proposed use occupies only a small area and not lead to a concentration of non-housing uses which would threaten the residential character of the Housing Area and be on a scale consistent with the residential character of the Area or meet primarily local needs or (in the case of uses other than shops) occupy an existing building set in its own grounds.

Sequential Test

Para 24 of the NPPF requires main town centre uses proposed out of centre, including pubs, to be consistent with the sequential approach. The applicant was requested to undertake the Sequential test within the nearest centre, Ecclesfield village, the applicant examined two vacant properties in Ecclesfield village, but neither was available. Therefore the proposal conforms to the sequential approach.

Impact on Street Scene

The submitted details show minor internal changes to the building; no external drinking areas are shown. An external ramp area has been shown which would not detract from the visual amenities of the locality or the building.

Highways Issues

Two parking bays for staff/customers have been shown; however, the site is within walking distance of public transport facilities and is located within a residential area where customers can approach on foot. The applicant has stated that deliveries will be made by the applicant and as such from a highway point there are no objections.

Impact on adjoining residents

The building although detached, sits amidst residential dwellings either side and in close proximity with the nearest neighbouring property approx. 3m from the

building. The proposal is for a small micro pub with a maximum capacity of 40 customers (no children) with no outdoor seating or drinking area. Restricted hours are also proposed reducing the potential for harm to local residents. In these circumstances, the potential for harm is reduced.

No outdoor smoking area has been shown. If a smoking shelter is required, a further permission will be necessary.

The rear garden area has not been included within the red line boundary so will not be available for use in conjunction with the premises.

A number of concerns have been raised from local residents, some regarding noise and disturbance from customers using the facilities. Environmental Protection Officers have raised no objections and are satisfied that, with the imposition of appropriate conditions, the operation of the business should not adversely impact upon occupiers of neighbouring property.

Several residents have raised concerns over anti-social behaviour from users of the micro public house. If this was to occur this would be a matter for licensing / the police.

Information has been provided that the use has begun operating. To date, no complaints have been received about this. If this is the case, a small scale A4 use may be able to be operated without significant harm so a trial period may be the way to assess this.

Summary and Recommendation

In policy terms the proposed change of use is considered potentially contrary to Policy H14 of the UDP and with the proposed micro pub there is a potential for significant impact upon the neighbouring residential properties and the locality but the small scale nature of the proposal may mean that it could be assimilated into the locality without harm. It is considered that a 12 month trial period would be appropriate to assess this as such a it is considered that temporary permission be granted with conditions.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 20 June 2017

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
20 JUNE 2017

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 the erection of a conservatory and raised terrace to front of dwellinghouse at 25 Brincliffe Crescent Sheffield S11 9AW (Case No 16/03110/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 the alterations to basement to form additional living accommodation and provision of stairway to front basement entrance at 333 Psalter Lane Sheffield S11 8WA (Case No 16/04706/FUL)

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for the replacement of P7 pylon with free standing internally illuminated LED Screen at 445 Brightside Lane Sheffield S9 2RR (Case No 17/00127/ADV)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse advertisement consent for the retention of a non-illuminated banner sign on the north facing gable at Woodseats Launderette 819 Chesterfield Road Sheffield S8 0SQ (Case No 15/03985/ADV) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the advertisement on the character and appearance of the surrounding area.

He noted the large triangular banner is positioned above a large advertisement hoarding on the gable wall of a two storey domestic scale property, within a busy commercial location.

The appellant argued the banner is an established feature of the busy

shopping area and the Inspector acknowledged that there are many large signs within the centre but stated that a balance must be struck between the extent of those advertisements and their impact upon visual amenity. In this particular case he agreed with officers that the scale and high level position of the banner and it's cumulative visual impact are such that it appears as an excessive, prominent and unacceptably dominant feature within the street scene, in conflict with UDP policy BE13 and dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse advertisement consent for internally illuminated 48 sheet digital LED hoarding at 673 Abbeydale Road Sheffield S7 2BE (Case No 16/03265/HOARD) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the advertisement on the character and appearance of the surrounding area.

He noted the application site was the gable end of a two/three storey end terrace property in retail use but with residential neighbours. He also noted an existing large illuminated hoarding exists on the gable wall, but that there is no evidence of the illumination having advertisement consent.

Although he appreciated the commercial nature of the wider area he felt the immediate street scene was more residential in character and that the illuminated hoarding would be read in conjunction with these. He considered it would be prominent, with a long range of visibility and would be particularly noticeable after dark. He concluded it would be harmful to amenity in this context in conflict with UDP policy BE13.

The appellant argued the Council had granted consent for similar hoardings elsewhere but the Inspector considered that each case has to be assessed on its own merits and the other signs were within a more commercial setting. The appellant also argued the replacement hoarding would provide affordable rates for small businesses to advertise and would reduce waste and carbon emissions. The Inspector acknowledged these potential benefits but felt they did not outweigh the harm caused to amenity.

He dismissed the appeal.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for a two-storey front/side and single-storey side extensions to dwellinghouse at 1 Vernon Road Sheffield S17 3QE (Case No 16/04247/FUL) has been allowed conditionally.

Officer Comment:-

Given that officers had no issue with the single storey extension, the Inspector identified the main issue as the effect of the two-storey extension on the character and appearance of the dwelling and the surrounding area.

The house is a semi-detached house with an 'L' shaped footprint on a corner plot within a residential area. The Inspector noted the house is screened from view from both Vernon Road and Chatsworth Road by a combination of hedging and fencing but that its front face is to Vernon Road.

She did not agree with officers that the two storey extension would imbalance the pair of dwellings in a manner that would affect the character and appearance of the area, and considered it had an appropriate materials and roof form. She did not therefore feel it caused sufficient material harm to refuse planning permission, and granted planning permission with conditions relating to approved drawings, and materials.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for the erection of 2 flats at 181 School Road Crookes Sheffield S10 1GJ (Case No 16/03245/FUL) has been allowed conditionally.

Officer Comment:-

The site forms part of the side garden of 181 School Road and fronts the adjacent Ainsley Road, within residential area.

The Inspector considered the main issues to be the impact upon:-

- a) the character and appearance of the area; and
- b) the living conditions of future occupants, with particular regard to private amenity space and privacy.

In terms of a) she noted that within the red brick terraces that dominate the area there was variation in their design and a small block of flats opposite the site. She considered the design of the flats would appear as a simple extension of the existing dwelling and would not appear incongruous. In addition she felt the balcony detail would add some visual interest to the prominent side elevation.

She noted officer's concerns about breaching the established building line but felt the change in angle of the road made this logical.

For b) she noted the Council's guideline with Supplementary Planning Guidance for a minimum of 50 square metres of garden space but felt this was not applicable to flats and did not therefore give it significant weight. She was satisfied that the small balcony areas, whilst not generous would provide some area for sitting out and would be proportionate to the size of the flats. She also disagreed with officers that these areas would not be sufficiently private.

For these reasons she allowed the appeal and granted planning permission with conditions relating to approved plans, and materials.

5.0 APPEAL – ENFORCEMENT NOTICE

(i) To report that an appeal against a Enforcement Notice served in respect of breach of planning control at Land at 126 Birley Spa Lane, Sheffield, S12 4EJ (Case No 16/00314/ENUD) has been dismissed and the enforcement notice upheld.

Officer Comment:-

The applicant appealed against the Enforcement Notice on the basis that he considered that planning permission should have been granted for the use of the building as a hot food takeaway, the erection of a metal flue and the siting of a storage container. Planning permission was previously refused for the use and the flue and dismissed at appeal.

The Inspector noted that nothing had been presented to indicate that there had been any change in circumstances in the intervening period and, as such, the issues remain the same – the effect of the development on the vitality of the shopping parade and the effect of the scheme on the living conditions of residents in the vicinity. The shipping container had not been previously considered by an Inspector but the main issue is its effect on the character and appearance of the area.

The Inspector concurred with the conclusions of the previous appeal in that the increased concentration of hot food takeaways would have a harmful impact, resulting in three food premises in a row in the centre of the parade and resulting in a bleak shuttered appearance in the middle of the day, having a negative impact on the feel of the parade and its vitality. Limited information on marketing the unit was presented to the Inspector and little evidence to suggest that another use would be unviable. He did not consider that the employment benefits would outweigh the identified harm.

On living conditions the Inspector noted that the flue is positioned directly outside the rear window of one of the residential units at the rear and its proximity has potential to cause disturbance from noise, vibration and odour. No technical information was submitted to allay these concerns. Furthermore the comings and goings of customers would be an added level of disturbance and the appearance of the flue has an unacceptable effect on the outlook of residents.

On the container the Inspector concluded that it was an industrial and unattractive feature which was out of place in its surroundings.

The Inspector dismissed the appeal on the basis that the development is contrary to the requirements of Policy S10 of the UDP and the National Planning Policy Framework.

6.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

20 June 2017