

Planning and Highways Committee

Tuesday 3 October 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
3 OCTOBER 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 12 September 2017
- 6. Sheffield Conservation Advisory Group** (Pages 9 - 14)
Minutes of the meeting of the Sheffield Conservation Advisory Group held on 18 July 2017
- 7. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 8. Applications Under Various Acts/Regulations** (Pages 15 - 66)
Report of the Chief Planning Officer
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 67 - 74)
Report of the Chief Planning Officer
- 10. Date of Next Meeting**
The next meeting of the Committee will be held on 24 October 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 12 September 2017

PRESENT: Councillors Peter Rippon (Chair), Ian Auckland, Jack Clarkson, Tony Damms, Roger Davison, Dianne Hurst, Bob Johnson, Zahira Naz, Joe Otten, Peter Price, Chris Rosling-Josephs and Cliff Woodcraft

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor David Baker and Councillor Cliff Woodcraft attended as the duly appointed substitute. Apologies for absence were also received from Councillors Michelle Cook, Alan Law and Zoe Sykes, but no substitutes were appointed.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the previous meeting of the Committee, held on 22 August 2017, were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Interim Head of Planning, in liaison with a Co-Chair, be authorised to make arrangements for a site visit in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee for this date and as amended in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) having heard representations at the meeting from (i) two residents, with one representing the Kelham Island Community Alliance, speaking against the proposed scheme and (ii) the applicant's agent speaking in support of the proposed scheme, an application for planning permission for the demolition of a car showroom and erection of a seven-storey building comprising, 50 apartments and one commercial unit (Use Class B1a) at the ground floor including associated amenity space, cycle parking and ancillary facilities at Carr Motors Ltd, 318 to 328 Shalesmoor (Case No. 17/02005/FUL) be granted, conditionally, subject to additional conditions in respect of the requirement for the applicant to provide (A) a detailed Travel Plan and (B) a Car Free scheme for the development, all as detailed in a supplementary report circulated at the meeting;

(c) an application for planning permission for the erection of 77 x three and four bedroom dwellinghouses with associated landscaping and highway works at site of Former East Hill Primary and Secondary Schools, East Bank Road (Case No. 17/01442/FUL) be granted, conditionally, subject to the completion of a Legal Agreement;

(d) having heard representations at the meeting from the applicant speaking in support of the proposed development, an application for planning permission for external alterations and change of use of a dwelling/osteopathic studio to a five bed House in Multiple Occupation (Use Class C4), self-contained one bed flat (Use Class C3) and osteopathic studio at C J Osteopathy Ltd, 1 Sale Hill (Case No. 17/00445/FUL) be granted, conditionally;

(e) having considered (i) an additional representation from an adjacent company to the proposed development site expressing concerns over the perceived implications the development may have on the company's operations, as detailed in correspondence circulated to Members of the Committee in advance of the meeting and at the meeting and (ii) (A) the applicant's response to the representations, as detailed in correspondence as circulated to Members of the Committee in advance of the meeting and at the meeting and (B) the officer's response to the representations, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of 207 dwellinghouses and associated works (application to approve details in relation to appearance, landscaping, layout and scale - matters reserved by Case No. 13/01674/OUT, an outline application for a residential development with all matters reserved except access) (amended plans showing alterations to proposed link road received 21 August 2013) at land south of Arnold Lavers, Oxclose Park Road North (Case No. 16/04323/REM) be granted, conditionally, and subject to the completion of a Legal Agreement; and

(f) having (a) noted (i) (A) a petition containing 1046 signatures and an online petition containing 98 signatures in support of the proposed development and (B) a written objection from the Green Party, (ii) corrections to the report now submitted in respect of (A) Page 143, Paragraph 1.4, concerning the "Floorspace Table" and (B) Page 144, Paragraph 1.5, concerning the "Proportions of Uses Table", (iii) clarification provided concerning Condition 4 with regard to highway measures at Junction 34 North of the M1 and (iv) an amendment to the Heads of Terms concerning the proposed enhancement to bus route number 72 to the Meadowhall

Centre following the withdrawal of bus route number 71, all as detailed in a supplementary report circulated at the meeting and (b) heard representations from (i) a City Centre developer, a member of the local community and a representative of the Green Party speaking at the meeting commenting on the proposed scheme and (ii) from the applicant's representative speaking at the meeting in support of the proposed scheme, an application for planning permission for the construction of an extension to the shopping centre for leisure (use class D2), catering (A3, A4 and A5), retail (A1), offices (B1), non-residential institution (D1), police station and/or car showroom (sui generis), car parking (including multi-storey car park), servicing, landscaping, vehicular and pedestrian access/egress and off site highway works, public realm and associated demolition at Meadowhall Centre, Meadowhall Way (Case No. 16/04169/FUL) be granted, conditionally, (1) subject to (I) clearance by the First Secretary of State, (II) a Legal Agreement, with an amendment to the Heads of Terms to ensure the subsidy of £948,480 is provided for a period of three years for bus route numbers 3, 72, X1 and X78 or other similar routes which serve the Meadowhall Centre in the future and by the deletion of bus route 71 and (III) no objection from Highways England and in the event of any measures imposed by Highways England, the Chief Planning Officer in consultation with a Co-Chair, be authorised to agree further conditions/amendments to the Legal Agreement's Heads of Terms to address those measures, insofar as they do not result in significant planning impacts, all as detailed in report now submitted and the aforementioned supplementary report.

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 7.1 The Committee received and noted a report of the Chief Planning Officer detailing the planning appeal recently submitted to the Secretary of State.

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Committee will be held at 2:00p.m on Tuesday 3 October 2017 at the Town Hall.

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SHEFFIELD CONSERVATION ADVISORY GROUP

Meeting held 18th July, 2017

<u>PRESENT;</u>	<u>Name</u>	<u>Organisation</u>
	Dr. Philip Booth (Chair)	Co-opted Member
	Professor Clyde Binfield	Twentieth Century Society
	Mr. Patrick Burns	Co-opted Member
	Mr. Howard Greaves	Hallamshire Historic Buildings Society
	Mr. Graham Hague	Victorian Society/ South Yorkshire Industrial History Society
	Mr. Tim Hale	Sheffield Chamber of Commerce,
	Dr. Roger Harper	Ancient Monuments Society
	Mr. Bob Hawkins	Council for the Protection of Rural England
	Mick Knott	Civic Trust
	Dr. Jo Lintonbon	University of Sheffield
	Mr. Andrew Shepherd	Society for the Preservation of Ancient Buildings

1. STANLEY JONES

It was reported that Mr. Stanley Jones, who had represented the Hunter Archaeological Society on the Group, had died recently. The Group placed on record its appreciation of the valuable contribution by Mr. Jones over many years, to the work of the Group and his valuable work, in drawing attention to the great number of timber-framed buildings in South Yorkshire. The Group extended its condolences to his family and observed a minute's silence.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-
Mr. Simon Geddye (Civic Trust), Liz Godfrey (Civic Trust), Mr. Bob Marshall (Royal Town Planning Institute), Councillor Ian Saunders (Sheffield

City Council) and Dr. Jan Woudstra (Landscape Institute).

3. MINUTES

The minutes of the meeting on 16th May, 2017 were approved as a correct record subject to the substitution:-

- (a) in item 3(i) of the words "Joined Up Heritage" for the words "Joined Up Sheffield", ;
- (b) in item 3(vii)4 (iii) of the words "Mr Rob Murfin" for the words "Mr. Rob Mirfin";
- (c) in item 7.1 of the words "The Group felt that the blind window should not be opened up. The Group considered that the information submitted was inadequate." for the words "The Group felt that the information submitted was inadequate"; and
- (d) in item 7.2 of the words "it was treated sensitively" for the words "it was treated separately"

Arising therefrom, the Group:-

(i) noted that:-

(A) as yet, the Chair had not yet managed to find a replacement for Mr Rod Flint, as the representative of the Georgian Group, on the Advisory Group, or a replacement for Mr. Hale as the Deputy Chair of the Group. The Group also lacked a representative of the Institute of Structural Engineers. The matter of representation on the Group would be considered at the next meeting;

(B) (1) the Civic Trust had reported that its submission relating to the proposed Social Sciences Faculty Building scheme at the corner of Whitham Road and Northumberland Road appeared to have been ignored and nothing had arisen from its input;

(2) both the Group and the Sheffield Sustainable Development and Design Panel (the Panel) had been critical of the scheme regarding its impact on the adjacent conservation areas. The scheme had not been re-submitted to the Panel or to the Group. In its final form, the scheme had been amended quite a lot, with the walls and planting on Northumberland Road being retained. It appeared that the City Council's Plans Sub-Committee had not received the input of the Panel and the objections on grounds of the traffic implications, of the scheme. The question of who had recommended that the scheme be approved, would be investigated; and

(3) the plaque in tribute to former Alderman Gainsford, sometime Chairman of the City Council's Water Committee, located on the railings on Whitham Road, had been removed; and

(C) the post of Head of Planning had been re-designated as Chief Planning Officer; and

(ii) the Group noted, with concern, the apparent failure, above, to consider either its advice or that of the Panel and the Civic Trust.

4. CHAIR'S REPORT

The Chair reported that in the light of the loss of several members there was a need to reconsider the Group's constitution. Some organisations that sent representatives might no longer be active in Sheffield, while others that had a city-wide remit were not represented. In particular, if Joined-Up Heritage became a formally constituted organization, it would be appropriate to invite it to nominate a member of the Group. The Chair undertook to look at the matter further and report to a later meeting.

The Group noted the information.

5. REPORT OF CHIEF PLANNING OFFICER

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

6. SHEFFIELD SUSTAINABLE DEVELOPMENT AND DESIGN PANEL

The Group noted that there was no scheduled meeting of the Sheffield Sustainable Development and Design Panel.

7. HERITAGE ASSETS

The Group considered the following applications for planning permission affecting heritage assets and made the observations stated:-

7.1 Application to allow amendments (Application under Section 73 to vary condition number 32) (approved documents) as imposed by planning permission 16/02702/FUL), to allow a revised design to Block C and the rebuilding of the facade to Block D, at William Brothers (Sheffield) Ltd, Green Lane, Shalesmoor. (Case number 17/01585/FUL)

The Group considered that demolitions should be carried out only where necessary and carefully. The Group considered that measures should be taken to ensure that the materials would be preserved. The Group felt that the scheme at Shalesmoor would be better apart from its setting. The Group felt that measures should be taken to ensure that the structure would be recognisable externally, as well as internally and it should be sensitively restored. The Group welcomed the scheme, which it considered to be a good one.

7.2 Refurbishment works to existing crucible furnace brick structure, at Green Lane. (Case number 17/02253/LBC)

The Group broadly welcomed the scheme, particularly the retention of the cellar. The Group felt that that the structure should be demolished only where necessary and with care and that the materials should be preserved. The Group considered that measures should be taken to ensure that the furnace would be recognisable externally as well as internally and that it should be sensitively restored.

7.3 Alterations to building to form 55 dwelling units, comprising 28 studio apartments, 1x1 bedroomed apartment, 11x2 bedroomed apartments and 15x3 bedroomed apartments at Viva Health UK Ltd, Heritage House, Heritage Park, 55 Albert Terrace Road.

The Group welcomed the scheme, which it considered to have potential to lift up the surrounding area. The Group had no objection in principle to the scheme, subject to the Chief Planning Officer's approval of the details.

**7.4 Extension to apartment block to form dwelling house on site of former Manor Lodge Primary School, Manor Lane
(Case number 17/01969/FUL)**

The Group felt that it might be possible to achieve the sort of development which was intended, but this particular proposal was unacceptable and would have a detrimental impact on the former school building

(NOTE: following its amendment, application case number 17/00675/FUL (for planning permission for demolition of existing office extension, alterations and extensions to existing building to create 11 apartments and erection of dwelling house and associated access, parking and amenities at Wake Smith and Co., 68 Clarkhouse Road (amended description and amended plans, scanned on 8th June, 2017) was withdrawn from consideration by the Group.)

8. UPDATE

The Chief Planning Officer gave an update report on various matters and the Group noted that :-

- (a) the scheme to develop the Goodwin Centre, Northumberland Road, would be submitted to the Group, even though it was anticipated to have a low impact on the conservation area, because it would affect the adjacent green space;
- (b) the Chief Planning Officer would report further to the Group, at its next meeting, on the proposed development of Carbrook Hall;
- (c) photographs of the present condition of Claremont House, in the Loxley Valley had been submitted by Mr Greaves. The Chief Planning Officer would consider the possibility of issuing a section 215 Notice regarding the property. Claremont House was not a listed structure or a heritage asset;
- (d) the Chief Planning Officer was liaising with a firm of solicitors, regarding Spout House Farm. The estate of the tenants of the property had been declared bankrupt. The tenants had restored the property during the 1970s;
- (e) there were ongoing issues regarding Loxley Chapel. Both the security and stability works had been completed to the satisfaction of Heritage England;
- (f) the theft of paving flags at the General Cemetery was being investigated and

the Chief Planning Officer would report further regarding the matter at the next meeting; and

(g) Network Rail proposed to tidy up and fence off the Wicker Arches, some of which were in a dangerous condition. Most of the Arches were awaiting a commercial use.

9. MISCELLANEOUS ITEMS

Members of the Group reported on development affecting heritage assets and conservation areas and the Group noted that: –

(a) Ruth Harrman had completed 'Yorkshire West Riding, Sheffield and the South' which was being printed and would be published in September next;

(b) the Chief Planning Officer would investigate the possibility of providing a projector at the future meetings, to enable the Group to consider larger drawings;

(c) the University of Sheffield had taken over the former St Vincent's Church, Solly Street;

(d) the Star newspaper had published an article regarding a scheme for the Mount Pleasant, Sharrow Lane. Several expressions of interest had been received regarding the scheme;

(e) a recent Retro article in the Star newspaper regarding Fitzalan Square and the General Post Office had been published, without mentioning that the author of a relevant report, on which the article was based, had been Mr David Cathels, a former Conservation Officer of the City Council;

(f) there was concern at the level of amplified music and the level of noise generally, on Fargate, but this was not a matter to be considered by the Group;

(g) a further sign had been erected on the gable end of Wharf House, at Sheaf Quays and the

brickwork of the structure was in a poor condition. The Chief Planning Officer would consider possible enforcement action regarding the property;

(h) there was no further progress regarding a scheme of development at Holly Street;

(i) on 14th July last, at the former Abbeydale Cinema there had been a screening by Creative Art Development Spaces (C.A.D.S.) of a silent film on the Battle of the Somme. Mr Greaves considered that CADS, which was aiming to obtain a full operator's licence, was doing a good job of running the cinema. He had written an article regarding the cinema for publication by the Star newspaper; and

(j) the former Non-Conformist Chapel of the General Cemetery had recently staged a musical performance.

The Group noted the information.

10. DATE OF NEXT MEETING

The Group noted that the next meeting would be held on 19th September, next.

(Note; the above minutes are subject to amendment at a future meeting.)

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: The Chief Planning Officer

Date: 03/10/2017

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond 2734218

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.
17/01901/FUL (Formerly PP-05948350)	Land Adjacent 24Orgreave Place Sheffield S13 9LU	19
17/01437/FUL (Formerly PP-05948053)	Site Of 1-11 Rotherham Place Orgreave Road Sheffield S13	31
16/04516/FUL	Playing Field Between Cradock Road City Road And Park Grange Road Cradock Road Sheffield S2 2JX	42

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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 03/10/2017

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	17/01901/FUL (Formerly PP-05948350)
Application Type	Full Planning Application
Proposal	Development of a 20MW gas powered generator facility for the provision of standby energy generation
Location	Land Adjacent 24 Orgreave Place Sheffield S13 9LU
Date Received	05/05/2017
Team	City Centre and East
Applicant/Agent	Miss Maureen Darrie
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 Numbers:

WE04284.70.C.60 Rev A
WE04284.70.C.61 Rev A
WE04284.70.C.62 Rev A
WE04284.70.C.63 Rev A
WE04284.70.C.SK1 Rev C
WE04284.70.C.SK2 Rev F
GPP/RE/S/17/01 site location plan

Reports:

Air Quality Assessment April 2017 (GF Environmental Ltd)
Groundsure Screening Report Reference 51001417851001 (21.4.2017)
Sol Acoustics Noise Impact Assessment 3.5.2017

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)

3. Site clearance works shall be carried out outside the bird breeding season and under a Precautionary Working Method Statement (PWMS), with checks made by an Ecological Clerk of Works (ECoW), due to the presence locally of several waterbodies that support great crested newt.

Reason: In the interests of species protection

4. A comprehensive and detailed soft landscape scheme for the site, for the areas indicated on the proposed site plan (WE04284.70.C.SK2RevF) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The approved landscape works shall be implemented prior to the first operation of the plant. 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 providing appropriate screening for the development and to improve biodiversity.

5. Before the use of the power generation facility is commenced (except for testing to meet the terms of this condition), Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

- a) Be carried out in accordance with an approved method statement.
- b) Demonstrate that the background noise levels in the Sol Acoustics report have been achieved at the nearest noise sensitive receptors. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the operational use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the operational use is commenced and shall thereafter be retained.

Reason: In order to protect the living conditions of nearby residents

Other Compliance Conditions

6. The power generation facility shall only ever operate between 0700 hours and 2300 hours and shall never run overnight.

Reason: In the interests of the living conditions of nearby residents.

7. The plant shall operate for a maximum of 2,000 hours in any single calendar year

Reason: In the interests of local air quality

8. 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.

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

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. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
3. 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.

4. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

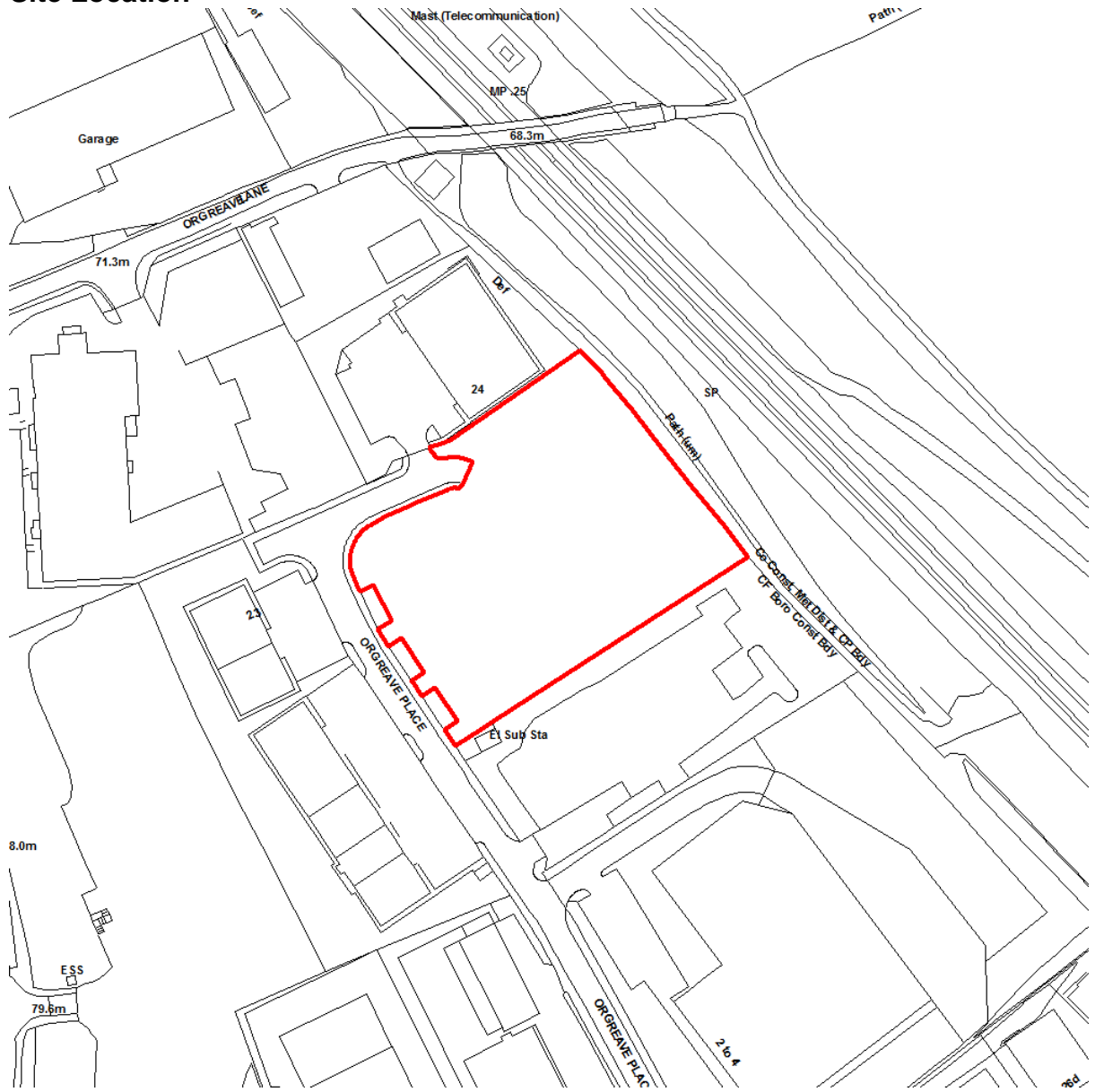
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority

5. 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.

Site Location



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LOCATION AND PROPOSAL

This application seeks permission for a gas powered standby generation facility and ancillary infrastructure and equipment. The purpose of the plant is to generate up to 20MW of electricity at short notice to meet peaks in demand within the local electricity network, fed through the National Grid. This typically happens when existing or established sources of generation are unable to generate sufficient electricity, or when there are short periods of exceptionally high demand that cannot be met from existing sources. At such times these plants will be activated at short notice to manage such fluctuation in demand and supply. Similar plants are sometimes known as Short Term Operating Reserve (STOR) generation plants or Standby Power Generation Plants.

The site is located on the eastern edge of the Orgreave industrial estate and is accessed off Orgreave Place. It is a vacant scrubland site which is bounded by limited vegetation, a public footpath and the railway line to the east; a modern commercial unit to the north and further modern commercial units across Orgreave Place to the west. To the south of the site is an area of hardstanding used for open storage beyond which are further commercial units. The nearest residential properties to the site are on Rotherham Road, beyond the commercial units and vacant sites to the west (approximately 180 metres away).

The proposal involves the installation of nine containerised gas fired engines positioned in a row on the eastern extent of the site (adjacent to the boundary with the railway line) together with an access / service road and other ancillary equipment, including a control cabin, switch gear and transformer compound. The site would be enclosed by fencing and gates and would be covered by CCTV. This siting avoids a sewer easement which crosses the site. The engines are 3.3m high with 7.15m exhausts and two roof-mounted cooling radiators on each engine – they would be set on a hardstanding area. It is anticipated that the proposed facility would operate for between 2,000 and 3,000 hours per year for an average of 5-8 hours per day, generally between the hours of 0700 and 2300.

PLANNING HISTORY

No relevant planning history

REPRESENTATIONS

A total of 42 individual objections have been received in connection with this proposal, including concerns expressed by Councillors Paul Wood and Mick Rooney. The concerns raised are as follows:

- The plant is too close to housing and will cause noise and air quality problems for residents
- There has been a lack of consultation with local residents
- The nitrogen dioxide will increase child respiratory symptoms and asthma. This is already bad due to the constant traffic problems in and around Handsworth and surroundings areas. Please consider adults and children

with asthma or other respiratory problems as these people will be more vulnerable against nitrogen dioxide exposure

- The survey reports that the average annual NO₂ concentrations are predicted to increase and expects the hourly NO₂ Air Quality Standard may be exceeded.
- Air quality will be affected by more traffic and chemicals being emitted into the environment
- The health of local school children may be affected by the proposal - they play out in this area and walk to school along the road. The pollution could affect their lungs
- Nitrogen Dioxide smells nasty
- Noise levels - totally unacceptable with residential houses close by – the generators will make a constant noise. Noise levels are expected to exceed the existing background noise level during both the weekday and weekend periods
- This is far too close to houses, schools and the new lakes around the Waverley area.
- More traffic on Rotherham Road means more pollution
- There will be yet more lorries using the road if this proposal goes ahead.
- The volume of traffic around Handsworth and Orgreave has always been high but with Waverley and the University developments opening it is getting worse
- The site is too close to residential properties and if necessary for the area it should be based on empty land on the trading estate away from housing
- This is an industrial estate for small businesses not large power plants.
- Impacts on the biodiversity of the site as it has been derelict for many years and is home to birds and wildlife. The site backs on to a site of local beauty and nature reserve and the potential noise and environmental pollution could be detrimental to the flora and fauna there
- The importance of the adjacent open space has been disregarded by the applicant
- The site should be reserved for much needed housing instead
- The proposal will lead to a devaluation of property (Note that this is not a planning consideration)
- The landscaped boundary referred to in the proposals is actually a single row of trees with a large gap – this will not disguise a development that is this high.

PLANNING ASSESSMENT

Land Use Policy

Within the National Planning Policy Framework (NPPF) there is a presumption in favour of sustainable development and a requirement to approve developments that accord with the provisions of the development plan. It goes on to say that where policies are out of date permission should be granted unless the dis-benefits demonstrably outweigh the benefits of the development. National Planning Practice Guidance notes that it is important to ensure the delivery of energy infrastructure that will support the transition to low carbon energy sources provided that the environmental impacts of doing so are acceptable. The NPPF also clearly supports

the need for economic growth. The basis for a standby power generation facility is to ensure stability of energy supply which is critical to sustaining a growing economy.

The site is within an allocated General Industry Area as defined in the adopted Sheffield Unitary Development Plan.

Policy IB5 identifies general industrial uses (use class B2) as the preferred uses of land in the policy area. The proposed power station is a sui generis use (in a class of its own) and as such in accordance with Policy IB5 must be considered on its own merits. A power station is industrial in character and as such is considered compatible with the other established industrial uses on this small industrial estate. As such the principle of the use of the site as a power station is considered acceptable and accords with Policy IB5.

Design, appearance and landscaping

Policy IB9 part c) requires development to be well designed with buildings and storage of a scale and nature appropriate to the site.

The development comprises of nine gas fired engine-driven electricity generation units which will be housed in acoustically insulated weather proof steel containers painted green. The engine-generator sets will sit side-by-side within the compound each in its own sound-proof containment cell. Additional ancillary plant will also be accommodated within the site. The site is proposed to be enclosed by a paladin fence.

Given the nature of the development there is no denying that the site will be of a poor visual appearance which does not enhance the appearance of the area. This has to be considered against the fact that the site is within an industrial estate which is designed to accommodate industrial uses.

The site sits at a lower level than the commercial units to the west such that it will be relatively well screened from the housing area off Rotherham Road, particularly bearing in mind the intervening uses and the tree screen on the very edge of the industrial estate. The site is not particularly well screened from the public footpath and railway line to the east and the applicant has been asked for a landscaping scheme to improve the appearance of the site from this aspect, particularly bearing in mind the large open space on the opposite side of the railway line which rises up above the application site level.

The applicant has also been asked to provide a landscaping scheme on the part of the site that is not to be occupied by plant and equipment, to the west of the sewer easement and internal access road. This would serve the dual purpose of screening the equipment and improving the biodiversity of the site, which is considered to be very poor at present.

The applicant has agreed to this request and an indicative plan has been received which also slightly alters the alignment of the engines to move them away from the boundary with the public footpath / railway to allow for a wider planting screen. A

condition is proposed to secure final details of a scheme before the development commences.

Although there is low potential for ecology on the site at present as there are no trees on the site, the City Council's Ecology Service has also recommended that site clearance works only take place under a precautionary working method statement, supervised by an ecologist. This is secured by condition.

On the basis of a comprehensive landscaping scheme it is considered that the development meets the terms of Policy IB9 (c).

Highways

Once the facility is operational the only vehicles to the site would be for maintenance and security purposes. None of these would be HGV movements. The only HGV movements would be associated with the construction phase which would last between 6 and 8 months. There are no permanent staff based at the site and the proposal will only result in 2 FTE equivalent jobs in the operational phase.

Although it is accepted that there will be increased HGV movements during the construction phase Highways officers have confirmed that this would not be a level that would justify resisting the proposal, particularly bearing in mind the very low traffic generation once the plant is operational.

Amenity Issues

Policy IB9 (b) seeks to ensure that new development does not unacceptably affect the living conditions of any housing uses. Policy IB14 requires the provision of an environmental buffer between industry and sensitive uses. These issues are considered further below.

Noise

The closest residents are located on Rotherham Road approximately 180 metres to the west of the application site.

The applicant's submitted noise assessment follows the guidance within BS 4142 to determine whether there is a likelihood of complaints from the nearest noise sensitive receptors (houses) when the development is operational.

The Council's Environmental Protection Service (EPS) has reviewed the report which states that the 9 x 2.49MW gas generators will operate at peak demand times for energy, typically between 07:00 and 23:00 hours. The report also notes that the nearest noise sensitive receptors are located approximately 180 metres to the west of the parcel of land proposed for development.

Noise measurements are taken at approximately 120 metres. The calculations of the nine generators operating with the proposed noise mitigation measures predict that there will be no adverse impact in terms of noise at the nearest residential properties. Having reviewed the noise modelling information the EPS concurs with

the findings. Although they note that the report does not consider the nearest commercial premises, the EPS review of the noise modelling data concludes that the predicted levels are considered satisfactory.

Outline noise mitigation measures are presented in order to achieve the predicted levels at the nearest noise sensitive properties for the weekday and weekend as follows:

- Quieter remote radiators models with a maximum Rating level noise limit, or
- Reduction in fan speeds, and
- Limit the number of generators in operation during the weekend period

In light of the above, the EPS has recommended that the noise report is the subject of a condition and that the operating times of the proposed gas generators are restricted such that they do not operate overnight between the hours of 2300 and 0700 hours.

Given the significant number of objections and concerns of local residents, in particular the potential noise impact of plant and equipment, the EPS has also recommended a condition requiring validation testing of the scheme of noise mitigation measures in order to confirm that the specified noise levels in the report have been achieved.

On this basis the proposal is considered to comply with Policy IB9.

Air Quality

Policy CS66 of the Core Strategy states that action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

Sheffield as a whole falls within an Air Quality Management Area due to breaches of UK and European Union thresholds for air quality particularly due to exceedances of NO₂ (nitrous oxide) and PM₁₀ (particulate matter) concentrations.

The applicant has submitted an air quality assessment with the application which looks at a worse-case scenario of the plant operating for 4,645 hours per year (rather than the anticipated maximum of 3,000 hours). The report confirms that the effects of the construction phase of the development are not considered to have any adverse effect on air quality and can be managed by suitable construction management techniques. The detailed modelling predicts that the hourly NO₂ objective value may be exceeded in the immediate vicinity of the development itself but this is not a sensitive receptor. At the sensitive receptors closest to the site on Rotherham Road, where the background concentrations are well below the annual objective values, there is predicted to be an insignificant impact.

The Council's Air Quality Officer has considered the Air Quality Assessment (AQA) prepared by GF Environmental Ltd and he notes that the proposal would result in

the production of air pollutant emissions including, oxides of nitrogen generally referred to as NO_x – a mixture of nitrogen dioxide (NO₂) and nitric oxide (NO), fine particulate matter (PM₁₀), carbon monoxide (CO) and volatile organic compounds (VOCs) during operation of the new FlexGen power plant, which are likely to have an impact on the local air quality.

According to the AQA report, the FlexGen Facility will be contracted to be available for operation for 4,654 hours in a year. However, the Air quality Officer has considered the assessment on the basis of the proposed 2,000 hours in a year that the STOR facility is likely to be operational.

On the basis of the information provided, the Air Quality Officer is satisfied that the air quality assessment methodology employed is acceptable and that the findings are as he would anticipate. The Air Quality Officer has also considered the cumulative impact of this facility with the one proposed at Rotherham Road nearby and concludes that there is no legitimate reason to resist this application on the grounds of air quality, subject to limiting the maximum operating hours of the plant to 2,000 per annum.

On this basis the proposal is considered to comply with Policy CS66.

Ground Conditions

Policy MW9 of the Unitary Development Plan states that development will not be acceptable on unstable land unless it can be effectively treated.

The application was accompanied by a Groundsure Screening Report. The site lies within a High Risk Coal Mining Area and the Coal Authority has been consulted on the application. They have considered the nature of the development and note that the generators will not require substantial foundations such that the ground loading will be less than for other forms of development. The proposed development does not consist of a building or structure that will be occupied and as such they do not object to the development, although they have suggested the inclusion of an informative should the development be approved. The Council's Environmental Protection Service has reviewed the documentation and is satisfied that the site can be safely developed without the need for any conditions but have suggested an informative should any unexpected contamination be found.

On this basis the development complies with Policy MW9.

Drainage

The site is in Flood Zone 1 which means that it is not susceptible to flooding, making it an appropriate site for a flexible energy plant. Such facilities are indeed only permitted in Flood Zone 1.

RESPONSE TO REPRESENTATIONS

It is considered that the majority of issues raised have been covered in the main body of this report.

The application is accompanied by supporting submissions which address the legitimate concerns of local residents. These reports have been assessed by the Council's Air Quality Officer and the Environmental Protection Service and they have concluded that they concur with the findings of the reports to the extent that there is no justification for refusing the application on the grounds of air quality or noise impacts.

The consultation on the planning application followed the principles set out in the Council's Statement of Community Involvement.

The site is designated as within a general industrial area and is surrounded by commercial uses. It is thus not an appropriate site on which to develop housing as suggested by one of the respondents.

SUMMARY AND CONCLUSION

The proposal for a gas powered standby generation facility to generate up to 20MW of electricity at short notice to meet peaks in demand within the local electricity network, fed through the National Grid, is considered an important asset to assist with the growth in the economy and to ensure a stable electricity supply to meet the demands of that growth. The principle of the use is supported by the National Planning Policy Framework.

Local residents have raised legitimate concerns about the impact of the proposals in particular on local air quality and in terms of noise disturbance. These issues have been assessed by the Council's technical experts and they have concluded that the impacts are an acceptable level such that a refusal of planning permission on this basis would not be justified.

Whilst it is accepted that there will be HGV movements associated with the construction phase of the development, in the operational phase there will be very few vehicle movements associated with the use as the site is only visited for maintenance and security reasons.

The visual impact of the proposal has been carefully considered and the applicant has been requested to implement a full landscaping scheme to better screen the plant from both the industrial estate road and, more importantly from the Orgreave open space to the east of the railway line. The landscaping will perform the dual function of improving the biodiversity of the site which is currently very low.

Having regard to all of the material considerations in this case it is considered that the proposed development complies with the provisions of the Development Plan and guidance contained in the National Planning Policy Framework.

It is therefore recommended that planning permission is granted subject to the listed conditions.

Case Number	17/01437/FUL (Formerly PP-05948053)
Application Type	Full Planning Application
Proposal	Development of a 20MW Synchronous Gas Standby Power Generation Facility, including ancillary infrastructure and equipment
Location	Site Of 1-11 Rotherham Place Orgreave Road Sheffield S13
Date Received	05/04/2017
Team	City Centre and East
Applicant/Agent	Enzygo Ltd
Recommendation	Refuse

Refuse for the following reason(s):

- 1 The Local Planning Authority considers that the proposed design of the development, which is essentially the open storage of plant and machinery, would represent poor design, would be injurious to the visual amenities of the locality and would result in a poor outlook for occupiers of adjacent residential property, unacceptably affecting their living conditions in a location which needs to act as a buffer between the designated housing area and the wider industrial estate. The proposal is therefore contrary to Policy IB9 of the Unitary Development Plan, Policy CS74 of the Core Strategy and the National Planning Policy Framework.

Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, the application is considered contrary to policy requirement(s), and, there being no perceived amendment(s) that would address these shortcomings without compromising the fundamental intention of the scheme the Local Planning Authority had no alternative but to refuse consent.

Site Location



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LOCATION AND PROPOSAL

This application seeks permission for a 20MW synchronous gas powered standby generation facility and ancillary infrastructure and equipment. The purpose of the plant is to generate electricity at short notice to meet peaks in demand within the local electricity network. This typically happens when existing or established sources of generation are unable to generate sufficient electricity, or when there are short periods of exceptionally high demand that cannot be met from existing sources. At such times these plants will be activated at short notice to manage such fluctuation in demand and supply. Similar plants are sometimes known as Short Term Operating Reserve (STOR) generation plants or Standby Power Generation Plants.

The site is located on the Orgreave industrial estate. The site is currently vacant and is covered in scrub but has some hardstanding areas associated with a previous use of the site. The southern and western boundaries of the site have a deciduous tree screen, although there are gaps within it. The site is at the edge of the industrial estate at the junction of Rotherham Road with Orgreave Road. Existing industrial premises are situated to the east of the site and across Orgreave Road to the south. In close proximity to the west of the site on the opposite side of Rotherham Road are semi-detached houses. To the north is another area of vacant scrub land within the industrial estate.

The proposal seeks to form an access road from Orgreave Drive, utilising the existing vehicular access which already exists and to install the generating plant on the eastern portion of the site. The development would consist of eight free-standing gas fired engines with exhaust chimneys, together with some other free standing equipment including a transformer and a switch room. The area of the site where the installation is proposed would also be contained by a 2.4m high mesh panel fence.

PLANNING HISTORY

There is no relevant planning history in relation to this site.

An application for another similar installation of a 20MW facility is proposed by another company on a site to the north east of this proposal within the same industrial estate (application number 17/01901/FUL refers).

REPRESENTATIONS

South Yorkshire Fire and Rescue have been consulted on the proposals and raise no objections.

The Health and Safety Executive has confirmed that the site does not lie within their consultation distance of a major hazard site or major accident pipeline and as such they are not required to be consulted in this case.

A total of 99 representations have been received in connection with this application. One of the representations is in support of the application; three

provide a neutral comment and 95 people object to the scheme. The objectors include Councillors Mick Rooney and Paul Wood.

The supporter of the scheme states that as a peak power standby site, money and jobs will be created for a site that will hardly run. The emissions levels will be comparable to that of Highfield Spring at 28mg/nm³ so there will be negligible air pollution changes. The site can also be completely hidden by new plants and bushes

The objections can be summarised as follows:

- Lack of public consultation about the proposal – the applicant should arrange a public meeting
- Air quality concerns, particularly in relation to young children – emission of Nitrogen Oxides and particulates which will affect health – Public Health England state that Nitrogen Dioxide has an adverse effects on health and reduced life expectancy and is associated with hospital admissions for numerous respiratory conditions
- The supporting air quality and environmental reports are all hypothetical and not based on an actual completed facility
- Further noise pollution on an already busy and noisy road, especially during the construction period
- The development will result in nasty odours from the gas emissions
- Proximity to residential properties, workplaces and schools, including the new Waverley development which is a new residential community close to the site
- Impact on ecological diversity of the area and effect on the Waverley public open space.
- The Dore House site is particularly rich in various butterfly species, many of which are readily apparent on the site itself and which visit our gardens, directly opposite. From this it is deduced that the Dore House site is the breeding ground for these species, and its development would likely result in the loss of these insects.
- There are multiple butterfly and moth species, many of which are in decline nationally. Several of them have highly localised distributions, breeding within small isolated sites, and so the impact of the loss of these can be more dramatic than one might expect.
- Several notable insects from other families have been recorded, particularly long horned beetles and true flies. The soldier fly and the long-horned beetle are extremely scarce, and these are highly notable records. They are also very large, dramatic and showy insects, and it would be a great shame not to see them again.
- Understand that the site will need redevelopment at some stage, but together with other proposed developments in the area, the impact as a whole on the diversity of sites, their proximity to each other and the effects of these combined will be extremely detrimental to the air quality and hence to the soil nutrient concentrations, and affect the availability of alternative food plants for these species and disrupt the entire ecosystem of the area. The site could be redeveloped less aggressively and more sympathetically

so that the area is affected more gradually, giving wildlife a better chance of adjusting.

- There is too much reliance on fossil fuels – there should be a push away from this due to issues of climate change and renewable alternatives should be explored
- Decrease in property values (NB - this is not a planning consideration)
- Health and safety concerns in respect of fire and rescue
- Given that the land has been vacant for years why not build low cost housing?
- The proposal will lead to an increase in traffic in an already congested area
- Adverse impact on the surrounding environment and the abundance of local wildlife. The site is close to a site of local beauty and nature reserve.
- This development goes against the eco-friendly credentials of Waverley and the AMRC development
- There must be other better located industrial estates that would be more suited to this development.
- The landscaped boundary referred to in the proposal is actually just a single row of trees with a large gap that will do little to screen the proposals, particularly during the winter months.

PLANNING ASSESSMENT

Land Use Policy

Within the National Planning Policy Framework (NPPF) there is a presumption in favour of sustainable development and a requirement to approve developments that accord with the provisions of the development plan. It goes on to say that where policies are out of date permission should be granted unless the dis-benefits demonstrably outweigh the benefits of the development. National Planning Practice Guidance notes that it is important to ensure the delivery of energy infrastructure that will support the transition to low carbon energy sources provided that the environmental impacts of doing so are acceptable. The NPPF also clearly supports the need for economic growth. The basis for a standby power generation facility is to ensure stability of energy supply which is critical to sustaining a growing economy.

The NPPF also recognises that in building a stronger economy there are important social and environmental roles such that the planning system should support strong vibrant and healthy communities and should contribute to protecting the environment, including by minimising pollution and enhancing the built environment.

The part of the site which is proposed to be developed is within an allocated General Industry Area as defined in the adopted Sheffield Unitary Development Plan. The western third of the site is designated as an Open Space Policy Area. No development is proposed in this area. Rotherham Road and the housing beyond it to the west are within a designated Housing Policy Area.

Policy IB5 identifies general industrial uses (use class B2) as the preferred uses of land in the general industry policy area. The proposed power station is a sui

generis use (in a class of its own) and as such in accordance with Policy IB5 must be considered on its own merits. A power station is industrial in character and as such is considered compatible with the other established industrial uses on this small industrial estate. As such the land use principle of the use of the site as a power station is considered acceptable and accords with Policy IB5. However, the proposal must be assessed against a range of considerations, not least of which is the proximity of the site to housing.

Open Space Policy

The western third of the site is designated as an Open Space Policy Area. This designation is to ensure the retention of an environmental buffer between the Industrial Estate and the housing area to the west. Given that no development is proposed in this area the proposal is not contrary to Open Space policy.

Design and appearance

The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. It recognises that good design is a key aspect of sustainable development and should contribute positively to making places better for people.

Policy IB9 part c) requires development to be well designed with buildings and storage of a scale and nature appropriate to the site. Policy CS74 expects high quality development which contributes towards creating attractive, sustainable and successful neighbourhoods.

The development comprises of eight gas fired engine-driven electricity generation units constructed in two rows which will be housed in acoustically insulated weather proof steel containers. The engine-generator sets will sit side-by-side within the compound each in its own sound-proof containment cell. Additional ancillary plant will also be accommodated within the site. The height of the engine containers, including the stack on top will be 6.7 metres from ground level. The site is proposed to be enclosed by a 2.4m high mesh panel fence and there will be motion sensor security lighting and 24/7 CCTV coverage. The existing trees and bushes to the south and west boundaries would be retained.

It is considered that design is a particularly important consideration with this proposal on this site given that it lies at the very edge of the industrial estate and is in very close proximity to an established residential area.

Given the nature of the development there is no denying that it will not represent good design. It is essentially a proposal for open storage of industrial plant and equipment and it has no redeeming features that will enhance the appearance of the area. Had the site been in the heart of the industrial estate this issue would not be such an important consideration but the fact that this site is at one of the main entrances to the site and is so close to residential property makes this a particularly relevant issue in this case.

Whilst there are trees lining the Rotherham Road and Orgreave Road frontages these are deciduous trees that will not be in leaf for nearly half of the year. This means that their screening value over the late autumn, winter and early spring months will be minimal, exposing considerable views of the plant and equipment to residents on Rotherham Road and adversely affecting their outlook.

Had the equipment been within a well-designed building with flues in the roof structure then this could overcome much of this concern. A well-designed building on this site would also serve to mark the entrance to the industrial estate and provide a positive gateway.

Free standing gas engines and flues will do nothing to enhance the main entrance into the estate and would result in a poor visual appearance. Given the particular circumstance of the site location it is considered that the proposal as submitted is unacceptable on visual amenity grounds, represents poor design and will adversely affect the outlook of nearby residents.

This is considered to be contrary to Policies IB9, CS74 and to the National Planning Policy Framework.

Ecology

Policy GE11 of the UDP states that the natural environment will be protected and enhanced.

A preliminary ecological appraisal (dated 30 March 2017) was submitted with the application. This has subsequently been supplemented by a Bat Survey and a Reptile Survey (both dated 19th September) following a review of the original appraisal by the City Council's Ecology Service.

The further survey work has revealed that there are no bat roosts on the site, although there is some limited bat activity after dusk as occasional bats cross or visit the site. The reptile survey found no reptiles on site.

On the basis of the additional fieldwork carried out there is considered to be no reason to resist the proposal on ecological grounds, subject to appropriate conditions to ensure that site clearance is outside the bird breeding season and a precautionary working method statement supervised by an ecologist. The development is therefore considered to comply with Policy GE11.

Highways

The applicant has advised that staff will only visit the site on an ad hoc basis and there is a significant amount of circulation space. In the operational phase it is considered that there will be very little impact on the highway network as a result of the development. The existing access into the site has good visibility in both directions. The Highways officer has raised no objections to the proposal, subject to the imposition of conditions.

Although it is accepted that there will be increased HGV movements during the construction phase Highways officers have confirmed that this would not be a level that would justify resisting the proposal, particularly bearing in mind the very low traffic generation once the plant is operational.

Amenity Issues

Policy IB9 part b of the UDP seeks to ensure that new development does not unacceptably affect the living conditions of any housing uses. Policy IB14 of the Unitary Development Plan requires the provision of an environmental buffer between industry and sensitive uses.

Noise

The closest residents are located on Rotherham Road immediately to the west of the application site such that this is a particularly important consideration.

The application was accompanied by a Noise Assessment which has been reviewed by the Council's Environmental Protection Service (EPS). A BS4142 assessment has been undertaken which shows that the sound levels would be below the prevailing background noise levels during the daytime but would be above the prevailing background noise levels overnight.

The EPS has directly contacted and discussed the scheme with the noise consultant to clarify how often the site is operated under emergency situations outside daytime hours in order to aid EPS comment. Following these discussions the EPS consider that the proposed mitigation within the noise assessment is satisfactory subject to it forming a condition of the development and that the plant does not operate overnight between the hours of 2300 and 0700 hours.

Given the significant number of objections and concerns of local residents, in particular the potential noise impact of plant and equipment, the EPS has also recommended a condition requiring validation testing of the scheme of noise mitigation measures in order to confirm that the specified noise levels in the report have been achieved – i.e – that there is no increase in background noise levels at the nearest noise sensitive receptors (housing) when the plant is operational.

On this basis the proposal is considered to comply with Policy IB9 (b).

Air Quality

Policy CS66 of the Core Strategy states that action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

Sheffield as a whole falls within an Air Quality Management Area due to breaches of UK and European Union thresholds for air quality particularly due to exceedances of N02 (nitrous oxide) and PM10 (particulate matter) concentrations.

The applicant has submitted an air quality assessment with the application prepared by Air Quality Consultants Ltd which carries out an assessment of the potential impact on local air quality arising from the operation of a proposed 20MWe gas standby power generation facility from 8 generators. The report confirms that the effects of the construction phase of the development are not considered to have any adverse effect on air quality and can be managed by suitable construction management techniques.

The proposal would result in the production of oxides of nitrogen generally referred to as NO_x – a mixture of nitrogen dioxide (NO₂) and nitric oxide (NO), during the operation of the power plant, which is likely to have an impact on the local air quality.

The Council's Air Quality Officer has considered the assessment on the basis of the predicted 6.5m chimney height and of the proposed 1,500 hours of the year that the STOR facility is likely to be operational.

On the basis of the information provided the Council's Air Quality Officer is satisfied that the air quality assessment methodology employed is acceptable and that the findings are in order. There are no known exceedances of the air quality objectives within 1 kilometre of the site. The background levels of NO₂ in the vicinity of the site using the Defra background maps are derived to be between 14.5 and 30.7 which is well below the objective value of 40.

Due to the magnitude of change, as a result of the predicted impact of the annual average concentration of NO₂ on residential properties in the local area, which is up to 2.2µg/m³, EPS asked the applicant to model the impact of the facility with an increased chimney height of 10 metres. An addendum to the original air quality assessment was submitted to model this scenario. The findings of the report show that there would only be a minor benefit in increasing the height of the chimneys although the Air Quality Officer prefers a cautionary approach and would recommend that the chimney height is increased to the 10 metres to try and reduce the ground level process contributions.

The Air Quality Officer has considered the cumulative impact of this proposal with the nearby proposed similar facility and this is the reason for recommending a higher chimney height than originally proposed.

On this basis the Air Quality Officer has confirmed that there is no basis for resisting the proposal on air quality grounds as the effects will be insignificant and as such the development meets the terms of Policy CS66.

Ground Conditions

Policy MW9 of the Unitary Development Plan states that development will not be acceptable on unstable land unless it can be effectively treated.

The application was accompanied by a Phase 1 Preliminary Risk Assessment and Coal Mining Assessment. The Council's Environmental Protection Service has reviewed the submitted information. The original report was not considered to be

satisfactory. The conceptual site model identifies buried tanks on a former garage site to west of the site.

An updated Phase 1 report has subsequently been submitted to address the above issue and concludes that there is a low risk of contamination sources including the underground tank but that a Phase 2 site investigation report is required to confirm the exact mitigation / remediation that will be required. This can be secured by condition.

On this basis the development complies with Policy MW9.

Drainage

The site is in Flood Zone 1 which means that it is not susceptible to flooding, making it an appropriate site for a flexible energy plant. Such facilities are indeed only permitted in Flood Zone 1.

The application was not accompanied by a sustainable urban drainage statement and full drainage details would need to be reserved by condition if the scheme was considered acceptable in other respects.

The Lead Local Flood Authority has confirmed that there is a surface water sewer adjacent to the site that would be the preferred route for discharge provided that Yorkshire Water is in agreement with this method. If this is the present route for the site and this can be proven, a 30% reduction based on the existing rate of discharge would be needed; otherwise a greenfield rate will apply.

The lower part of the site could provide an environment for surface water treatment and attenuation within an open basin with shallow storage before offsite discharge. Capture and conveyance of flows from hard standing areas can be kept on the surface in adjacent landscapes, for example swales. These issues could be addressed in a future drainage submission.

Yorkshire Water has raised no objections to the proposals subject to a condition requiring full drainage details prior to the development commencing. They have stated that the developer will be required to provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practicable before considering disposal to the public sewer in Orgreave Road.

It is considered that the drainage of the site can be dealt with satisfactorily subject to the imposition of a suitably worded condition.

RESPONSE TO REPRESENTATIONS

It is considered that the majority of issues raised have been covered in the main body of this report.

The application is accompanied by supporting submissions which address the legitimate concerns of local residents. These reports have been assessed by the Council's Air Quality Officer and the Environmental Protection Service and they

have concluded that they concur with the findings of the reports to the extent that there is no justification for refusing the application on the grounds of air quality or noise impacts.

The consultation on the planning application followed the principles set out in the Council's Statement of Community Involvement.

The site is designated as within a general industrial area and is surrounded by commercial uses. It is thus not currently an appropriate site on which to develop low cost housing as suggested by one of the respondents.

SUMMARY AND CONCLUSION

The proposal for a gas powered standby generation facility to generate up to 20MW of electricity at short notice to meet peaks in demand within the local electricity network, fed through the National Grid, would assist with ensuring a stable electricity supply to meet the demands of economic growth.

Local residents have raised legitimate concerns about the impact of the proposals in particular on local air quality and in terms of noise disturbance. These issues have been assessed by the Council's technical experts and they have concluded that the impacts are at an acceptable level such that a refusal of planning permission on this basis would not be justified.

Whilst it is accepted that there will be HGV movements associated with the construction phase of the development, in the operational phase there will be very few vehicle movements associated with the use as the site is only visited for maintenance and security reasons.

The visual impact of the proposal has been carefully considered and this is the issue that is of significant concern given the particular locational characteristics of the site in question, being at the very edge of the industrial estate and in very close proximity to an established residential area. Given that the development essentially consists of open storage of plant and equipment it is considered to be of poor design. Whilst the site does have trees to two boundaries these will not be in leaf in late Autumn, Winter and early Spring, such that their screening ability will be compromised. This is especially problematic as it will result in a poor outlook for residents opposite the site. Only the construction of a well-designed permanent building would resolve this problem.

Having regard to all of the material considerations in this case it is considered that, on balance, the proposed development does not comply with the provisions of the Development Plan or guidance contained in the National Planning Policy Framework.

It is therefore recommended that planning permission is refused.

Case Number	16/04516/FUL
Application Type	Full Planning Application
Proposal	Erection of 96x dwellings with associated landscaping and access works
Location	Playing Field Between Cradock Road, City Road And Park Grange Road Cradock Road Sheffield S2 2JX
Date Received	30/11/2016
Team	City Centre and East
Applicant/Agent	Mr Craig Hawley
Recommendation	GRA GC subject to Legal Agreement

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 no. 2796-0-001 T, ' Proposed Site Layout'
 - Drawing no. 2796-0-004 A, 'Proposed Boundary Types Plan'
 - Drawing no. 201/F, ' 201 Dwelling type'
 - Drawing no. 202/1F, '202 Dwelling type'
 - Drawing no. 212/1, '212 Dwelling type'
 - Drawing no. 301/1G, '301 Dwelling type'
 - Drawing no. 304/1E, '304 Dwelling type'
 - Drawing no. 307/1B, '307 Dwelling type'
 - Drawing no. 309/1E, '309 Dwelling type'
 - Drawing no. 313/1, '313 Dwelling type'
 - Drawing no. 314/1, '314 Dwelling type'
 - Drawing no. 401/1G, '401 Dwelling type'
 - Drawing no. 404/1F, '404 Dwelling type'
 - Drawing no. 403/1H, '403 Dwelling type'
 - Drawing no. 17/275/ATR/002, 'Large Refuse Vehicle Tracking Manoeuvre'

- Drawing no. STE-16-13-03-02 A, 'Long sections sheet 2'
- Drawing no. 17/275/ATR/001, 'Large Refuse Vehicle Tracking Manoeuvre'
- Drawing no. STE-16-13-01 D, 'Engineering Layout'
- Drawing no. STE-16-13-03-03 a, 'Long sections sheet 3'
- Drawing no. 2796-0-002, 'Proposed Street Scenes'
- Drawing no. Addendum to 309/1E, 'House type 309'

Reason: In order to define the permission.

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

3. No development shall commence unless and until all interests in the development site are subject to and bound by the terms of a Section 106 agreement or undertaking in the form of a draft Section 106 undertaking annexed to the agreement related to this planning permission which is entered into pursuant to Section 111 of the Local Government Act 1972 between Sheffield City Council and Gleeson Regeneration Limited dated 11th August 2017.

Reason: To secure the delivery of replacement / enhanced formal open space in accordance with adopted planning policy.

4. No development shall commence until full details of measures to protect the existing trees and shrubs to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

5. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

Reason: In the interests of protecting the biodiversity of the site. It is essential that this condition is complied with before any other works on site commence given that damage to existing habitats is irreversible.

6. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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.

7. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
 - a) been carried out; or
 - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the dwellings is/are brought into use.

Highway Improvements: Traffic calming measures on Cradock Road

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

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

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

9. Unless shown not to be feasible and viable, 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, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. 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.

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

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

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

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

- typical windows
- typical window reveal
- typical doors
- canopies
- verges
- eaves
- any retaining structures adjacent to the footway

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

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

12. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of approved noise survey (Planning Noise & Vibration Assessment, ref: RK1985/16266/First Issue, dated: 11/08/16, prepared by: Spectrum Acoustic Consultants)
 - b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
 - c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.
- Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

13. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:
- a) Be carried out in accordance with an approved method statement.
 - b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

14. 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.

15. No dwelling which is shown on the plans to be provided with a boundary wall with timber infills shall be occupied unless such boundary wall has been erected in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such boundary wall shall be retained.

Reason: In the interests of the amenities of the locality and occupiers of the proposed dwellings.

16. Prior to the occupation of any dwellinghouse, the boundary treatments listed in the following drawings shall have been carried out in accordance with those drawings and thereafter such boundary treatments shall be retained:-

- drawing no. SD107 Rev A;
- drawing no. SD107/3;
- drawing no. SD107/5; and
- drawing no. SD111 Rev B.

Reason: In the interests of the visual amenities of the locality and the amenities of future occupants of the dwellinghouses.

17. The dwellinghouses shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The 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.

18. Prior to the construction of the dwellinghouses, full details of typical bin store facilities shall have been submitted to and approved in writing by the Local Planning Authority and such bin store facilities shall be provided in accordance with the approved details and thereafter retained.

Reason: In the interests of amenities of future residents.

19. Prior to the construction of dwellinghouses, full details of bat tubes/in-cavity boxes to be incorporated into a number of dwellinghouses, which shall be identified on a site plan and shall have been submitted to and approved in writing by the Local Planning Authority and the bat tubes/boxes shall be provided in accordance with the approved details and thereafter retained.

Reason: In the interests of enhancing the wildlife habitat.

20. Prior to the occupation of dwellinghouses, bird boxes shall have been provided within the site, but before such bird boxes are provided, full details shall have been submitted to and approved in writing by the Local Planning Authority. Following installation the bird boxes shall thereafter be retained.

Reason: In the interests of encouraging wildlife.

21. Prior to the construction of any highways, hardstandings or driveways along the north-west of the site full constructional details of all proposed hard surfacing, which shall include alternative constructional measures to protect any tree roots within the vicinity and where development will be within the root protection zones, shall be submitted to and approved in writing by the Local Planning Authority and thereafter such works shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the tree root system.

22. No development shall take place until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during construction works.

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

23. Prior to any crowning or pruning of trees commencing, detailed specifications of all proposed works shall be submitted to and approved in writing by the Local Planning Authority and thereafter such works shall be carried out in accordance with the approved details.

Reason: In the interests of tree health and the visual amenities of the locality

24. All vegetation on site shall be removed outside of the bird breeding season (beginning of March to the end of August) and in the event that vegetation is removed within this period, the site shall be checked prior to clearance for breeding birds and if present the young shall be allowed to fledge.

Reason: In the interests of protecting wildlife habitats.

25. The details shown on drawing no. SD712 Rev E relating to the proposed gravel driveways are not approved. Driveway surfaces shall not be constructed of gravel or other form of loose material and full details of a bound surface shall be submitted to and approved in writing by the local planning authority before that part of the development commences. Thereafter the development shall be completed in accordance with the approved details before each of the relevant properties is occupied.

Reason: In the interests of pedestrian and highway safety

26. No driveways, shared accesses shall be constructed until full details of an alternatively designed driveway/shared access has been submitted to and approved in writing by the Local Planning Authority and such driveways and shared accesses shall be constructed in accordance with the approved details and thereafter retained.

Reason: In the interests of highway safety and the amenities of future occupants of the site.

27. Prior to the construction of the dwellinghouses, full details of the proposed roofing materials shall have been submitted to and approved in writing by the Local Planning Authority.

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

28. 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.

29. The three boundary fences positioned to the north-west of the site, dividing the plots of 42, 43 and 57 are not approved. Before these dwellinghouses are occupied full details of an alternative boundary treatment, including full constructional details (and alternative methods of construction where they will be within the vicinity of any tree roots) shall be submitted to and approved in writing by the Local Planning Authority and the boundary treatment shall be carried out in accordance with the approved details and thereafter retained.

Reason: In the interests of the visual amenities of the locality and in the interests of preventing damage to the tree root system.

Other Compliance Conditions

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

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

31. Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

32. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 5 litres per second.

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

33. Surface water and foul drainage shall drain to separate systems.
Reason: To ensure satisfactory drainage arrangements.
34. The dwellinghouses and garages shall be constructed using the external materials, as listed in the email from Gleasons, dated 27th June 2017.
Reason: In the interests of the visual amenities of the locality.
35. The first floor window on the elevation of the dwellinghouse (Plot 79) facing north-east shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.
Reason: In the interests of the amenities of occupiers of adjoining property.
36. The first floor window on the elevation of the dwellinghouse (Plot 71) facing north-east shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.
Reason: In the interests of the amenities of occupiers of adjoining property.
37. The Public Open Space shall be managed for wildlife, as recommended in the approved Ecological Report.
Reason: In the interests of protecting and encouraging wildlife within the site.
38. The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality.
39. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
Reason: In order to ensure that any contamination of the land is properly dealt with.

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

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. 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.
4. The developer is advised to liaise with their consultant ecologists for the type of bird boxes and where to position them prior to submitted details to the Local Planning Authority.
5. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

Mr S Turner
Highway Adoptions
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield, S1 2SH

Tel: (0114) 273 4383
Email: stephen.turner@sheffield.gov.uk

6. The developer is advised to direct any form of lighting away from the line of trees along the north of the site, owing to potential bat activity.
7. The developer should be aware that a number of issues have been raised by South Yorkshire Passenger Transport Executive (SYPTTE), particularly as the development will be near to the Supertram. All works need to be carried out in accordance with the 'Stagecoach Supertram Code of Practice for Working on or Near the Tramway'. For your information, all SYPTTE comments will be attached to any future decision notice.
8. 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 formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

9. 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 here:

<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

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.

10. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the

site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

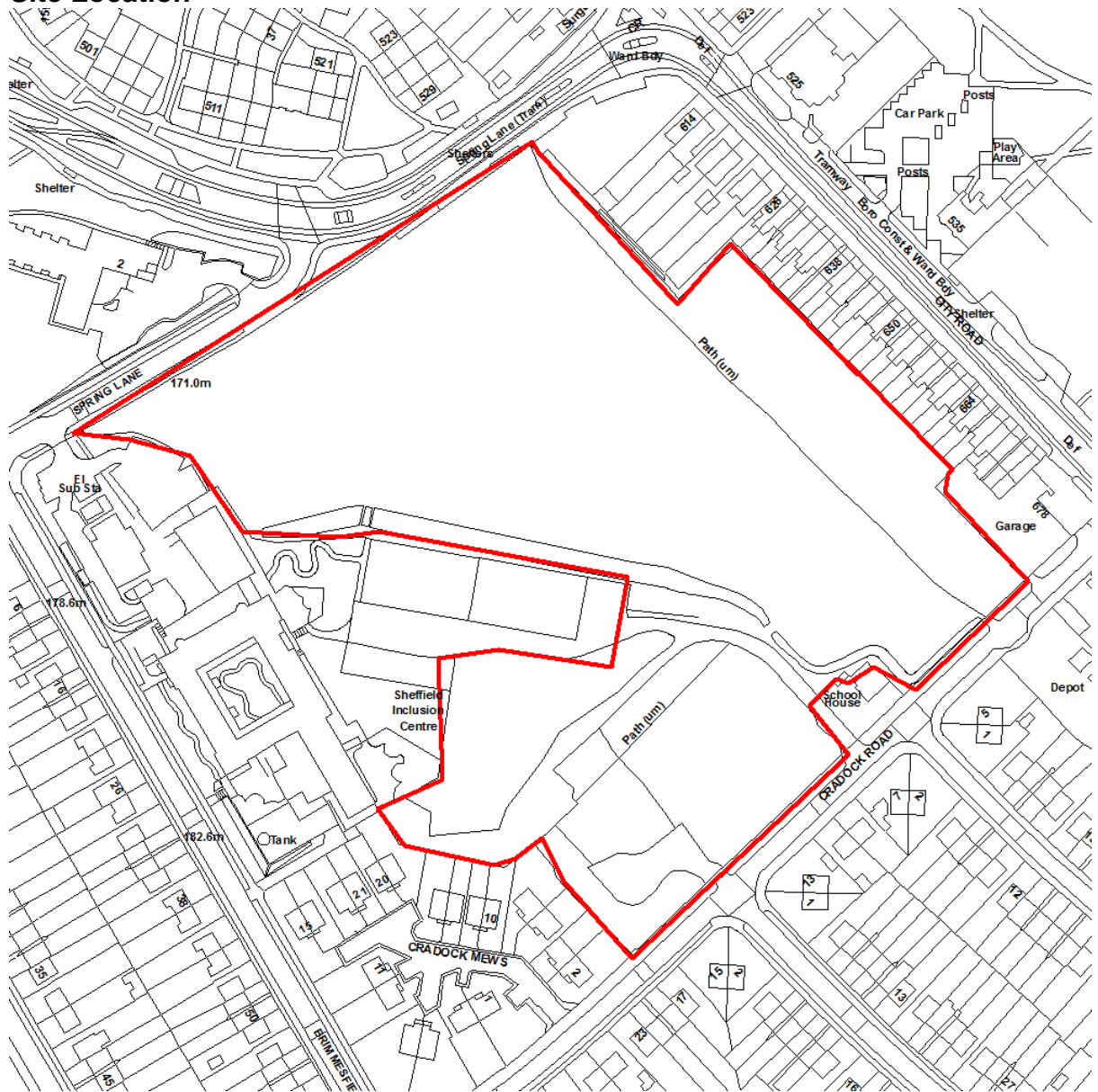
To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

Site Location



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LOCATION AND PROPOSAL

The site is approximately 3.35 hectares and lies within a residential neighbourhood. The site was previously playing fields associated with a school but has since been used as informal open space, and regularly used by dog walkers.

The north-west of the site is bounded by Spring Lane which includes the Supertram route and tram stop adjacent to the site. Housing adjoins the north east of the site and beyond this is City Road, a strategic vehicular route into the city centre. To the west of the site there is an Education Inclusion Centre which has two multi-use pitches and vehicular hardstanding, the latter of which has vehicular access through the site, from Cradock Road.

The site is generally open grass with an established row of mature trees marking the north-west boundary. There is also a metal fence along this boundary which has an opening, and is informally used to obtain pedestrian access to the tram stop.

The north-eastern half of the site is relatively flat, whilst the south-western half is elevated several metres.

Planning permission is being sought to develop the site for residential development. The proposed development comprises 96 semi-detached and detached houses, of which 33 will be 2 bedroomed, 58 will be 3 bedroomed, and 5 will be 4 bedroomed.

RELEVANT SITE HISTORY

16/02948/PREAPP – In July 2016 pre-application advice was sought for the redevelopment of the site to comprise of 90 dwellinghouses.

SUMMARY OF REPRESENTATIONS

The application was advertised 23rd March 2017 and eight site notices were also displayed around the site on the same day. Following neighbour consultation, four letters of representation have been received and their comments are summarised below:

- Playing field bequeathed to the City and People of Sheffield by the Duke of Norfolk for educational and recreational use. If this is the case how can planning permission be given? (NB. The presence of a specific covenant on land is not a planning issue).
- As the school is no longer in existence, the land should be formally incorporated into Norfolk Park, extending the green corridor into the city centre.
- The proposed house will be built very close to rear boundary wall; query extent of site boundary fronting towards City Road properties. (NB. Matters relating to land ownership are not a planning issue).

- The layout shows a red line around my home, preventing the use of the driveway. (A relocated driveway is proposed at the front of the School House).
- Difficultly turning into and out of Cradock Road from City Road with many near misses at the junction.
- Additional traffic from the proposed development will result in queues at the junction, significantly increasing time taken to turn onto City Road, raising the risk of accidents as drivers risk cutting in front of oncoming traffic. Measure need to be put in place on Cradock Road/City Road to give some sort of priority to traffic from Cradock Road.
- Residents of Cradock Road were consulted, but no consultation with Cradock Mews. (NB. Site notices were displayed around the site and on neighbouring highways, including Cradock Mews, amongst others).
- Cradock Road itself is poorly designed. The bottom of Cradock Road is prone to flooding and pot holes appear just as quickly as they are filled in. The increased traffic will no doubt make the road worse.

Issues raised in relation to highway matters are considered under the heading of 'Highway Issues' and the loss of open space is considered under the heading of 'Land Use Policy'.

Sheffield Wildlife Trust has responded and their comments are summarised below:

- The land is designated as amenity green space and is used informally by local residents for dog walking.
- The SLR ecology report states that:
 - Poor semi-improved grassland is of low intrinsic value;
 - The tree lines and scrubby vegetation on the margins of the site and the clump of trees in the centre have higher intrinsic value and may be used for foraging bats and nesting birds.
- The reasonably species-rich area of grassland at the southern end of the site also has ecological value, particularly for invertebrates.
- Under current proposals, the trees and scrub will largely be retained, thereby maintaining a large part of the ecological value of the site.
- Protective fencing should be erected around the trees and vegetation due to be retained during the construction process, to protect these areas (and their associated roots).
- The grassland is due to be lost to accommodate proposed housing.
- To compensate for the loss of grassland, it is recommended that a proportion of the proposed area of Public Open Space (POS) be sympathetically managed for wildlife, including a low intensity mowing regime of sections of the grassland (perhaps around the margins of the POS).
- The planning statement 5.029-5.032 backs this up but then the plans do not show where these things would happen in practice. Where is the public open space? Where are the new trees to be planted?
- Due to the loss of amenity green space, trees, brushes and species-rich grassland, some compensation and mitigation is required.
- There should be a condition laying out these details in an ecological management plan to be approved by the Council's Ecology Unit. This would

ensure the mitigation and compensation is put into place correctly from the beginning (including during construction) and ensure the long-term management

All matters relating to ecological and landscaping issues have been addressed within the report. Appropriate conditions and directives will be imposed to secure the recommended ecological enhancements are carried out and that identified trees will be retained and protected and future landscaping will be provided and maintained.

South Yorkshire Passenger Transport Executive (SYPTTE) has been consulted and they raised a number of concerns in relation to surface water drainage and works within the vicinity of the tramway.

While drainage matters have been addressed and full details will be required by condition, a directive will be recommended to advise the applicant in relation to the latter.

Supertram has commented on the proposals and raised no objections subject to a number of operational issues being addressed to maintain the integrity of the tram network during and after construction. All works have to be carried out in accordance with the 'Stagecoach Supertram Code of Practice for Working on or Near the Tramway'.

The legitimate issues raised by Supertram will be controlled via the use of appropriate conditions and directives.

PLANNING ASSESSMENT

Land Use Policy

It is necessary to identify and assess the development against relevant local planning policies, which are those contained within the Unitary Development Plan (UDP) and the Local Development Framework, Core Strategy (March 2012).

The site lies within a well-established housing area and relates to land which is in both designated as Housing and Open Space, the latter of which representing the majority of the land. UDP Policy H10 'Development in Housing Areas' states that the preferred use is housing (Class C3 use), and as such, the proposed development is considered acceptable in policy terms on this part of the site.

Core Strategy Policy CS47 'Safeguarding of Open Space' serves to ensure there is satisfactory open space available to meet the needs of local people. The policy does not permit development where it would:

- a. Result in a quantitative shortage of either informal or formal open space in the local area; or
- b. Result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or

- c. People in the local area would be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area; or
- d. Cause or increase a break in the city's Green Network.

Development that would still result in the loss of open space will only be permitted where:

- e. as soon as practicable, equivalent or better replacement open space would be provided in the local area; or
- f. the site identified as surplus for its current open space function and:
 - i. a proposed replacement would, as soon as practicable, remedy a deficiency in another type of open space local area; or
 - ii. It could not fulfil other unsatisfied open space needs; or
- g. the development would be ancillary to the open space and have a minimal impact on the use or character of the open space.

An open space assessment has been carried out, which shows that, overall, there is sufficient provision of open space within the local area, but there is a shortage of outdoor sports provision compared to the recommended standard. The loss of all of the open space part of the site would not result in a quantitative shortage of open space, and would not be contrary to part (a) of policy CS47.

The playing field has not been used in the past 5 years, therefore there will not be a loss of 'high quality' open space under part (b).

This site is not considered to be a high value or well-used site as a playing field or general open space, so its loss would not deprive local people under part (c). It is however used by dog walkers and people cutting across from Cradock Road to Spring Lane to access the tram stop. The proposed development has been designed to include a pedestrian link between the two frontages and therefore will ensure that access is maintained.

The site does not form part of the City's Green network and as such, part d is not relevant.

An assessment of open space shows that there is an under-supply of outdoor sports provision in the local area, therefore the land should be replaced elsewhere in line with CS47 (e). However, in this instance it is unlikely to be possible or desired to replace the space within the local area. Therefore, development of the site would be contrary to CS47 (e). However, this does need to be balanced against the fact that a) the site has not been used for outdoor sports provision for a number of years, and b) the city does not have a 5-year supply of housing land. In this regard, it is considered that there is a case for accepting financial compensation in lieu of providing on-site provision. Following consultation with Parks and Countryside, a tennis project at Hollinsend Park has been identified as the most appropriate recipient of a contribution. The project requires £100,000 of funding to bring it forward.

There were previously two full sized football pitches on the site as well as tennis courts and a running track. Based on figures from Sport England, the cost of providing two replacement football pitches is quoted as being £175,000. In light of the costs involved in providing replacement facilities, and given the potential viability of the development, a contribution of £100,000 is considered to be reasonable and appropriate to the scale of development.

The development would not be ancillary to the open space therefore part g is not relevant in this case.

Core Strategy Policy CS41 'Creating Mixed Communities' encourages the creation of mixed communities, which will be promoted by encouraging the development of housing to meet a range of needs including a mix of prices, sizes, types and tenures. Part a of CS41 seeks to provide a broad range of smaller households in the City and other highly accessible locations, with no more than half of the new homes in larger developments (large developments being defined as 60 or more dwellings) consisting of a single house type. The proposal will provide a mix of house types, in the form of semi-detached and detached dwellinghouses, with semi-detached making up two thirds of the development. Although this will result in a dominant house type, it is considered acceptable in this instance as it will provide family accommodation, which is an appropriate form of development for this area.

Core Strategy Policy CS26 'Efficient Use of Housing Land and Accessibility' requires appropriate housing densities to ensure the efficient use of land. Given that the site is within the City Centre, the recommended density should be at least 40-60 dwellings/ units per hectare. The proposal will achieve a housing density of 29 dwellings per hectare and thus, will not meet the requirement. However, the policy allows densities outside these ranges where the development will achieve good design, which reflects the character of an area. In this regard, it is considered that the type of accommodation provided is compatible with the character of the area and will fit comfortably within the existing urban area. As such, the proposed development will accord with Policy CS26.

Design Issues

UDP Policy BE5 and Core Strategy Policy CS74 set out the design principles. Policy BE5 requires development to incorporate good design, the use of good quality materials and encourages original architecture. New buildings should complement the scale, form and architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

Core Strategy Policy CS74 says that high quality development will be expected that takes advantage of and enhances the distinctive features of the City including the landscape and townscape character of the city's quarters with their associated scale, layout and built form, building styles and materials.

In April 2015, an Informal Planning Advice Note (IPAN) was prepared for the site by the Planning Service and later updated in February 2016. The document provides advice on the basis of a comprehensive development. The IPAN has not

been approved by the Planning and Highways Committee, but serves only to provide advice in respect of the issues and opportunities for the redevelopment of the site, although the policies and the evidence they are based on do apply.

Members should be aware that pre-application discussions have taken place prior to the submission of this application and the proposal has been developed having regard to the IPAN for this site and is generally in accordance with the recommendations of the document.

The area is a typical garden city type layout, with most of the houses built in the inter war period; denoted by two-storey houses with pitched roofs and enclosed defensible space to the front, and well- defined boundary treatments.

The layout of the site is considered acceptable and whilst it has been developed with no clear street hierarchy, given the constraints of the site, a relatively natural main route has been created running from Cradock Road towards Spring Lane, which branches onto a number of cul-de-sac type road layouts and shared vehicular accesses. The layout of the site, in part, addresses the Cradock Road frontage, which is the principle frontage to this site, in that it has a row of properties directly orientated onto the highway. On the lower part of the site, to the south-east, the layout does not relate as well, with two properties orientated to address the cul-de-sac frontages. This is not ideal, but given the relative short expanse of frontage which this relates to it will not have a detrimental impact on the street scene. Furthermore, the orientation of the properties will reinforce the pedestrian link which runs between the two properties and serve to provide additional natural surveillance.

The houses will be provided with in-curtilage parking and garages with amenity space provided at the rear. The positioning of properties varies within the development, with some properties being positioned relatively close to the back edge of the footpath whilst others are set back further from the frontage. The houses are considered to be appropriately positioned such that they generally respond to the topography.

The proposed houses are two-storey with pitched roofs and of simple traditional design with brick exteriors and pitched tiled roofs. Whilst they are reflective of the scale of development in the wider area, the design of the houses represents standard house types with no contextual influences. The area is characterised by properties faced in red brick, which will be the predominant facing material for properties fronting onto Cradock Road and Spring Lane, this will allow the properties to blend in with their surroundings. Elsewhere external facades to properties will be faced in buff and red multi toned bricks, which will provide some variation within the estate with colour finishes similar to those used in a later development within the vicinity of the site (i.e. Cradock Mews).

In light of the fact that the proposal relates to standard house types, with no discernible concession to the local context, features such as boundary treatments become influential in establishing a local hierarchy and sense of place. The frontage of Cradock Road provides the main interface between the development and the existing neighbourhood and as such, it is important that a robust form of

boundary treatment be introduced to reflect the local context and lift the quality of the development. Improvements to the boundary treatments have been sought by Officers and it is now proposed that the Cradock Road frontage will be provided with a hedge supported by a mesh fence and where there are existing metal railings these will be retained and refurbished and a hedge will be planted. This will reinforce the front boundaries and soften the appearance of the development. The north-west boundary, fronting onto Spring Lane is denoted by a row of mature trees, which are of high amenity value. The trees will be retained and the existing metal railings will be retained and refurbished.

Boundaries elsewhere throughout the site will vary depending on their location. The frontages to properties will generally be open plan and where boundaries enclose rear garden spaces and positioned near to the highway, the boundary treatment will comprise of a brick wall with timber infill panels up to a height of 1.8 metres. Along the north-east boundary, bounding the rear curtilages of City Road properties, a 1.8 metres high fence will be provided. Elsewhere within the site, the boundary treatment proposed for the sub-division of rear amenity spaces will be a wire fence. This form of boundary treatment is not generally considered to be acceptable as it does not provide satisfactory screening to prevent overlooking from adjacent properties. The developer has reiterated that the proposal represents low cost housing for those on low incomes and is reluctant to introduce an alternative form of boundary treatment owing to increased build costs. This is a negative aspect of this scheme.

The design of the scheme falls short of achieving a high quality development, however, it is considered, very much on balance, to be an acceptable standard such that it would be difficult to justify a refusal on design grounds alone.

Sustainability

Core Strategy Policy CS65, which relates to renewable energy and carbon reduction, requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

A statement has been submitted which confirms that the scheme will not meet the 10% energy requirement in terms of part a. of the Policy, but will achieve a level of fabric energy efficiency of 8.75% beyond that required by the 2013 Building Regulations Part L. The principle of allowing a fabric first approach is considered acceptable; however, this is on the basis that a minimum of 10% reduction in the energy consumption be achieved. A condition will be imposed to secure this level of reduction.

Residential Amenity Issues

Noise and Disturbance

The site is located within a predominantly residential area with some neighbouring commercial uses. The background levels are relatively low throughout the late evening with road traffic from City Road and Park Grange Road/Spring Lane being

the predominant noise source. A Noise and Vibration Assessment report has been submitted, which has been considered by the Environmental Protection Service, who has confirmed that the assessment is satisfactory. A number of conditions are recommended, which include the requirement to provide a scheme of sound insulation works based on the findings of the noise report, with validation testing carried thereafter. Additional conditions will be imposed to control construction works and dust during the construction phase.

Effect on Existing Residents

The properties will be sufficiently distanced away and in many cases, orientated such that occupiers of adjacent properties will not be adversely affected in terms of having an overbearing impact and will not result in a significant loss of light. Privacy levels will be maintained for existing residents.

Highway Issues

UDP Policy H14, which relates to Conditions on Development in Housing Areas, states that (d) a safe access to the highway network should be provided and appropriate off-street parking and not endanger pedestrians.

A Transport Assessment Report has been submitted, which provides details of projected trip rates (ie number of vehicles accessing the site during peak hours), the figures of which derive from traffic generation surveys undertaken at 9 Gleeson Home developments through the north of England. The results of the survey work suggest that the proposed development will not have an adverse impact on the highway network and will not put undue pressure on the junction of Cradock Road and City Road. The Highways Officer is satisfied with the outcome of the assessment.

The site currently has a vehicular access from Cradock Road, which serves an existing school house and the Inclusion Centre. As part of the development, a relocated vehicular access will be provided to serve the Inclusion Centre, from within the site, via the main highway from Cradock Road. A replacement driveway will be provided at the front of the School House, with direct access from Cradock Road. This will be secured via a condition on the contract of sale.

The development will be served by a 5.5 metres wide carriageway direct from Cradock Road, with no direct vehicular access being provided to Spring Lane. It will extend through the site and orientate towards the northern edge of the site. A series of road heads will be created, which then lead onto shared access roads that will serve up to six properties. Footpaths will be provided on both sides of the main arterial road, and partially to some of the minor roads. The Highways Officer is satisfied with the proposed road and footpath layout.

The site will provide good connectivity to neighbouring streets, with introduction of a pedestrian link, from the south-east edge of Cradock Road, through to the northern corner of Spring Lane. This reinforces the informal route which is already established and will provide easy pedestrian access to the Supertram stop and bus stops on Spring Lane.

Details of refuse tracking, and longitudinal sections through the site have been submitted and reviewed by the Highways Officer, who has confirmed that they are satisfactory. Traffic calming measures in the form of a raised plateau at the junction of the site with Cradock Road have been recommended and will be secured through the imposition of a condition.

Off-street parking in the form of individual drives, private drives and garages will be provided for each plot. Each property will be served with a minimum of 2 off-street spaces, which is considered acceptable. A typical detail has been provided in relation to the proposed surfacing treatment of driveways, which are proposed to be finished in macadam for the first 1.5 metres, measured from the back edge of the footway and the remainder will be finished in gravel. The developer argues that the surfacing is not a cost cutting measure but to provide a permeable surface within the curtilage of the plots, to control build costs and provide low cost housing to people on low incomes.

This is not an acceptable solution, owing to the fact that it will result in loose debris spilling out onto the public highway, which will be to the detriment of road safety and is likely to be a difficult surface for individuals to negotiate; particularly the infirm, wheelchair users and those with prams. Your Officers have consistently maintained that such surfaces are not acceptable and where they have been provided elsewhere in the City, have proved to be extremely problematic for users/residents; creating a hazardous situation for the highway network. The detail is therefore not approved and proper hard surfacing treatment will be secured by a condition.

Drainage

Core Strategy Policy CS67 requires developments to significantly reduce surface water run-off from development sites.

The site lies within Flood Zone 1 and as such, is subject to low probability of flooding. A Flood Risk Assessment and a Sustainable Drainage Statement has been submitted to deal with surface water run-off.

The Lead Local Flood Authority and Yorkshire Water have been consulted and a number of discussions have taken place between various parties in a bid to resolve the drainage situation.

Yorkshire Water requires developments to be appropriately drained and promotes the surface water disposal hierarchy, which is infiltration, watercourse, and the last resort being to the public sewer. Historic plans indicate that a possible watercourse exists, which runs across the site. It was considered necessary that the developer carry out additional on-site investigations to establish the exact location, condition and point of outfall of a known culvert, which runs across the site. This has now been carried out and the results of these investigations have been inconclusive insofar as it could not be established where the exact route was and point of outfall.

The developer is now seeking consent from Yorkshire Water to agree a discharge to the public sewer, which requires evidence and reporting of such survey work, which is to be submitted for approval from Yorkshire Water. Given the length of time it has taken to get to this stage and in a bid to move the application forward, it is considered acceptable in this instance, to impose a pre-commencement condition, requiring full drainage details to be submitted and approved before the development is commenced.

Landscaping

UDP Policy GE15 requires developers to retain mature trees, copses and hedgerows, wherever possible, and replace any which are lost.

The application is supported by a Tree Survey report, an Arboricultural Impact Assessment report, a plan showing trees in relation to the development and a site plan indicating the extent of any proposed landscaping.

The site contains a number of trees and in particular, there is a row of mature sycamore trees along the northern boundary fronting onto Spring Lane which are categorised as being A2, which is a high quality classification and are therefore considered to be of high amenity value. These trees will be retained along with a number of less significant trees within the site. A plan indicating the extent of the root protection areas (RPAs) of all trees to be retained has been submitted which includes these trees amongst others elsewhere within the site. Details of appropriate measures to protect these trees during the construction phase will be secured by condition together with details of proposed construction method where any form of development is within the root protection zone (i.e. driveways and road heads).

There are a number of trees and shrubs within the site, which are proposed to be removed and/or pruned in order to facilitate the development. In principle, this is acceptable, subject to the planting of some replacement trees. The submitted site layout plan indicates the position of 9 replacement trees. This level of planting is considered to be meagre but this is considered acceptable on the basis that this is a low cost development providing low cost housing.

Ecology

The key principle of the NPPF is to conserve and enhance the natural environment. The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

An Extended Phase 1 Habitat Survey report has been submitted, which identifies the potential for foraging bats in trees within the site, with moderate potential also, for roosting bats where there are bat boxes located on two trees on the northern boundary. The City Ecologist has advised that it will not be necessary to carry out further survey work. To enhance roosting opportunities bat tubes/in-cavity bat boxes should be incorporated into a number of dwellings. This will be conditioned.

The Ecologist has provided further advice in respect of birds, trees and the public open space within the site and put forward a number of recommendations for the enhancement to the site to benefit wildlife. These include:-

- The removal of all vegetation on the site being outside the bird breeding season. If in the event that this occurs within this period, the site should be checked just before clearing for breeding birds and if present then the young allowed to fledge.
- The provision of bird boxes.
- The trees and vegetation to be retained must be fenced to prevent accidental damage and must be in place prior to any construction work commencing on site.
- No storage of material should be allowed or vehicular access within the fenced area.
- The public open space should be managed for wildlife, as recommended in the Ecological Report.

Contaminated Land

A phase 1 Geotechnical and Geo-Environmental Site Investigation report has been submitted, which identifies the need for a Phase 2 site investigation. A Phase 2 site investigation report has been submitted, which provides details of proposed remediation measures to be carried out. These include the installation of a capping layer to soft landscaped areas. An Implementation Plan was subsequently submitted, which the Environmental Protection Service has confirmed, as being satisfactory.

Conditions will be imposed to secure appropriate measures are carried out in the event that any unsuspected contamination is encountered during the construction phase.

Access Issues

UDP Policy H7 encourages the provision of a proportion of mobility housing in all new or refurbished housing. However, as these standards are not part of an up to date local policy they have been superseded by the recently introduced Technical Housing Standards (2015), which effectively removes the requirement for mobility housing in Sheffield at this time.

Section 106 Agreement

The developer has been required to enter into a Section 111 agreement as the land is not within their ownership but is still within Council ownership. Upon the transfer of land to the developer a Section 106 agreement will need to be completed. This is secured by condition.

CIL

The scheme will be liable for a contribution under the Community Infrastructure Levy, which was introduced 15th July 2015. The site lies within CIL Charging Zone 3 where the CIL charge is £30.00 per square metre for residential development.

SUMMARY AND RECOMMENDATION

The proposed development is acceptable in policy terms and will secure the regeneration of a relatively under-used open space area, with low cost housing. The site is in a sustainable location, being served by public transport and local amenities available within the immediate vicinity.

The design of the housing, whilst not inspiring or good design, representing typical suburban house types, it does address the Cradock Road frontage, being the principle street frontage and generally responds to the local character. The access and parking arrangements are considered to be satisfactory (other than the driveway surfacing) and the scheme will provide good pedestrian connectivity through the site, to adjacent highways.

The boundary treatment is considered to be fairly low quality which is a negative aspect of the scheme. However, this is not so significant as to justify a refusal of planning permission.

The proposal will provide satisfactory living conditions for future residents, with each property being served with rear gardens and in-curtilage parking. Occupiers of existing adjacent properties will not be adversely affected by the proposed development.

For the reasons set out above, the proposed development is considered acceptable and therefore recommended for approval subject to the completion of a S111 agreement (and subsequently a S106 Agreement).

HEADS OF TERMS

The developer shall make a financial contribution of £100,000 towards the provision or enhancement of the tennis project at Hollinsend Park within the vicinity of the site.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Chief Planning Officer

Date: 3 October 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
3 OCTOBER 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 decision of the Council at its meeting of 7 March 2017 to refuse planning permission for Application to remove requirement for provision of affordable housing (Application under Section 73 to remove condition 22 (Affordable housing provision) from planning permission 16/01169/OUT) at Site Of Oughtibridge Mill Sheffield Site 22 - 24 Main Road Wharnccliffe Side Sheffield S35 0DN (Case No 16/04679/OUT)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the Council to refuse planning permission for a single-storey side/front extension to dwelling house at 198 Gleadless Road Sheffield S2 3AF (Case No 17/01104/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for the erection of a first floor extension over existing garage to form additional living accommodation at 35 Farnaby Drive Sheffield S35 4NY (Case No 17/00101/FUL) has been dismissed.

Officer Comment:-

The main issue in the appeal was the effect of the first floor extension on the living conditions of the neighbouring occupiers with particular regard to outlook.

The appeal property is set back from the neighbour at No.33 such that its front elevation is approximately in line with the rear elevation of No.33. No.35 has a side garage running the full depth of the house which abuts the boundary between nos. 35 and 33. The proposal was to erect a first floor extension over the side garage, running the full depth on the dwelling. This would present a two storey flank wall along the boundary with the neighbouring property for a distance of about 8.5 metres beyond its rear elevation

The Inspector considered that the extension would be significantly taller than the existing garage and was of the view that the scale and height of the extension coupled with its proximity would result in it being visually dominant and appearing oppressive and overbearing when viewed from the rear windows of No, 33 and its rear garden. In this respect, the proposal would cause material harm to the living conditions of the neighbouring occupiers and would be contrary to UDP Policy H14 and the guidance in the Council's SPG "Designing House Extensions" It was also considered to be at odds with the National Planning Policy Framework which indicates that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings.

Accordingly, the appeal was dismissed.

(ii) An appeal against the delegated decision of the Council to refuse advertisement consent for Sign A - Internally illuminated Wall panel at Mercedes Benz Sheffield Road Tinsley Sheffield S9 2FZ (Case No 17/01009/ADV) has been dismissed.

Officer Comment:-

The Inspector noted that the sign would be significantly larger than other adverts along the frontage of the dealership and would be in a prominent position fronting the busy dual carriageway. He considered that it would be imposing and disproportionately large, particularly given its significant width. He considered that it would be out of scale with other adverts in the vicinity and have an unsympathetic appearance. He therefore concluded that the sign would be detrimental to visual amenity.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for single-storey rear/side extensions to dwelling house (Re-submission of 16/00378/FUL) at The Lodge Standhills Long Line Sheffield S11 7TX (Case No 17/00452/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issues as being:-

- i) Whether the works were 'inappropriate development' in NPPF Green Belt policy terms;
- ii) The effect on the openness of the green belt and character of the area; and
- iii) Whether, if 'inappropriate' and therefore harmful by definition, any very special circumstances outweighed such harm.

For i) given the proposed extensions would result in a 68% increase in the volume of the original dwelling he agreed with officers that this would be disproportionate and therefore inappropriate within the terms of paragraph 89 of the NPPF and the Council's own Supplementary Planning Guidance.

He considered in respect of ii) that the extensions would be readily visible in

public views and would result in notable harm to the openness of the Green Belt.

He considered the appellant's argument that the dwelling fell short of the national space standards for dwellings as very special circumstances for iii) along with their argument that they have a growing family and wish to stay in the area. However he concluded that the space standards have no basis in local plan policy, but that in any event the house met the standards. He acknowledge The Lodge was a small house, but felt the increases proposed were substantial and not necessary to provide basic modern amenities. He did not consider this to be very special circumstances.

His overall conclusion was therefore that the proposal was inappropriate development that by definition was harmful to the Green Belt, and would have material harm to openness that carried significant weight. This was not outweighed by the appellant's arguments for very special circumstances and he dismissed the appeal.

(iv) An appeal against the delegated decision of the Council to refuse planning consent for the subdivision of dwelling house to create 4x self contained apartments including the insertion of rooflights, extension to front lightwell and removal of access steps to rear (Re-submission of 16/03442/FUL) at 71 Marlborough Road Sheffield S10 1DA (Case No 17/00413/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issues as:-

- i) Whether the development would preserve or enhance the character of the Broomhill Conservation Area; and
- ii) The quality of the living conditions for future occupiers of the lower ground floor apartment in terms of outlook and natural daylight.

He noted in terms of i) that the corner location allowed clear views of the front elevation of the building protected by an Article 4 Direction, and considered the physical changes, in particular the frameless glass balustrade would present an uncomplimentary contemporary finish that would not complement or enhance the Conservation Area. He considered this harm to be 'less than substantial' within the terms of para 134 of the NPPF and acknowledged the public benefit of providing sustainably located, accessible, residential accommodation, however such benefit did not outweigh the harm to the Conservation Area in his view and he concluded the works did not preserve or enhance the Conservation Area and were in conflict with policies BE16 and H14 of the UDP, CS74 of the Core Strategy and para 134 of the NPPF.

In terms of ii) the works would serve a front bedroom in flat 1 and the sole window would be below ground level and he agreed with officers that to have a sole outlook onto the wall of a lightwell, with little natural light to the bedroom, would lead to a dark and gloomy living environment reliant on artificial lighting. He concluded this would be in conflict with UDP policies H5

and H14.

(v) An appeal against the failure to give notice within the prescribed period of a decision on an application for planning permission for the 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 at Cherry Tree Inn 2 Carter Knowle Avenue Sheffield S11 9FU (Case No 16/02791/FUL) has been dismissed and planning permission refused.

Officer Comment:-

The Inspector considered the main issues to be :-

- i) The effect on the character and appearance of the area; and
- ii) Whether the Cherry Tree Inn is a valued community facility.

In terms of i) he noted the prominent position of the site at a road junction in a residential area and the positive contribution the building makes to the street scene. In contrast he felt the proposed store would turn its back on the street scene with blank gables and limited fenestration prominent in public views offering no variety, interest or natural surveillance of the street. He considered this to be poor design in conflict with UDP policies BE1 and BE5 and CS74 of the Core Strategy.

With regard to ii) he noted that a retail unit in the Local Shopping Centre would be acceptable in principle and would be readily accessible on foot. However he also noted the Cherry Tree Inn is centrally located within the residential area it serves and is in easy walking distance and although other pubs exist with 500m, due to the hilly nature of the area these are not within easy walking distance for all the community and are less likely to be used as a meeting place for the local community.

He attached significant weight to the Inn's designation as an Asset of Community Value following a formal process involving testimonials from patrons and a 1000 signature petition. He therefore concluded that whilst the development would produce a convenient local food store, it would result in the loss of a community facility of demonstrable value.

He considered the planning balance and stated that in the absence of development plan policy on the protection of pubs, paragraph 14 of the NPPF applies – a presumption in favour of sustainable development. The poor design would cause harm to the built environment, and socially the development would result in the loss of the community asset where people can meet and socialise and although the store would do this it would not be to the same degree. Economically the store would generate some short lived construction jobs, and both the shop and the pub provide employment. The store had the potential to reduce the need to travel for goods that the other shop in the centre does not provide. However he felt the design shortcomings and adverse social effects were of significant concern, and these adverse impacts would significantly outweigh the benefits when assessed against the

policies in the NPPF and would not present sustainable development.

He therefore dismissed the appeal.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse advertisement consent for 9 non-illuminated vinyl graphics fixed between existing brickwork piers on the Archer Road elevation at ALDI 183 Archer Road Sheffield S8 0JX (Case No 17/01309/ADV) has been allowed with express consent being granted.

Officer Comment:-

The Inspector considered the main issue to be the effect of the adverts on the visual amenity of the host building and the surrounding area.

She noted the relationship of the building to the neighbouring petrol filling station and the building's large rendered white elevation on which the vinyl graphics were proposed to be sited. She considered the graphics would provide an element of colour to an otherwise dull elevation and concluded they would not harm visual amenity in a way that would be in conflict with UDP Policy BE13 and allowed the appeal.

5.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

3 October 2017

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