

Planning and Highways Committee

Tuesday 19 December 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
19 DECEMBER 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 - 10)
Minutes of the meeting of the Committee held on 5 December 2017
- 6. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Proposed Diversion of Footpath BRA/223 off Church Street, Stannington** (Pages 11 - 16)
Report of the Director of Culture and Environment
- 8. Applications Under Various Acts/Regulations** (Pages 17 - 162)
Report of the Director of City Growth Service
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 163 - 166)
Report of the Director of City Growth Service
- 10. Date of Next Meeting**
The next meeting of the Committee will be held on 16 January 2018

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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 5 December 2017

PRESENT: Councillors Peter Rippon (Chair), Ian Auckland, David Baker, Jack Clarkson, Michelle Cook, Roger Davison, Dianne Hurst, Bob Johnson, Zahira Naz, Joe Otten, Peter Price and Zoe Sykes

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillor Tony Damms, Alan Law and Chris Rosling-Josephs, 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 Councillor Dianne Hurst declared a personal interest in an application for the use of a building as a seven bed house in multiple occupation at the former Crusty's café at 86 Richmond Road (Case No. 17/03967/FUL) as she had been approached by members of the community in respect of the proposed development. Councillor Hurst advised that she had not made any comments on the development and had directed the members of the community to other local Ward Councillors for assistance and that she had not predetermined her view on the application and would speak and vote thereon.

3.2 Councillor Zoe Sykes declared a personal interest as a local Ward Councillor and Parish Councillor in respect of Item 9 on the agenda Proposed Closure of Public Footpath ECC/80 at Ecclesfield (Item 8 of these minutes), as she had received information from the Montenev and Ecclesfield Tenants' and Residents' Association concerning the closure. Councillor Sykes stated that she had not commented on the information and had not predetermined her view on the matter and would speak and vote thereon.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee, held on 14 November 2017, were approved as a correct record, and arising therefrom, in response to a question from a Member of the Committee concerning the proposed details of Condition 21 relating to Ecclesall Infant School (Case No. 17/02518/FUL) being submitted to a future meeting for approval, the Director of Growth Service stated that he was unable at this point in time to give a timescale when this would occur.

5. SHEFFIELD CONSERVATION ADVISORY GROUP

5.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 17 October 2017.

6. SITE VISIT

6.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make arrangements for a site visit on Monday 18 December 2017 at 10.00am, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

7. PROPOSED CLOSURE OF PART OF PUBLIC FOOTPATH ECC/16B AT CHAPELTOWN

7.1 The Director of Culture and Environment submitted a report seeking authority to process a Public Path Closure Order required to close part of the definitive public footpath ECC\16B between Stanley Road and footpath ECC/32B, Chapeltown. The report stated that there was little evidence of pedestrian use and that several parts of the path were blocked by damaged fencing and overgrown vegetation. It was also explained that there were two alternative routes available for pedestrians along the footways of Charlton Brook Crescent or Livingstone Road which, whilst longer routes, were well-lit and are generally more pleasant to walk.

7.2 In assessing the closure, it was indicated that complaints had not been received regarding obstructions to the path and that the proposed closure should not adversely affect the public's enjoyment of the area or have a detrimental effect on the surrounding highway network and its users.

7.3 **RESOLVED:** That (a) no objections be raised to the proposed closure of definitive public footpath ECC/16B, as detailed in the report now submitted and shown on the plan now exhibited, subject to satisfactory arrangements being made with the Statutory Undertakers in connection with any of their mains and services that may be affected; and

(b) authority be given to the Director of Legal & Governance to:

- (i) take all necessary action to close the footpath under the powers contained within Section 118 of the Highways Act 1980; and
- (ii) confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved.

8. PROPOSED CLOSURE OF PUBLIC FOOTPATH ECC/80 AT ECCLESFIELD

8.1 The Director of Culture and Environment submitted a report seeking authority to process a Public Path Closure Order required to close definitive public footpath ECC/80 between Well Lane (private road) and bridleway ECC/81, Ecclesfield. The report stated that, over a number of years, parts of the route had become overgrown, through lack of use, and had consequently become inaccessible. It was also explained that there was an alternative route along High Street and

Picking Lane that was shorter, well-lit, more open and generally more appealing to pedestrians.

- 8.2 In assessing the closure, it was indicated that complaints had not been received regarding obstructions to the path and that the proposed closure should not adversely affect the public's enjoyment of the area or have a detrimental effect on the surrounding highway network and its users.
- 8.3 In response to comments made by a Member of the Committee over the proposed closure, the Director of Culture and Environment advised on the condition and safety of pedestrians using the path as it was considered to be imposing due to its high hedges, its narrowness with a lack of vision around bends and a danger having to cross a haulage yard with Heavy Goods Vehicles reversing. It was stated that there would be consultation with the Ecclesfield Parish Council and the Montenev and Ecclesfield Tennants' and Residents' Association with regard to the closure and that, subject to the proposed closure being agreed by the Committee, the Order would not be made until the consultation had taken place. It was further stated that arising from the consultation meeting, the Order could be made if all objections had been satisfied. If any objections remained though, the Order could then be submitted to a future meeting of this Committee which could request determination on its closure by the Secretary of State or it could be decided that the proposed closure should be withdrawn.
- 8.4 **RESOLVED:** That (a) no objections be raised to the proposed closure of definitive public footpath ECC/80, as detailed in the report now submitted and shown on the plan now exhibited, subject to satisfactory arrangements being made with the Statutory Undertakers in connection with any of their mains and services that may be affected; and
- (b) authority be given to the Director of Legal & Governance to:
- (i) take all necessary action to close the footpath under the powers contained within Section 118 of the Highways Act 1980; and
- (ii) confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved

9. PROPOSED CLOSURE OF PUBLIC FOOTPATH SHE/460 AT NORTON

- 9.1 The Director of Culture and Environment submitted a report seeking authority to process a Public Path Closure Order required to close definitive public footpath SHE460 between Hackthorn Road and Cherry Bank Road, Norton. The report stated that the footpath has a recorded length of 25 yards and commences at Hackthorn Road, heading north between numbers 85 and 87 until it met the unadopted part of Cherry Bank Road. At a visit to site though, no physical or historical evidence showed the route of the path and it has been concluded that it was probably informally extinguished some years ago.
- 9.2 In assessing the closure, given that there was no evidence of the path at the location, the proposed closure should not adversely affect the public's enjoyment of

the area or have a detrimental effect on the surrounding highway network and its users.

9.3 In response to comments made by Members of the Committee over the proposed closure, the Director of Culture and Environment advised that although the Land Registry showed the route of the path, there was no physical evidence that it was ever constructed on site, although it may have been planned due to additional houses being constructed at the location. The area where the path should be was described as steep and dangerous and would need steps to be constructed to use it safely. It was also noted from a Member's comments that there was a safer alternative route that could be used without providing too much inconvenience to pedestrians travelling between the two roads.

9.4 **RESOLVED:** That (a) no objections be raised to the proposed closure of definitive public footpath SHE/460, as detailed in the report now submitted and shown on the plan now exhibited, subject to satisfactory arrangements being made with the Statutory Undertakers in connection with any of their mains and services that may be affected; and

(b) authority be given to the Director of Legal & Governance to:

(i) take all necessary action to close the footpath under the powers contained within Section 118 of the Highways Act 1980; and

(ii) confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved.

10. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

10.1 **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 noted an additional representation and the officer's response, as detailed in a supplementary report circulated at the meeting, a retrospective application for planning permission for the change of use of the lower ground floor to a boxing gym (Use Class D2 - Assembly and Leisure), demolition of an existing porch and provision of 5 car parking spaces (Resubmission of application 17/02077/FUL) at The Wharnccliffe Hotel, 127 Bevercotes Road (Case No. 17/04213/FUL) be deferred pending a visit of inspection to the site; and

(c) an application for planning permission for the use of building as a seven bed House in Multiple Occupation (HMO) (Use Class Sui Generis) at the former Crusty's Café, 86 Richmond Road (Case No. 17/03967/FUL) be deferred pending a visit of inspection to the site;

(NOTE: An application for planning permission for the development of a 20MW Synchronous Gas Standby Power Generation Facility, including ancillary infrastructure and equipment at the site of 1 to 11 Rotherham Place, Orgreave Road (Case No 17/01437/FUL), was withdrawn from consideration by the Director of City Growth Service to allow a petition being prepared in respect of the proposed development to be submitted to the meeting of full Council on Wednesday, 6 December, 2017. The planning application would be rescheduled to a future meeting.)

11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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

12. DATE OF NEXT MEETING

- 12.1 It was noted that the next meeting of the Committee will be held at 2:00p.m. on Tuesday, 19 December 2017 at the Town Hall.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Culture and Environment

Date: 19th December 2017

Subject:

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257 PROPOSED DIVERSION OF FOOTPATH BRA\223 OFF CHURCH STREET, STANNINGTON, SHEFFIELD 6.

Author of Report: Mark Reeder 0114 2736125

Summary:

To seek authority to process the Public Path Diversion Order required to divert the public footpath off Church Street, Stannington shown as a black line on the plan attached as Appendix A.

Reasons for Recommendations

Based on the above information the Council is satisfied that the proposed diversion of the footpath is necessary to enable the approved Development to be carried out.

Recommendations:

Raise no objections to the proposed diversion of the footpath linking Church Street and footpath BRA\66, as shown on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

Authority be given to the Director of Legal and Governance to

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

Background Papers:

Category of Report: OPEN

DIRECTOR OF CULTURE AND ENVIRONMENT

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
19th December 2017

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257 PROPOSED
DIVERSION OF FOOTPATH BRA223 OFF CHURCH STREET, STANNINGTON,
SHEFFIELD 6.

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required to divert the public footpath off Church Street, Stannington shown as a black line on the plan attached as Appendix A.

2.0 BACKGROUND

- 2.1 This application is made in conjunction with planning application 17/00783/FUL in which the applicant is seeking approval for the erection of 19 dwellinghouses with associated parking, amenity space, access and landscaping.
- 2.2 In order to enable the approved development to be carried out, it is necessary to re-route the public footpath which runs through the site. To be done legally, a Public Path Diversion Order must first be made and confirmed.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies.
- 3.2 Not all the consultees had responded at the time of writing this report. Of those that have responded no objections have been received.
- 3.3 If any negative comments relating to the application are received before the Planning and Highways Committee meeting, they will be reported verbally.

4.0 LEGAL IMPLICATIONS

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

5.0 HIGHWAY IMPLICATIONS

- 5.1 BRA\223 is a public footpath that links Church Street and footpath BRA\66, crossing the former cricket ground and site of the now demolished Hare and Hounds public house at Stannington.
- 5.2 A re-aligned route, shown stippled on the plan attached as appendix A, will link to a new cul-de-sac, shown cross-hatched on the plan, providing a pedestrian through route to Uppergate Road.
- 5.3 A new footway will also be created along the southern side of Uppergate Road, providing a second alternative pedestrian route.
- 5.4 Therefore the diversion of the footpath should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.
- 5.5 The new section of path and cul-de-sac will be adopted, maintained by Streets Ahead, and constructed in accordance with Local Authority specification.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

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

7.0 ENVIRONMENTAL IMPLICATIONS

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

8.0 FINANCIAL IMPLICATIONS

- 8.1 All costs accruing to the Council (Highway Maintenance Division) in association with this proposal will be met by the Applicant (including commuted sums for future maintenance if applicable).
- 8.2 Therefore there will be no increase in liability on the Highway Maintenance revenue budget.

9.0 CONCLUSION

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

10.0 RECOMMENDATIONS

10.1 Members raise no objections to the proposed diversion of the footpath linking Church Street and footpath BRA\66, as shown on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

10.2 Authority be given to the Director of Legal and Governance to

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

Philip Beecroft
Head of Highway Maintenance

19th December 2017

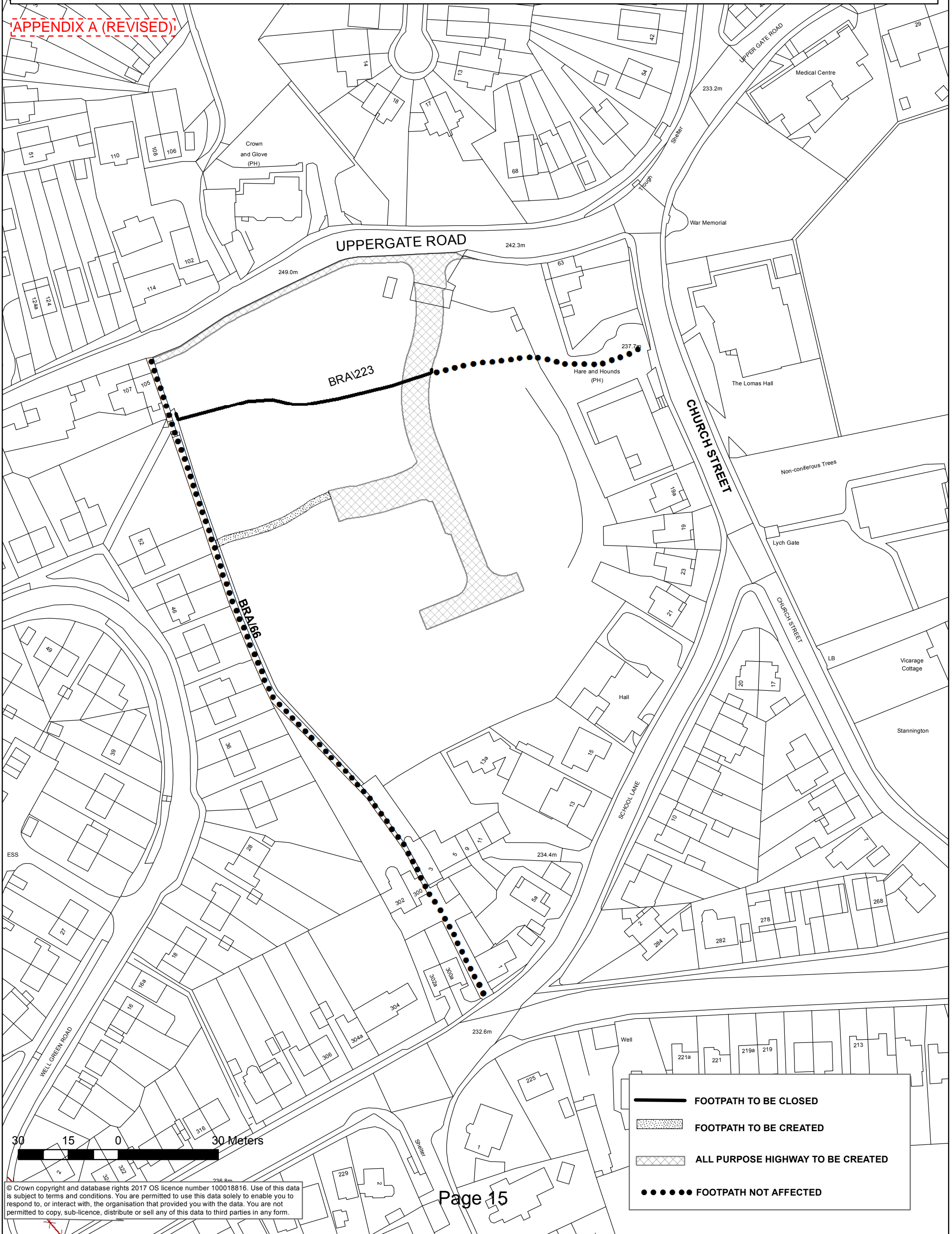


Highway Records
 Highway Maintenance Division
 Culture and Environment
 Howden House
 Union Street
 Sheffield
 S1 2SH

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
 PROPOSED DIVERSION OF FOOTPATH BRA/223
 BETWEEN UPPER GATE ROAD AND
 CHURCH STREET, STANNINGTON,
 SHEFFIELD 6**



APPENDIX A (REVISED)



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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Service

Date: 19/12/2017

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond and John Williamson 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.
17/04213/FUL (Formerly PP-06445249)	The Wharnccliffe Hotel 127 Bevercotes Road Sheffield S5 6HB	21
17/04081/RG3 (Formerly PP-06325169)	Fitzalan Square And Esperanto Place Sheffield S1 2AY	30
17/03967/FUL (Formerly PP-06402750)	Crusty's 86 Richmond Road Sheffield S13 8TA	47
17/03725/FUL (Formerly PP-06256356)	Land At Beeley Wood Recycling Village 2 Beeley Wood Lane Sheffield S6 1QT	58
17/03686/LBC (Formerly PP-06350286)	Park Hill Estate Duke Street Park Hill Sheffield S2 5RQ	91
17/03675/FUL (Formerly PP-06311203)	Stepney Street Car Park Stepney Street Sheffield S2 5TD	95
17/03486/REM (Formerly PP-06311223)	Park Hill Estate Duke Street Park Hill Sheffield S2 5RQ	118
17/02711/OUT (Formerly PP-06184402)	Twelve O Clock Court 21 Attercliffe Road Sheffield S4 7WW	140
17/01148/FUL (Formerly PP-05919039)	Stannington Park Stannington Road Sheffield S6 6BX	150

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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 19/12/2017

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	17/04213/FUL (Formerly PP-06445249)
Application Type	Full Planning Application
Proposal	Change of use of lower ground floor to boxing gym (Use Class D2 - Assembly and Leisure) (retrospective), demolition of existing porch and provision of 5 car parking spaces (Resubmission of application 17/02077/FUL)
Location	The Wharnccliffe Hotel 127 Bevercotes Road Sheffield S5 6HB
Date Received	09/10/2017
Team	City Centre and East
Applicant/Agent	Peacock And Smith Ltd
Recommendation	Refuse with Enforcement Action

Refuse for the following reason(s):

- 1 The Local Planning Authority considers that the retention of the gym within the basement of the building and the provision of replacement on site parking facilities for the existing residential development on the external periphery of the building which will be difficult, if not impractical to use will lead to an increase in on-street parking in the vicinity of the site, which

would be detrimental to the safety of road users and, as such, contrary to Unitary Development Plan Policies H5 and H14 .

Furthermore the Local Planning Authority considers that the use of the replacement parking spaces would cause conflict between vehicles attempting to manoeuvre from the said parking spaces with pedestrians and other vehicles accessing the drive from Firth Park Crescent contrary to Unitary Development Policy S10.

Attention is Drawn to the Following Directives:

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

Site Location Plan

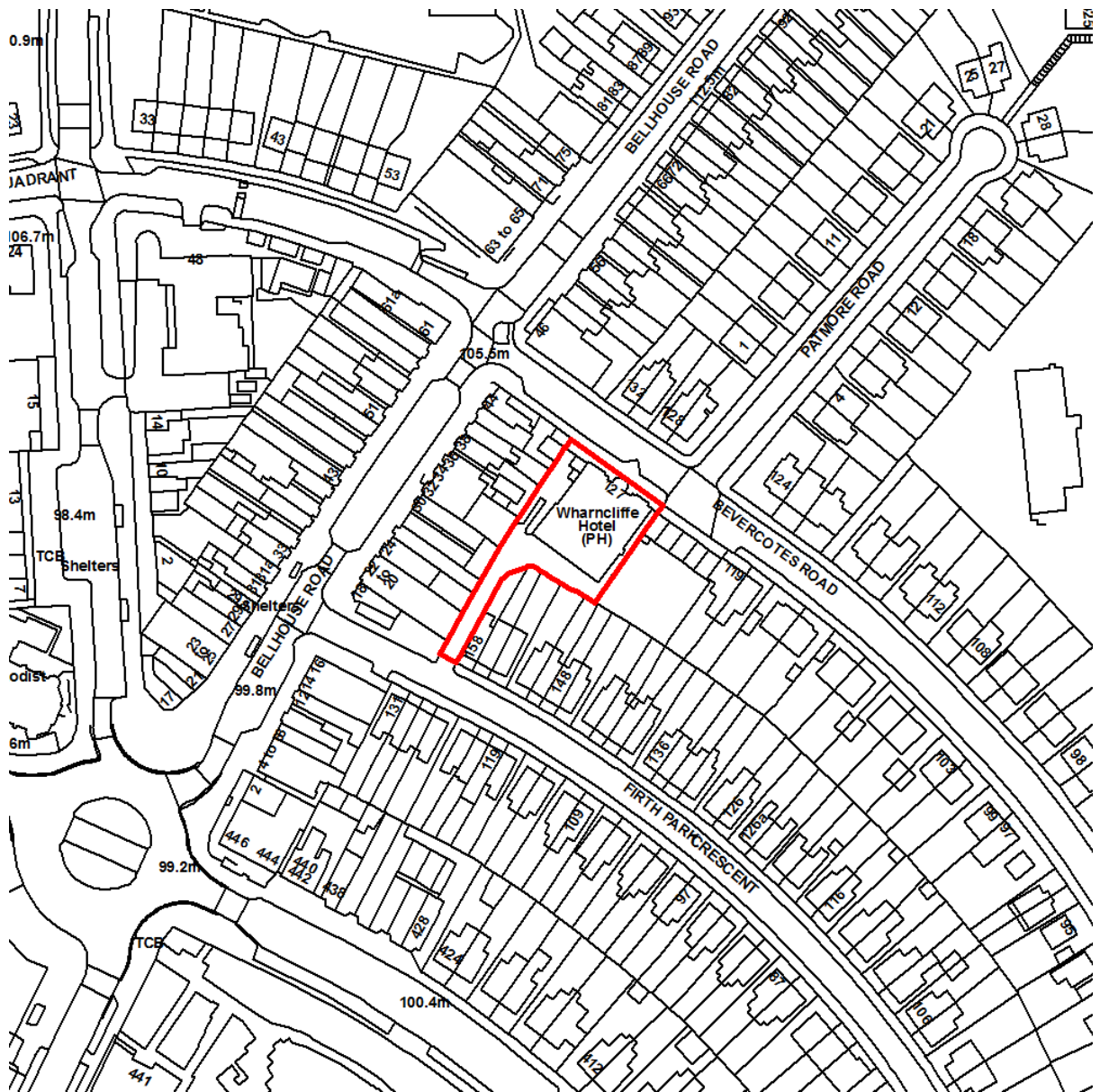
Site plan J25-21-064

Basement floor plan J25-21 -060

Traffic Statement by VIA Solutions dated 6.10.2017

2. The Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the cessation of the use of the boxing gym and the provision of basement car parking as approved by planning application 16/00325/FUL. The Local Planning Authority will be writing separately on this matter.
3. 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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INTRODUCTION

Members will recall that they elected to defer this item at the last meeting in order to allow them to visit the site ahead of making their formal decision on the application.

LOCATION AND PROPOSAL

The application site relates to the former Wharnccliffe Hotel public house, a large detached brick built property sited to the southern side of Bevercotes Road. The building which has recently been converted into two houses in multiple occupation with 20 bedrooms and shared facilities, also incorporates a large basement with direct access to a private drive leading onto Firth Park Crescent.

The building is located within the Firth Park District Shopping Centre. Land to the east is occupied by a vacant two storey building formerly in use as private garaging (with planning approval for conversion to a community centre) with vehicular access from both Bevercotes Road to the north and Firth Park Crescent to the south. Both of these highways are essentially residential in character with a mix of semi-detached and terraced properties.

Planning permission is sought for retrospective approval to convert the basement of the building into a boxing gym (Use class D2-Assembly and Leisure) and for the provision of 5 car parking spaces to the rear of the building. The boxing gym is accessed from a private drive to the rear of the building.

RELEVANT PLANNING HISTORY

15/03567/FUL Alterations to garages (on adjoining land) for use as a community centre GC 24.02.16. This permission has not yet been implemented.

16/00325/FUL Alterations to building for use as two house in multiple occupation (20 bed spaces) and provision of basement parking GC 29.06.16

Following complaints that the basement car parking area approved under application 16/00325/FUL had not been provided and was in use as a boxing gym the applicant was advised that he was in breach of his planning approval. Application 17/02077/FUL was subsequently submitted for the retrospective use of the ground floor as a boxing gym and the provision of four external car parking spaces. The application which was submitted against the advice of planning officers was refused on 17.08.17 due to concerns that the retention of the gym within the basement of the building and reduced parking facilities would lead to an increase in on street parking in the vicinity of the site to the detriment of the safety of road users. There were additional concerns that the use of the replacement parking provided on the external periphery of the building would be difficult if not impractical to use.

SUMMARY OF REPRESENTATIONS

One letter of objection has been received from the occupiers of adjoining commercial premises on Bellhouse Road. The letter states that the applicant has blocked access to their rear yard where refuse bins are stored preventing them being moved out to the highway for collection. The letter also indicates that the parking spaces within the car park to the side of the building further restrict their right of access over the land.

(The applicant has subsequently advised that there is no legal right of access over his land for this neighbouring commercial property).

Although no further letters of representation have been received in respect of this latest application it is noted that two objections were received in connection with the previous submission ref 17/02077/FUL and Planning Enforcement Officer continues to receive complaints that the development is in breach of planning approval 16/00325/FUL.

PLANNING ASSESSMENT

The current application is a resubmission of the planning application which was refused earlier this year. The applicant has however now demolished an existing porch within the proposed rear parking area which gave access to the basement of the building enabling an additional parking space to be provided on the periphery of the building.

The site lies within a designated District Shopping Centre. Policy S7 of the UDP lists leisure and recreation facilities (Use Class D2) as acceptable in principle in shopping areas subject to the provisions of Policy S10. The use of the upper floors of the building as two houses in multiple-occupation (20 bed spaces) has previously been accepted in principle by the earlier grant of planning approval subject to compliance with Policies S10 and H5.

Highway Issues

Policy S10 seeks to ensure that development provides safe access to the highway network, appropriate off street parking and does not endanger pedestrian safety.

Policy H5 aims to ensure that there would be appropriate off road parking for the needs of people living there.

Planning approval 16/00325/FUL was granted on condition that five off parking spaces were provided within the basement of the building for use by future occupiers. This relatively low level of parking (1 space per 4 bedrooms) was considered acceptable due to the sustainable location of the building, sited in close proximity to local facilities and transport links. At the time of this earlier application alternative parking layouts were discussed including a similar layout to that now proposed within the yard to the rear of the building. This was however dismissed as it was considered difficult if not impractical to use due to the limited space available. The approved parking layout within the basement of the building was

considered to be the only suitable option without which the original application would not have been recommended for approval.

In support of the current application the applicant has submitted a Traffic Statement (TS) which concludes that the application site falls within a sustainable location with a high number of facilities that can be accessed on foot and by cycle. The report considers that the parking impact of the proposed development is extremely low and that it can be accommodated on site or within the adjacent highway network without any detriment to highway safety or residential amenity.

The TS indicates that all the approved 20 bed spaces are now occupied and states that, given the size and nature of the residential accommodation, it attracts low income residents who have no access to a car and confirms that none of the existing residents have a car.

Notwithstanding the applicant's statement that none of the residents have a car, the nature of the accommodation is likely to have a high turnover of occupants and in this respect it cannot be assumed that no residents in the future will have a car. At the time of the original application the applicant indicated that the accommodation may be let to nurses whom it is considered would, due to shift work, be more likely to have access to a vehicle rather than relying on public transport.

The applicant has indicated that the boxing gym is used by between 40 and 60 children each week with 95% living locally in the Firth Park area and therefore they are able to walk to the gym. The other 5% live 10-15 mins away and use public transport. The gym operates 7 days a week, 4 – 8pm Monday to Friday and 12 – 2pm on Saturday and Sunday, with the facility occasionally being open during the day from 11.00am for limited adult use. The Traffic Statement indicates that the current manager of the gym is a local resident who walks to the site and states that no parking will be provided for the existing boxing club. In this respect all the 5 parking spaces which have been shown to be provided within the rear yard area will be available for the residential occupiers.

Irrespective of the site's location close to the Firth Park shopping centre and bus stops, your officers maintain that for the reasons outlined above, it is reasonable to require some usable parking spaces to be provided within the site curtilage for the residential accommodation and officers maintain that any parking spaces which are provided must be suitable for their intended purpose. Firth Park currently has extensive on-street parking problems with very few houses within the area having in curtilage parking facilities. Planning officers have visited the site on a number of occasions at varying times and have noted that both Firth Park Crescent and Bevercotes Road are heavily parked. Any increase in on street parking as a result of this development will exacerbate the situation and cannot be supported. Whilst the applicant has indicated that no parking is required for the gym; local residents have previously indicated that there are ongoing parking issues in the area and that the situation is made worse by parents dropping off children who use the gym.

Whilst vehicle tracking information has been included within the Traffic Statement to show that the proposed spaces can be accessed officers are of the opinion that the parking spaces within the yard area will not be used as they are impractical for

purpose. The tracking information assumes medium sized vehicles (4.3m in length), relies on all vehicles being parked tight up to the building and shows wheel tracks that in reality will not be achieved. The additional fifth parking space which is located in close proximity to the gated access to the community centre site creates an undesirable pinch point impacting on vehicular access to the car park to serve this neighbouring development.

As the external area is so tight, it is most likely that vehicles will either end up reversing out of the site down the private access drive onto Firth Park Crescent or will carry out complex manoeuvres within the site boundary impacting on the safety of pedestrians who are accessing the boxing gym or community centre site.

Amenity Issues

It has previously been established that the approved residential use will not impact on the amenities of neighbouring residential occupiers.

In respect of the boxing gym, Policy S10 seeks to ensure that development would not cause occupiers of nearby residential property to suffer unacceptable living conditions.

The boxing gym is contained within the fabric of the existing building and only operates for limited hours throughout the week. This level of activity is unlikely to generate unreasonable disturbance to local residents who live on Firth Park Crescent whose properties are in excess of 18-20 metres away. In respect of residents within the upper part of the building it would be reasonable to require the submission of a noise survey should the application be approved to identify if any remedial works are required to the dividing ceiling/floor structure. Likewise officers consider that no amplified music should be played in the building without appropriate sound insulation works and that the windows on the front elevation of the basement area should be non-opening.

Design Issues

Policy S10 requires new development to be well designed and to be of a scale and nature appropriate to the site.

The windows to the basement gym have already been replaced with white UPVC frames. The applicant has previously demolished the porch and has part rendered the rear elevation. This part of the building however is not visible in general public view and the alterations do not impact on the character and appearance of the original building or locality.

The demolition of the porch has exposed differences in external levels across the site which the applicant intends to regrade. This will ensure that level access is provided to the boxing gym and that the gradients around the fifth parking space are acceptable. A disability compliant access door to the gym will be installed if planning approval is granted.

Other Issues

The applicant has indicated that the boxing gym is a much needed local facility within this deprived area and draws attention to the NPPF requiring the planning system to support strong, vibrant and healthy communities by, amongst other things, accessible local services that reflect the community's needs and support its health, social and cultural well-being. The applicant considers that the overall benefits that will arise by the provision of this community facility for children living in a deprived neighbourhood will significantly outweigh any limited negative impacts that may arise from on street car parking. The applicant has also forwarded a copy of the Firth Park Community Awards Certificate recently awarded to the boxing gym by the Firth Park Ward Councillors and indicates that this provides evidence that the council supports the facility.

Whilst the use of the basement as a gym for youngsters in the area is a material consideration in the determination of this application it is noted that the basement was vacant at the time of the original application. The applicant was at this time aware that planning approval was dependent on this space being used as a car park for future residents and amended the plans accordingly. For the boxing gym to open in the basement within such a short time after planning approval was granted shows a complete disregard for planning policy and requirements. It is clear to officers that there was never any intention to use this space as agreed and had the applicant been upfront about his intentions this could have been considered as part of the original proposal. Whilst sympathetic to the needs of the local community, the club is shown to be thriving and would most likely be able to secure alternative, more appropriate facilities within the local area.

Prior to the 2016 approval the existing building and associated land to the rear were subject to ongoing anti-social behaviour. The situation was made worse as the site is hidden from public view and was easily accessible from both Bevercotes Road and Firth Park Crescent. As part of the conversion works the site has been made secure with 2m high gates to the rear access drive and security railings along the Bevercotes Road frontage. Residents are understood to have a key to open the security gates should they need to park a vehicle within the site curtilage. The owner of the adjoining garages also has access rights across the applicant's land and intends to utilise the existing private drive as access to the car park serving the community centre.

Enforcement

As this is a retrospective application, authority is sought to take any necessary Enforcement Action including legal action to ensure the use of the basement as a boxing gym ceases and the use reverts to car parking in conjunction with the use of the upper floors as two houses in multiple occupation.

SUMMARY AND RECOMMENDATION

The proposed use of the building as two HiMOs has previously been approved subject to the provision of 5 car parking spaces within the basement of the building. There are concerns that the loss of this car parking together with the introduction of

a boxing gym will ultimately lead to an increase in on street parking on both Firth Park Crescent and Bevercotes Road. The replacement five car parking spaces to the rear of the building are considered difficult if not impractical to use and are not a suitable replacement to those lost from within the building. The proposal also raises pedestrian safety concerns due to the potential for vehicles reversing out of the site along the private access track or carrying out complex manoeuvring to turn a vehicle round in the limited space available.

For the reasons outlined the proposal is considered contrary to approved policy and is recommended for refusal.

Case Number	17/04081/RG3 (Formerly PP-06325169)
Application Type	Application Submitted by the Council
Proposal	Public realm improvements to Fitzalan Square and access enhancements to Esperanto Place, including demolition of 31 - 35 Arundel Gate and existing structures
Location	Fitzalan Square And Esperanto Place Sheffield S1 2AY
Date Received	29/09/2017
Team	City Centre and East
Applicant/Agent	Mr Yunus Ahmed - Sheffield City Council
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:

UED/PC05066/110 - Fitzalan Square Red Line Boundary
UED/PC05066/500 - Fitzalan Square Design

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development shall commence until a methodology and management strategy relating to the demolition of No.31 - 35 Arundel Gate has been submitted to and approved by the Local Planning Authority. The demolition works shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and surrounding occupiers/businesses.

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

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

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

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

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

6. Large scale details of the following items, scale 1:20, shall be submitted to and approved in writing by the Local Planning Authority before installation:
 1. The final design of proposed railings to the east side of Fitzalan Square;
 2. The final design of the two new sets of steps on the west side of Fitzalan Square (including details of the proposed steps, handrails and tactile paving);
 3. The final design of the new set of steps and planters proposed between Esperanto Place and Arundel Gate;
 4. The final design of the walls and coping stones.
 5. Any new public art proposals

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

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

6. The King Edward VII statue shall be cleaned as part of the proposed public realm works hereby approved and prior to this work being undertaken full details of the method of cleaning shall have been submitted to and approved by the Local Planning Authority.

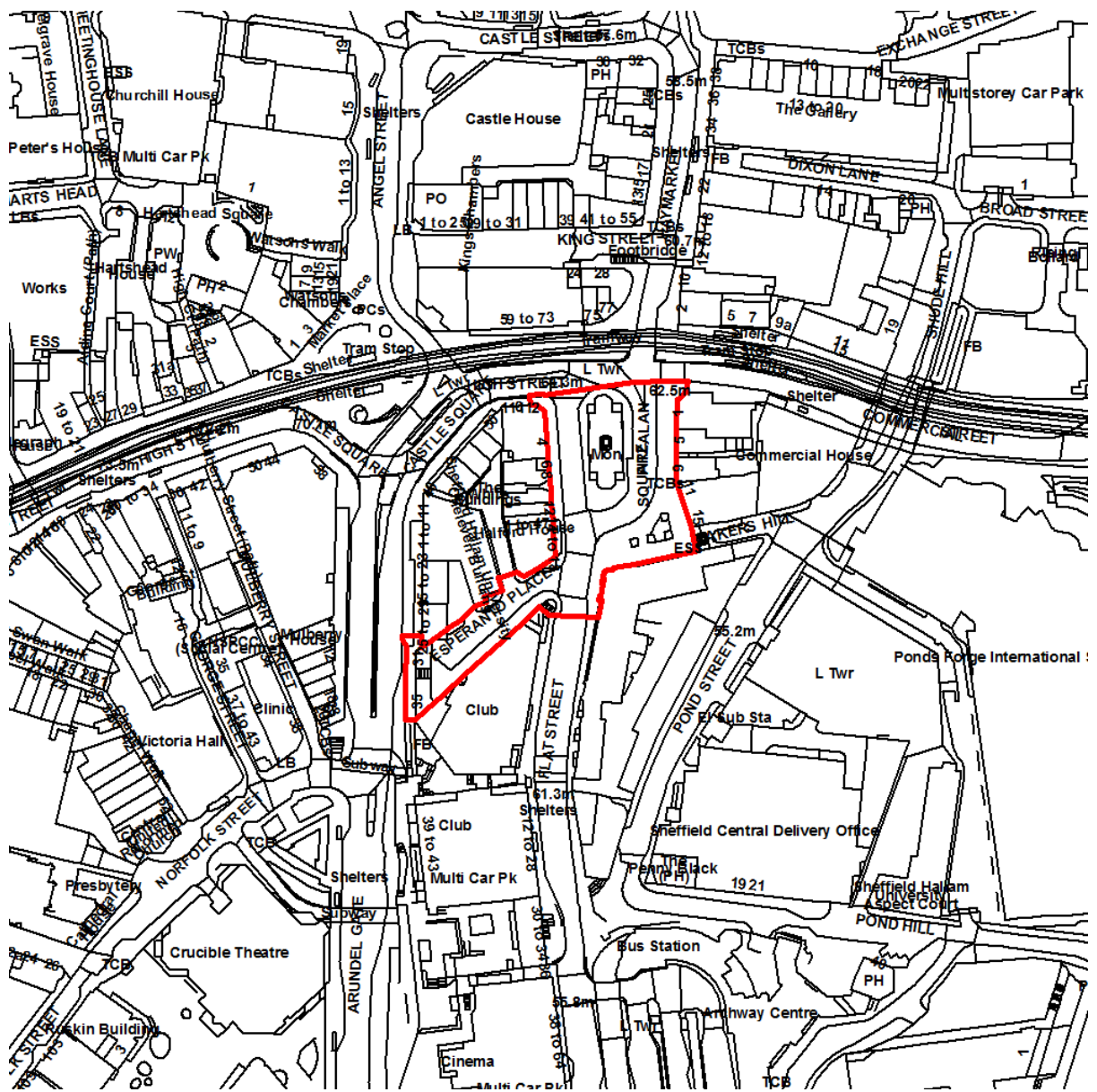
Reason: In order to ensure an appropriate quality of development and enhance the heritage asset that is situated at the centre of the site.

Other Compliance Conditions

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.

Site Location



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LOCATION AND PROPOSAL

This application relates to the comprehensive improvement works that are proposed to take place at Fitzalan Square and Esperanto Place in the city centre.

Fitzalan Square is a public space that was created during the Victorian period (1881) and last comprehensively remodelled in 1910 – 11. The Square, which is predominantly constructed from sandstone paving and walls, currently houses a Grade II listed statue of King Edward VII (erected in 1913) at its centre as well as more modern interventions that include a fast food hut and a small police cabin. The Square also contains four large London Plane trees (planted approximately 35 years ago) that stand within the existing paving area and are arranged in an symmetrical pattern close to the four corners of the listed statue. These are approximately 14 metres tall with individual crown spreads of 12 metres.

The Square is rectangular in shape and is essentially an “island” of public space sitting in the middle of a road network that carries bus and taxi traffic in both directions between High Street/Commercial Street to the north and Flat Street and the City’s main bus station to the south.

Fitzalan Square is bounded by High Street and Commercial Street to its northern boundary and large buildings to its other three sides.

The buildings that enclose the east and west boundaries range in heights and generally include commercial (money lending shops, pawn brokers, betting shops, newsagents, gift shop etc.) at their ground floor levels with some more commercial but mainly residential/student accommodation at their upper levels. The White Building has Grade II listed Building status.

The building that encloses most of the southern boundary is the city’s former Head Post Office; an attractive Grade II listed building that has been fully refurbished and occupied by the Sheffield Institute of Arts (Sheffield Hallam University). The building’s main frontage addresses Fitzalan Square.

Esperanto Place intersects with Flat Street at the south-western corner of the square and leads up to Arundel Gate, which was constructed in the 1960s and had the impact of severing Fitzalan Square from Norfolk Street and the Heart of the City. Arundel Gate is currently accessed via an enclosed flight of steps that are situated between the single storey shop units of 31 – 35 Arundel Gate, which are owned by the Council and currently contain tenants on short-term leases.

Presently, the subject spaces are dominated by traffic and used by few people. It has a high incidence of recorded crime and a poor general environment.

This application seeks planning permission for substantial public realm works to be undertaken by Sheffield City Council (using part Sheffield City Region funding) to remodel and improve the Square as well as create better / more desirable links with Norfolk Street and the Heart of the City. In order to achieve the vision, the following works are proposed:

To Fitzalan Square:

- The demolition / removal of existing features including the former Police box, raised planters, steps, walls, copings etc. and the remodelling of the space to create new walls, raised planter, and lawn space around the King Edward VII monument as well as new paving and café seating.

To Esperanto Place:

- The demolition of the buildings and steps at Nos. 31 – 35 Arundel Gate;
- The creation of a new flight of steps to bridge the level difference between Esperanto Place and Arundel Gate. New landscaping introduced alongside these steps.

Associated Highway Improvement Works (not requiring planning permission):
The main associated highway improvement works include:

- The removal of traffic from the East side of Fitzalan Square;
- Widening the junction of Flat Street at its junction with High Street and the creation of a new left turn lane on Flat Street, which is currently footway, to allow two-way traffic movements;
- The relocation of the Taxi Rank on Flat Street;
- Alterations to pedestrian crossing places; and
- Footways and carriageways reconfigured and paved with either Yorkstone (primary palette) or concrete (secondary palette) paving.

Associated Tree Felling Works (not requiring planning permission)

It is proposed to fell all four London Plane trees that are currently positioned in Fitzalan Square. It is proposed to replace the trees with 14 new semi-mature specimens approximately 5m – 7m high (when planted).

The public realm works associated with this project are part of a wider scheme that is known as the Knowledge Gateway, which covers the corridor between Fitzalan Square and Furnival Street.

RELEVANT PLANNING HISTORY

There is no relevant planning history associated with this application.

SUMMARY OF REPRESENTATIONS

The proposed development has been advertised by site notice, neighbour notification letter and press advert.

Comments in Support

We have received a number of comments supporting the proposals stating:
Visual Amenity & Historic Environment

- Fitzalan Square has never been a very satisfactory space and was thoroughly trashed during the 1980s remodelling, since then it has become still more cluttered and even less attractive. The Square has been completely neglected and isn't at all linked to the rest of the city centre.
- It will be transformed from a run-down and perceived no-go area into a positive space. The proposals change the function of the Square from busy traffic island to public open space. It has much potential to be a social hub (like Leopold Square) but cafe and businesses are never going to move into the units around the square in its current state. The proposals will enhance footfall and businesses to Fitzalan Square.
- The demolition of the buildings on Arundel Gate will open up pedestrian links to Norfolk Street and improve its run-down and seedy appearance.
- The works will improve the setting for the statue and former Post Office as well as the overall environment for students and visitors. It might have been possible to create a design which recalled the era of the best of the surrounding buildings, but other successful public spaces in Sheffield (Peace Gardens, Tudor Square, and Sheaf Street) have not done this.
- The inclusion of carved sandstone and railings should be made a planning condition to ensure they do not fall the victim of budget constraints.
- The statue would be better facing south – towards the former Post Office – but funds probably do not exist to achieve this.

General Amenity

- The proposal will remove the potential for anti-social behaviour, street drinking and drug taking / dealing that have blighted the area in recent years. The Peace Gardens was a hotspot for public drinking before its regeneration that has opened up the area and seen greater footfall.

Tree Removal

- The tree removal is sad but if more new ones are being planted then this is a more than fair compromise. Their loss is being coloured by the unjustified felling of large numbers of mature and valued trees elsewhere in the city. They are four relatively recent plantings that were a mistake in this small square. Other city centre spaces have used small (but still substantial) trees to good effect, which is the approach here and should work better.

Objections

We have received a significant number of objections to the proposals, including from local residents, the Green Party, Councillor Douglas Johnson and Sheffield Wildlife Trust. Whilst some applaud the efforts enhance the existing space, they raise the following concerns:

Tree Removal Concerns:

- Many objections cite the submitted Tree Report (by SCC Tree Manager Jerry Gunton) and highlight key parts of it, which includes discussion about the

positive health of the existing trees that are proposed to be felled and their present amenity and air quality benefits for Fitzalan Square.

- Members are advised that there is an online petition campaign to “Save the Fitzalan Square Plane Trees” that is current ongoing during the application period. The petition contained 386 signatures at the time of writing.

Visual Amenity & Historic Environment Concerns:

- The Council rides rough-shod over nature, which is abhorrent. It is already murdering trees all over Sheffield, whilst other cities would work round their mature trees but not here. Large trees are rare in the City Centre and there are not enough reaching maturity. It would be sacrilege to destroy the few remaining.
- Tree removal will dramatically affect the visual impact of Fitzalan Square. They are the best thing about it, giving coherence and a natural feel to what would otherwise be a clinical and harsh looking space.
- The public realm works should be designed around the trees and celebrated. The development needs to be done in harmony with these valuable assets. It is a fundamental tenet of good design that existing assets – be they natural or manmade – should be retained unless there is a good reason for them to be removed. The design is flawed and needs to be revisited.

General Amenity & Environmental Concerns:

- London Plane trees are ideally suited to urban environments. The canopy cover provides welcome shade preventing a hot and potentially uncomfortable environment. Their existence is also entirely in keeping with the character of an industrially historic city and the local listed and other buildings. Mature trees should be valued alongside older prettier / grander buildings.
- The loss of the trees will impact on air quality and pollution levels in Fitzalan Square given that London Planes are one of the best species for filtering harmful airborne pollutants and reducing high levels of air pollution concentrated in the city centre.
- The trees are home to a plethora of insects and birds which feed on them – sorely needed in our increasingly concrete city.

Replacement Planting Concerns:

- The new replacement planting will not mitigate for the loss of this green infrastructure, which has significant value. The replacement trees are small and will significantly alter the look and feel of the square. The trees in Fitzalan square contain a lot of bird life and the square also has plenty of bats. A greater number of smaller trees would not be able to replicate this habitat or be up to the task of creating a setting for the late Victorian era heritage buildings or absorbing high city centre levels of particulates from traffic fumes.
- The new designs – including new trees - will be vulnerable to anti-social behaviour present in this area.

Design Concerns:

- Fitzalan Square is characterised by historic buildings and routes (including listed buildings, statues and Jew Lane). The curved, asymmetrical, multi-level design is totally out of keeping with this historic environment. It is unclear as to how high quality and how in keeping with the style of the square the stonework, street furniture and other features will be?
- The proposals are considered to be hard, dull, depressing, unhealthy and do not maximise existing assets. The consultation image attached is generic and bland. It is not designed like an attractive civic square, a place where you would want to linger in and enjoy. In order to take advantage of the significant listed buildings about, Fitzalan Square needs to be equivalent to or better than the high quality approach taken elsewhere in the city, e.g. Leopold Square and Peace Gardens.
- The existing low walls and plane trees in the existing square create a distinctive and unique island in the city centre. They should be retained. We already have a lot of spaces which look like the proposed design and the City Centre should not all look the same.
- The design process should have involved interested parties and stakeholders (such as the adjacent Sheffield Institute of Arts and public artists).
- Examples given as to ways in which this could be made a more therapeutic place.

Highway Concerns:

- The pedestrian crossing at the top of Flat Street will be removed and replaced with uncontrolled crossings either side of the junction with Esperanto Place. How will pedestrians cross the road safely? To create a satisfactory outcome the planners for this scheme ought to be working closely with disability groups and Cycle Sheffield and thought given to how pedestrians will safely cross from one side of the square to the other.
- Concern that safe cycling is not adequately dealt with in the design, especially given that areas of the highway will be narrowed to 6m. Agree with Cycle Sheffield comments on the Knowledge Gateway consultation in February 2017, which stated that segregated cycle lanes are required given the volume of traffic in the area - especially buses.
- There is also dangerous and inadequate space for road users to move around each other between the bus stops on either side of the road next to Sheffield Institute of Arts on Flat Street.
- Other countries - Holland, Sweden etc. - can manage to provide segregated cycle lanes and still have safe street crossings for pedestrians. It should be perfectly possible to use some of those techniques in Sheffield.
- Although appreciated that considerable thought has gone into achieving wheelchair access routes, both through discussion at the Access Liaison Group and otherwise. It is understood that the stepped approach from Arundel Gate reflects costs issues, but it is not altogether clear how wheelchair users can enter the square, compared to routes for other people. It would help if this were clarified.
- Unable to find figures for current usage or expected vehicle, pedestrian or cycle traffic volume to support the Council's ambition of encouraging more

pedestrians to enter and remain in the space to help regeneration, or to be able to examine what the impact might be on the safety of people using or passing through the square.

Impact on Business

- The leaseholder of No.31 Arundel Gate has strong objection to the proposals because he has only very recently signed a lease affecting the property and has incurred considerable expenditure in acquiring the same. The proposals will have a negative impact on them and lead to considerable loss to their business and financial hardship. It is fully expected that the Council compensates him for the compulsory acquisition of 31 Arundel Gate if a compulsory purchase order proceeds. The Council should take his wishes into proper consideration when deciding whether to proceed with the proposed development.

Other Comments

We have received the following neutral comments:

- The redevelopment in the area is needed but as a business on the Square it is hoped that this will not affect trade. Footfall should continue to be guided towards the businesses and not away during the works.
- Very supportive of de-cluttering the square and ask that the ugly and visually intrusive Clear Channel advertising sign is removed.

Conservation Advisory Group (CAG)

The scheme was presented to CAG in October 2017. The group had the following comments:

The Group welcomed the intention to carry out improvements, in principle, but felt concern at the present proposals. The Group requested further detail of the scheme.

The Group recommended that the cycle route be located around the edge of the pedestrian area, rather than through it. However, it is confirmed that a cycle route does not form part of the scheme.

PLANNING ASSESSMENT

Land Use Policy

The application site is an existing public space within the City's Central Shopping Area, as defined within the Sheffield Unitary Development Plan. The proposals retain the public space and seek to increase its size to promote more usage. Therefore, there are considered to be no land use policy concerns resulting from this development.

Demolition

It is proposed to demolish the existing buildings at Nos. 31 – 35 Arundel Gate in order to achieve one of the project's objectives of improving pedestrian links to the Heart of the City. These buildings have no characteristics to warrant their retention and the pedestrian stepped route between them is unpleasant and intimidating. Furthermore, the subject buildings have no heritage status and they are not located within a Conservation Area. Therefore, it is considered that the proposed demolition works are acceptable and, once completed, it is considered that the replacement works will be a positive part of the proposed public realm enhancements.

It is recommended that a condition be imposed which secures details of the proposed demolition strategy in order to ensure that a satisfactory environment is maintained during and post demolition works.

Design / Historic Environment / Access Considerations

UDP Policy BE10 (Design of Streets, Pedestrian Routes, Cycleways and Public Spaces) expects good design and environmental improvements of these areas in order to ensure that they are convenient and safe for all (parts a) and b)), attractive, welcoming and usable (part c)), co-ordinated (part d)), reduce the harmful effects of traffic and minimise conflict between pedestrians, cyclists and motorised traffic (part f)), and ensure that road layouts facilitate efficient provision of public transport services (part g)).

UDP Policy BE11 (Public Spaces) states that they will be protected where they make important contribution to the character or appearance of an area or provide places for people to walk or relax. Development within or adjacent to the spaces will only be permitted where it would respect (a) the character of the space in terms of function, scale, proportions and views; and b) the contribution which surrounding buildings make to the character of the space in terms of scale, massing and proportions. Fitzalan Square is identified as a relevant public space.

UDP Policies BE15 (Areas and Buildings of Special Architectural or Historic Interest) and BE19 (Development Affecting Listed Buildings) expect new development to at least preserve the character and appearance of listed buildings and their setting. These policies are consistent with the guidance contained in the Government's National Planning Policy Framework (NPPF), which seeks places great emphasis on development that sustains, conserves and enhances the historic environment (including heritage assets).

Core Strategy Policy CS 74 (Design Principles) encourages high quality development that would respect, take advantage of and enhance the distinctive features of the city. In particular, it identifies that development should "contribute to place-making, be of high quality that contributes to a healthy, safe and sustainable environment that promotes the city's transformation" (part e.) and "help to transform the character of physical environments that have become run down and are lacking distinctiveness" (part f.).

Design

With regard to design, the King Edward VII statue will be retained at the centre of the square and surrounded by a lawned surface to be enclosed on all sides by new curved herbaceous planting beds. The curved beds, which will replace the existing straight formal walls, will be retained on their outer edge by low feature walls and those along the east / south boundaries will be sitting walls for informal seating, as in the Peace Gardens. Access to the central lawn will be achieved by a variety of measures, including two sets of steps in the north-east and south-east “corners” and a level access on the southern boundary.

High quality materials are proposed. At Fitzalan Square, the central space will use a palette that includes Yorkstone paving (primary palette), sandstone ashlar walls and coping, and stainless steel furniture. At Esperanto Place, it is intended to replace the demolished buildings with a stone flight of steps and stainless steel handrails positioned centrally between two stone faced planters containing a tree in each and herbaceous planting. These materials are successfully used throughout the City Centre and considered to be acceptable.

The wider associated works – which do not require planning permission – will also follow the design theme and material palette described above in order to increase the size of the overall space and create a large expanse of high quality public realm that is focused upon pedestrian use.

The objections received about the proposed design are noted and it is acknowledged that the changes to Fitzalan Square will significantly alter its visual appearance and the formal character of the space. However, your officers consider that the design is acceptable in planning terms and that the more contemporary informal layout is an appropriate way of seeking to transform the character of the existing run down environment. The design seeks to revitalise the space to make it a more inviting and usable part of Sheffield’s public realm. The proposed inclusion of design principles used in other existing highly successful city centre public spaces like Tudor Square, Barkers Pool, Sheaf Square and the Peace Gardens is to be welcomed. It is also considered that following a similar design ethos will help Fitzalan Square become part of the family of these spaces, thus enhancing its links to the Heart of the City.

Historic Environment

The proposed design is less formal than Fitzalan Square’s current arrangement or other civic square designs. However, the proposed works are deemed acceptable from a heritage and conservation perspective as they propose to retain and enhance the setting of the heritage assets within and around the space. Indeed, they will facilitate increased usage, widen the potential for future uses and subsequently enhance the prominence of the heritage assets that currently exist but are obscured by the existing poor general environment and perception.

The overall intention to open up the space and enhance the visual connection of the listed assets in and around the Square is considered to be a positive element of the design from a historic environment perspective. Furthermore, there is no

significant objection (in building conservation terms) to the removal of the trees because they were not part of the original Victorian design and were added in the 1980s

The inclusion of grass around the King Edward VII statue is not the preferred conservation choice as stone paving would be preferred. However, on balance, this surface is accepted given the enhanced recreation use/informal seating that lawns can bring to spaces and is considered to outweigh any conservation concerns. Indeed, it is acknowledged that this has occurred positively elsewhere in other historic environments within the City Centre, such as the Cathedral and Peace Gardens.

Access Arrangements

The Planning Statement discusses that the consultation has taken place with the Access Liaison Group during the design development process of the Knowledge Gateway (including Fitzalan Square), which is welcomed. A number of additional comments have also been made by the Council's Access Officer, which primarily relate to the proposed highway arrangement (tactile paving, kerb height, crossing design etc.). Therefore, this information has been passed to the applicant for their consideration as these elements do not require planning permission.

In planning terms, the main issue relates to the use of grass at the centre of the square and how this could restrict year round access to the King Edward VII statue. The retention of a hard surface has been considered but not progressed in this instance given that it is felt such a change would significantly change the character of what is proposed at the centre of Fitzalan Square. Furthermore, there is considered to be insufficient justification to warrant a change because direct access to the statue is not needed, as it is an elevated structure with no information panel or interactive display.

Other access issues identified in the consultation – including the final design of the steps and provision / position of street furniture proposed – are secured by condition.

Overall, for the reasons described, it is concluded that the proposed design of the scheme is acceptable in access terms.

Tree Removal Issues

For the avoidance of doubt, Members are advised that planning permission is not required for the proposed tree felling works. The trees do not have protected status as they are not positioned within a Conservation Area and they are not subject to a group or individual Tree Preservation Order. Therefore, in spite of the many objections received as part of this application in relation to tree removal / loss, it is confirmed that there is no legal basis on which to reject this application on the basis of the tree removal.

However, it is acknowledged that the removal of the trees is a very emotive subject for the City (especially in relation to street trees) and their felling is proposed in order to facilitate the comprehensive public realm works and overall design of a new Council-led project. The positive health and benefits of the trees – as detailed

in the Tree Condition Survey and referenced by many of the objectors – are fully acknowledged. Therefore, it is considered their proposed removal needs to be discussed as part of this planning application and the negativity of their loss balanced against the wider benefits of the project.

The proposed design seeks comprehensive interventions to create an attractive and safe public space to promote wider public use. The space is currently used by few and has a high incidence of recorded crime and anti-social behaviour resulting in a poor general environment. This project seeks to change this environment and the submission explains that the retention of existing trees is not proposed for the following reasons:

- Accommodating the new highway works and junction arrangement will impact on the tree in the north-west corner of the Square and its root protection area of approximately 6m. Therefore, removal is considered unavoidable.
- To retain the three remaining trees would impact on the proposed design vision for the space, which is to maximise use and views of listed features. It is considered that retention would unbalance the existing symmetrical arrangement of the trees to the detriment of the listed statue and its setting.
- To create balance by removing the north-east tree and retaining the two trees in the southern corner would still result in the trees screening the views of the Sheffield Institute of Arts (former Head Post Office), which is proposed to be a key focal point of the new space.
- To reduce the dominance of tree cover, which currently includes high degrees of shade and sap drop in the central space.

For the reasons above, and in consultation with users, the Council's Design and Landscape Team propose to remove all four trees and restructure the layout of the space in order to help maximise the opportunities that it can provide for the public and surrounding uses moving forward. To compensate for the loss it is proposed to provide a total of twelve new trees in Fitzalan Square (as well as further two on Esperanto Place), which will be smaller and less dominant than the existing trees but still substantial species as per those included within other Council-led landscape projects in the City Centre. It is explained that the species of trees has not yet been finalised but it is anticipated that these will be "fastigate" in form – tall, upright and of large scale. Furthermore, the trees are proposed to be planted in a considered arrangement across Fitzalan Square in order to reduce dominance and make key spaces useable as well as maximise the setting of the listed buildings.

Finally, it is recognised that this project is led by the Council's Design and Landscape Team who have successfully delivered numerous high quality and award winning public spaces around the city centre over recent times. It is considered that all of these projects have served to significantly improve the subject spaces, enhanced their use and delivered economic uplift. There is therefore every reason to expect the final design of Fitzalan Square to be just as successful. The content of the Tree Condition Survey is not contested but it is simply considered that a better overall long-term scheme can be achieved by removing the trees and replacing them with many more trees in the submission proposal.

Highway Matters

The submitted plans illustrate that significant highway remodelling works are required as part of this project. These have been summarised in the 'Proposal' section above and have the overall aim of improving the pedestrian environment by reducing the dominance of vehicle traffic around Fitzalan Square; using highway land as an extension to the square as part of its overall enhancement. Despite being included within this application's red line boundary, for the avoidance of doubt it is confirmed that planning permission is not required for the extensive highway works proposed. Further assessment of this application indicates that these works actually constitute permitted development under Part 9 Class A of the General Permitted Development Order 2015 (Development relating to roads by highways authorities) and, therefore, this element of the project lies outside of the scope of this application. A report is to be taken to the Cabinet Member for Transport and Sustainability in January 2018 regarding these concerns – this will outline the Highway Authority's response to objections, and will seek a decision on the scheme in light of objections received.

The objections received about the lack of cycle infrastructure proposed are noted and Members are advised that these comments have been forwarded to transport and highways colleagues for their consideration. It is understood that similar comments have been raised by members of the public (including Cycle Sheffield) during the public consultation exercise for the wider Knowledge Gateway Project and that it will be necessary for the Local Highway Authority to justify all decisions taken in relation to the new highway design project through its own approval process.

It has been confirmed that cycle stands are proposed to be included within the final design and the details (including design and position) will be secured by condition.

Archaeology Matters

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

South Yorkshire Archaeology Service (SYAS) has considered the application, including an Archaeological Desk-Based Assessment (ArcHeritage, May 2015), and confirmed that the works appear to be largely superficial in areas that could be considered to have some archaeological potential. Therefore, it recommended that it is acceptable for works to proceed as proposed with no further investigations required.

Therefore, the proposal is concluded to be compliant with UDP Policy BE22.

RESPONSE TO REPRESENTATIONS

The material planning considerations have been addressed in the main body of this report.

As described, the main issues in relation to tree felling, highway design and cycle facilities lie outside the planning remit but Members are advised that the applicant (i.e. relevant sections of the Council) is aware of the concerns raised through the consultation process.

With regard to the Clear Channel signage and the request for its permanent removal, it is confirmed that it is not possible to remove it given that it has advertisement consent and that there is an obligation upon the Council to reinstate the display. Therefore, it is necessary to reinstate it within new public realm works.

With regard to the tenant's comments from No.31 Arundel Gate, it is the case that their lease and matters of compensation are not planning issues and therefore have no weight in the determination of this application, although it is acknowledged that construction works can be disruptive.

SUMMARY AND RECOMMENDATION

The application proposals form part of a comprehensive project to restore and enhance one of the City Centre's main public spaces and create an attractive destination environment for people to visit and enjoy. Fitzalan Square is used by few at the moment and it has become a rundown environment blighted with anti-social behaviour issues. Furthermore, it fails to capitalise on its potential to provide an attractive setting to several heritage assets.

It is considered that the main interventions, including unified paving, raised sandstone planting beds with formal / informal seating as well as natural features including grass, trees and flowers, and feature lighting will combine together to create a high quality environment that will establish a new space to attract new users / public events to it. Furthermore, it is anticipated that the works will provide an enhanced setting for the heritage assets that exist within and around the space.

The works to Esperanto Place – including the removal of the small shops on Arundel Gate – are considered to be positive enhancements that will help to restore the area's historic connection to Norfolk Street.

The proposed tree felling issues lie outside the scope of this planning application but they have nevertheless been considered and clearly it is a very emotive issue for those who have objected given that these trees are healthy specimens. Although planning permission is not required for this work because the trees have no protected status, it is considered that the negativity surrounding their removal must be balanced against the positive aspects of the public realm works, which are much needed. Furthermore, it is the case that the project intends to replace the trees with fourteen new semi-mature specimens that will be more appropriate for the new environment moving forward. As discussed above, this is considered to be a positive replacement strategy that will more than triple the existing number of trees in Fitzalan Square / Esperanto Place and increase the number of trees in the City Centre by ten.

The main interventions proposing to halve the amount of road space, relocate the taxis to a less intrusive location and make alterations to Flat Street are the responsibility of the Local Highways Authority. They do not require planning permission and therefore the works – including access arrangements and cycle facilities provision – will have to be justified through its own statutory approval process.

Overall, it is considered that the project, undertaken by the Council's Design and Landscape Team, will be a positive addition to the City Centre and it will reflect the excellent award winning urban realm design standards that have become synonymous with Sheffield.

For the reasons above, it is concluded that the proposed development complies with relevant local policies and national guidance discussed above. It is therefore recommended that the application be granted subject to the listed conditions.

Case Number	17/03967/FUL (Formerly PP-06402750)
Application Type	Full Planning Application
Proposal	Use of building as a 7-bed House in Multiple Occupation (HMO) (Use Class Sui Generis)
Location	Crusty's 86 Richmond Road Sheffield S13 8TA
Date Received	21/09/2017
Team	City Centre and East
Applicant/Agent	Mr Andrew Pickup
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:

Location Plan
17004-201 D - Site plan, plans and elevations
Useable loft floorspace plan - emailed on 19.11.17

Reason: In order to define the permission.

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

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

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

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

4. Prior to the use commencing, details of the design of the new stone garden wall to Richmond Road and Laverack Street along with improvements to the existing stone wall to Richmond Road shall be submitted to and approved by the Local Planning Authority. The new stone wall and improvements to the existing stone wall shall be implemented before the use commences and thereafter permanently retained.

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

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

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

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

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

Other Compliance Conditions

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

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

8. Stone/brickwork/slate to be used in the reinstatement to the existing property and the stone to be used in the new and improved stone garden boundary wall shall match existing.

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

Attention is Drawn to the Following Directives:

1. The boundary wall should be set back behind the highway boundary, the parking area should be designed to avoid surface water spilling on to the highway.
2. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136
Email: dawn.jones@sheffield.gov.uk

3. 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

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

The notice should be sent to:-

Highway Co-Ordination
Sheffield City Council
Town Hall
Sheffield
S1 2HH

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

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

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

5. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
6. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

7. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website 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.

8. 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.

9. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 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.

Site Location



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INTRODUCTION

Members will recall that they elected to defer this item at the last meeting in order to allow them to visit the site ahead of making their formal decision on the application.

LOCATION AND PROPOSAL

The application site is located at the corner of Laverack Street and Richmond Road. The surrounding area is residential in character although there is a local shopping parade approximately 90m to the east of the site on the opposite side of Richmond Road. The surrounding residential properties are a mixture of terraced, semi-detached houses and purpose built flats many of which do not have off road parking.

The application property is a terraced stone faced 2 storey building which is attached to dwelling houses on the east side with a small garden at the rear on the Laverack Street frontage. The ground floor of the premises was last used as a sandwich shop/takeaway.

The existing plans show three rooms on the ground floor comprising of café serving area, café seating and café prep area. At first floor there is 1 bedroom, a kitchen lounge and small bathroom and two further bedrooms in the loft space served by velux windows.

The proposed layout is for 2 bedrooms and a shared kitchen/living room space on the ground floor, three bedrooms on the first floor with shared toilet and shower and 2 bedrooms in the loft space with shared toilet and shower.

An existing shop window on the Richmond Road frontage is to be reinstated as a domestic style window with matching stone infill. A small off shot at the rear is to be removed and a door is to be blocked up with matching brickwork. Three existing velux windows are to be replaced with larger velux windows. Since the application was originally submitted the layout has been amended to provide 2 car parking spaces in the rear garden, accessed off Laverack Street. The kitchen living space has been moved to the ground floor at the rear and the applicant has confirmed that he will reinstate a low stone wall to incorporate the open forecourt around the former shop area.

The applicant has provided additional information in support of his application. He has stated that he understands residents' concerns that HMOs may be seen as attracting undesirable tenants. The applicant has stated that he intends to fit out the property to a high standard and this will affect the type of tenants attracted; his intention is that the premises will serve employed professional people, particularly targeted at workers from the advanced manufacturing park. The property is designed to be affordable housing for people who are either unable to afford the rents and deposits of renting out a larger property by themselves or who are saving up to get onto the property ladder. The applicant has stated that he finds that a large percentage of tenants in similar properties are not car owners, preferring to use public transport to save costs. The applicant has pointed out the site's access

to good public transport services and local amenities and the provision of some off street parking within the site.

SUMMARY OF REPRESENTATIONS

Immediate neighbours were notified and a site notice displayed on the frontage.

Eleven objections have been received.

The grounds of objection are as follows;

- Insufficient parking in an area that is heavily parked. Parking already takes place on the pavement, on yellow lines and at the bus stop which causes congestion at peak times.
- The property may be used for community housing or a halfway house and may attract undesirables or noisy people, which could increase crime and affect the safety of residents living nearby. Youths already congregate on the corner of this building and the police already have a problem in this area.
- A HiMO is not suited to the area which is primarily family housing, couples and retired residents.
- The building work will cause noise, dust pollution and add to traffic
- The property is not large enough for 7-14 people; they would congregate outside in the summer months causing noise and disturbance for residents.
- The application form has been filled in inaccurately as it says there would be no gain or loss of residential units
- More residents should have been notified.

PLANNING ASSESSMENT

Policy

The application site lies within a Housing Policy Area as identified in the Unitary Development Plan. Policy H10 says housing (C3) is the preferred use. Larger HiMO's are uses that do not fall within any use class and are not referred to specifically in the policy. Uses not listed in the policy will be decided on their individual merits.

Core Strategy Policy CS 41 is concerned with creating mixed communities. The policy seeks to promote housing that will meet a range of needs. Part d of the policy seeks to limit conversions to HiMO's or other shared accommodation where the community is already imbalanced by a concentration of such uses or the development would create imbalance. The commentary on the policy says that this will be achieved by limiting shared housing where more than 20% of residences within 200m of the application site are shared housing. In this case the percentage of shared housing is low at only 1% and therefore there is no policy reason to resist the application.

Amenity Impact

There is the potential for a HiMO to cause dis-amenity to adjoining residents due to increased comings and goings and due to intensive use of amenity space. Perceptions about the type of resident are not a reason for resisting an application. This is because there is no evidence to know with any certainty what type of residents will occupy the property and this is no different to a dwelling house where the potential type of resident is irrelevant. The planning system is not designed to control the type of people who will occupy a residential property which means that Members should give little weight to the applicant's assertions that occupiers are likely to be employed professionals.

A HiMO of this size will require licencing by the Council's Private Sector Housing section. Through this process there are controls over the size of rooms, number of facilities such as toilets and number of people who can be resident. It is not for the planning authority to duplicate these controls. The HiMO standards indicate that only one of the rooms would be of a suitable size for occupation by 2 people. This indicates that up to 8 people could reside in the premises.

The application site is located at a junction between two quite busy roads. The ground floor was also last used as a sandwich shop / takeaway. There is the potential for a significant number of movements to be attracted to food and drink uses. Sandwich shop/Takeaways can also be a source of dis-amenity for local residents due to noisy customers congregating around premises, car parking and odours.

Given the last use of the premises for a café/takeaway on the ground floor and residential accommodation above sufficient for a family of 4, it is considered that the proposed use would not be likely to generate significantly more activity or noise. Much of the amenity space associated with the premises is exposed to the road frontages and most of the small rear garden will be given over to car parking. This is not ideal in terms of providing a usable amenity area for the occupiers of the premises. However it is not considered to be sufficient to justify resisting the application. The character and narrowness of the amenity space suggests it would be unlikely to be frequently used by the occupiers which means that it would be unlikely to be more of a source of disturbance to local residents than any other garden space.

Two of the ground floor bedrooms are positioned on the main road frontages. Officers have sought to persuade the applicant to locate the less sensitive kitchen/living space on the main road frontage but the applicant has declined to do so. Given that the stone boundary wall will provide defensible space around the ground floor frontage there is no strong case for opposing the application on this basis.

Access Issues

There is a bus stop opposite the site on Richmond Road and a high frequency service on Handsworth Road approximately 350m from the site. There is a convenience shop in the local parade opposite the site on Richmond Road and

further local shops and takeaways on Handsworth Road within walking distance of the site. The site is considered to be well served by public transport and local services.

There are many properties around the site which do not have off street parking and consequently there is significant on street parking within the surrounding area. The applicant has offered to provide 3 parking spaces in the rear garden. Your officers consider that 3 spaces would create a long run of parking which would have a significant negative impact on the street scene and a long dropped crossing is also not desirable for pedestrians. As a result officers have negotiated a scheme with 2 off street parking spaces which is considered to strike a reasonable balance between protecting visual and pedestrian amenity and making provision for parking.

The site is well served by public transport and local shops and residents of this type of accommodation are less likely to be car owners. Given this and the potential for greater parking demand to be generated by the existing ground floor commercial use it is considered that the proposal represents an improvement in parking terms over the existing use and the level of off street parking provision is acceptable.

Design

The alterations to the shop window are in keeping with the character of the building and locality. The new stone boundary wall will help define the curtilage and reduce the impact of the large area of tarmac on the building frontages, which will have a beneficial impact. The off street car parking will have a minor harmful visual impact but this is considered to be outweighed by the benefits of improvements to the boundary wall to other parts of the frontage.

RESPONSE TO REPRESENTATIONS

Disturbance due to building works is likely to be temporary and not significantly different from that associated with a domestic extension.

There is no evidence to support a case that the proposal will result in increased crime.

Immediate neighbours were notified and site notice displayed outside the premises which is sufficient to meet the Council's statement of Community Involvement

SUMMARY AND RECOMMENDATION

Given the existing commercial use of the ground floor and the sustainable location of the site it is considered that the proposal will not have a significant adverse impact on residential amenity or highway safety. The parking provision is considered to be satisfactory taking into account the above issues and the development should result in visual amenity benefit.

The proposal will provide much needed residential accommodation and therefore the proposal is acceptable in policy terms when considered on its merits. Therefore it is recommended that planning permission be granted subject to the listed conditions.

Case Number	17/03725/FUL (Formerly PP-06256356)
Application Type	Full Planning Application
Proposal	Erection of Waste Management Facility comprising Anaerobic Digestion Plant for the processing of biodegradable waste (maximum feedstock of 65,000 tonnes per annum), vehicular access, combined heat and power unit, gas network entry plant, propane tanks, auxiliary flare plant, concrete apron, stores building, site office, bund and associated infrastructure as amended 27.10.17 and 17.11.17
Location	Land At Beeley Wood Recycling Village 2 Beeley Wood Lane Sheffield S6 1QT
Date Received	25/08/2017
Team	West and North
Applicant/Agent	Pegasus Planning Group (Bristol)
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 nos. received on 4.9.17:
1605-PL-04 Revision No. 02 Polyester Tank Elevation;
1605-PL-05 Revision No. 02 After Digester Elevation;
1605-PL-06 Revision No. 02 Sanitation Tank Elevation;
1605-PL-07 Revision No. 02 Flare Elevation;

1605-PL-08 Revision No. 02 After Storage 2 Elevation;
1605-PL-09 Revision No. 02 20ft Container Elevation;
1605-PL-10 Revision No. 02 Biogas Upgrading Elevation;
1605-PL-11 Revision No. 02 CHP Container Elevation;
1605-PL-12 Revision No. 02 Digester Elevation;
1605-PL-13 Revision No. 01 After Storage 1 Elevation;
1605-PL-14 Revision No. 03 Reception Tank Elevation.

Drawing nos. received on 27.10.17:

1605-PL-01 Revision No. 14 Site Layout Plan;
1605-PL-02 Revision No. 09 Site Location Plan;

Drawing nos. received on 17.11.17:

1605-PL-03 Revision No. 09 Site Elevations;
1605-PL-15 Revision No. 03 Site Elevations with Existing Features;
15P5708-30-001 Rev 0 CO2 Recovery Plant 850 KG/H General Layout.

Reason: In order to define the permission.

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

3. No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works have been submitted to and approved by the local planning authority. Furthermore, occupation of the development shall not commence until the approved drainage works have been fully constructed in accordance with the approved plans.

Reason: To ensure that the development can be properly drained and to protect the public water supply.

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

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

5. No development shall commence until further intrusive site investigations have been undertaken to establish the exact coal mining legacy issues on the site and a report explaining the findings has been submitted to and approved in writing by the Local Planning Authority. In the event that site investigations confirm the need for remedial works to treat areas of shallow mine workings details of the remedial works shall also be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the safety and stability of the proposed development.

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 detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

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

8. Any intrusive investigations recommended in the approved Integrale Limited 'Phase I Contamination Desk Study', Report No. 9224; August 2017, as supplemented by Integrale Addendum Letter Ref: JH/9224 issue 2; 12/10/2017, shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

9. Any remediation works recommended in the approved Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

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

10. Details of all proposed external finishes, including colour, of the structures, plant and equipment hereby shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

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

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

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

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies T21

13. A comprehensive and detailed scheme for the construction, planting and maintenance of the proposed vegetated swale shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the scheme shall be retained, cultivated and maintained and any plant failures shall be replaced.

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

14. Before the use hereby permitted commences, the applicant shall submit for written approval by the Local Planning Authority a report giving details of the impact of light from the development on adjacent and overlooking dwellings. The report shall demonstrate that the lighting scheme is designed in accordance with The Institution of Lighting Professionals document GN01: 2011 'Guidance Notes for the Reduction of Obtrusive Light'. The development shall be carried out and thereafter retained in accordance with the approved details.

Reason: In the interests of the amenities of the locality

15. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development 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 land is properly dealt with.

16. The development shall not be used for the purposes hereby permitted unless a scheme of sound attenuation works has been installed and thereafter retained. Such works shall be based on the findings of a Noise Impact Assessment (NIA) report submitted to and approved in writing by the Local Planning Authority prior to development commencing, and shall include an assessment of noise impacts on nearby noise sensitive uses, based on BS4142:2014 'Methods for rating and assessing industrial and commercial sound'. The NIA target criteria shall be a noise rating outcome of less than or equal to the pre-existing background noise level at all identified noise sensitive receptor locations.

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

17. The development shall not be used for the purposes hereby permitted unless a Noise Management Plan (NMP) has first been submitted to, and approved in writing by, the Local Planning Authority. The NMP shall include (but not be restricted to) details of the following;

(i) appropriate detail of equipment, facilities and procedures to be utilised so as to minimise noise breakout and prevent excessive levels of noise at nearby noise sensitive dwellings;

(ii) restrictions governing the use of audible warning systems, including reversing warning systems for vehicles, mobile machinery or other equipment. Use of broadband reversing warning systems, visual warning systems or other alternatives shall be employed wherever necessary and/or practicable.

(iii) a noise compliance and monitoring strategy to determine compliance with agreed sound levels, as determined by an approved Noise Impact Assessment (NIA) report. The strategy shall:

- determine suitable reference target noise level(s) at accessible position(s) within the site boundary, for the purpose of routine, periodic noise monitoring compliance checks;
- establish an agreed method for an assessment of compliance with the agreed NIA criteria, to be undertaken by a suitably qualified independent professional on behalf of the operator in the event that substantiated noise nuisance complaints are received by the Local Authority.

In the event that the agreed target noise levels are shown to be typically exceeded and the cause of justified noise nuisance complaints, the operator shall, within a timeframe to be agreed with the Local Planning Authority, be required to further enhance and refine the NMP and/or operations, equipment or abatement techniques, so as to achieve compliance with the target noise levels.

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

Other Compliance Conditions

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

Reason: To ensure satisfactory drainage arrangements.

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

Reason: To ensure satisfactory drainage arrangements.

20. No external storage of materials, containers, skips or bins shall take place on site other than in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

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

21. HGV vehicle movements on-site and for purposes of site access and egress shall be restricted to the hours of 0700 to 1900 on all days, save for case of emergency.

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

22. The development hereby approved shall be carried out in accordance with the recommendations contained in Section 7 of the Ecological Survey prepared by Clarkson & Woods dated July 2017.

Reason: In the interests of biodiversity.

23. Any on-site vehicles or mobile plant requiring the use of audible reversing alarm warning systems shall operate using broadband 'white noise' reversing alarms only, and shall not operate using tonal 'beeper' alarm systems. No visiting vehicles requiring the use of audible reversing alarm warning systems shall operate on or access the site outside the hours of 0700 to 1900, unless fitted with a broadband 'white noise' reversing alarm system.

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

24. A system of odour management, monitoring and control shall be implemented at all times, in accordance with approved the LPA approved Odour Management Plan; Earthcare Technical Ltd v1.0; August 2017.

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

25. All biodegradable process feedstock shall be imported by a fully enclosed piped system. At no time shall feedstock be supplemented by way of importation by road haulage using HGVs, tankers or other non-piped methods.

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

26. Dust emissions during demolition, groundworks and construction phases shall be managed, monitored and controlled in accordance with the approved Construction Dust Management Plan; Earthcare Technical Ltd; v1.0 August 2017.

Reason: In the interests of the amenities of the locality

27. Construction and demolition works that are audible at the site boundary shall take place only 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

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

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

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. 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:

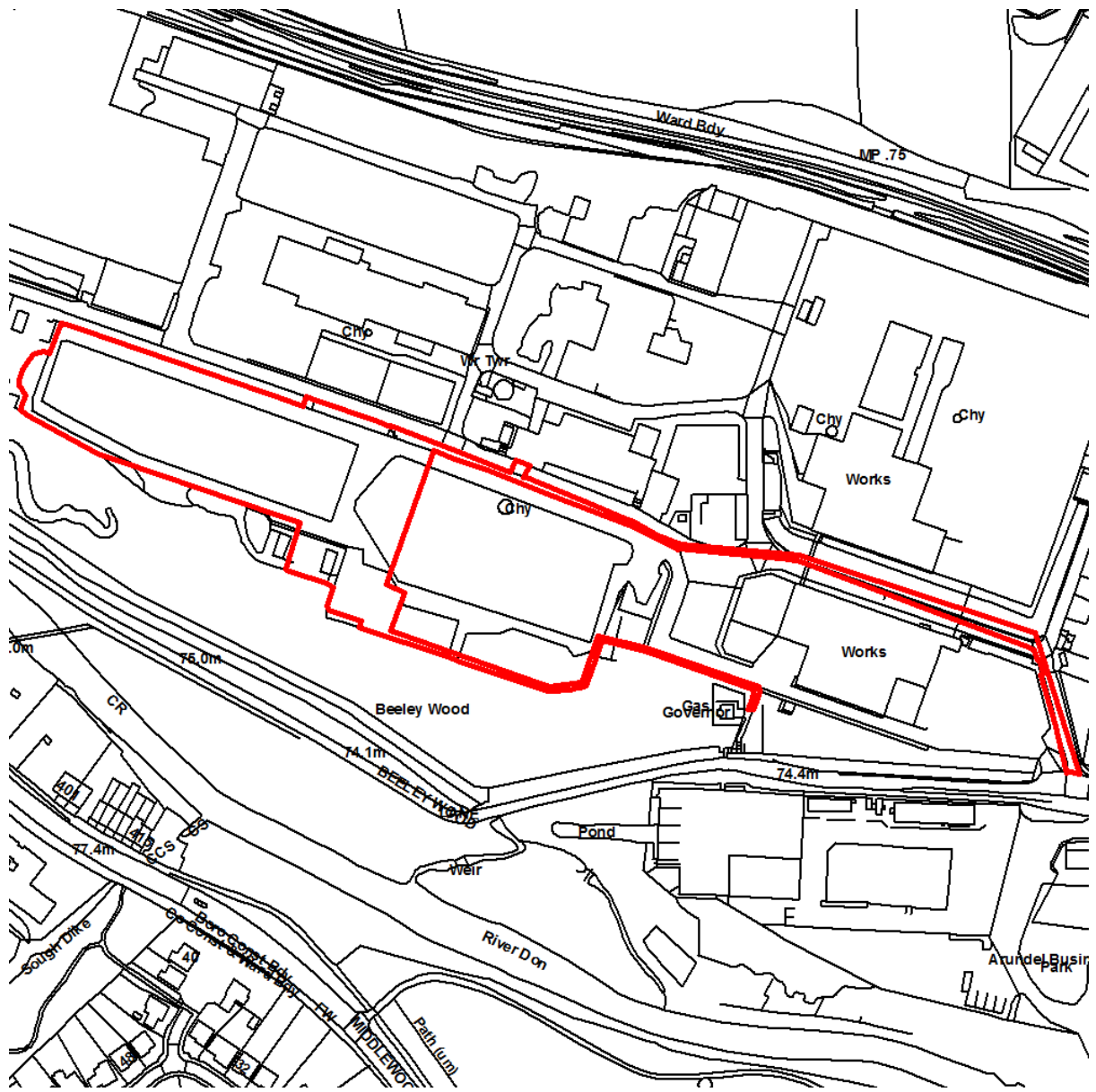
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

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.

3. The applicant is advised to contact Yorkshire Water at tech_support.engineer_south@yorkshirewater.co.uk regarding requirements for mains reinforcement.
4. Applicant is advised to contact the Environment Agency regarding the requirements of the Environmental Permitting Regulations 2016. The Environment Agency can be contacted at YorkshireWaste@environment-agency.gov.uk
5. Applicant is advised to contact the Health and Safety Executive regarding the requirements of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR).
6. 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

The application site comprises approximately 1.9 hectares of land on part of the lower terrace of the former Union Carbide (UCAR) site at the northwestern end of the Claywheels Lane industrial estate off Penistone Road North.

The former UCAR site extends to approximately 18 hectares in total of which approximately 14 hectares comprises the land that was previously developed. The UCAR site is on the southwest facing slopes above the River Don and was partly cut into this hillside generally forming two large terraced areas on which the former industrial complex was built. Most of the former industrial buildings on the UCAR site have been demolished.

There are existing businesses operating in some of the remaining buildings on the UCAR site including a food recycling facility.

The land alongside the south and west boundaries of the application site is wooded and slopes down to the River Don. Along the northern boundary of the application site is a high retaining wall above which is row of trees with the remainder of the UCAR site beyond.

On the opposite side of the valley are the residential areas off Middlewood Road, whilst further down the valley to the east are the residential areas off Foxhill Road and Penistone Road North.

PROPOSAL

The proposal seeks full planning permission for the erection and operation of a waste management facility comprising an anaerobic digestion plant for the processing of biodegradable waste (maximum feedstock of 65,000 tonnes per annum).

The applicant has submitted various statements in support of this application including a Landscape and Visual Impact Assessment, a Settings Assessment, an Ecological Survey, a Transport Statement, a Noise Report, an Air Quality Assessment, an Odour Management Plan, a Construction Dust Management Plan, a Phase 1 Contamination Desk Study, a Mining Risk Assessment, and a Flood Risk Assessment and Drainage Strategy, together with a Planning Statement and a Design and Access Statement.

The proposed anaerobic digestion facility would receive feedstock via a new pipeline from the existing food recycling facility operated by Waste Recycling and Destruction Limited which is on the adjacent land on the upper terrace of the UCAR site.

The food waste feedstock would be pumped via this new pipeline from the existing food recycling facility to the proposed facility, firstly to a pre-digestion storage tank from which it is then fed by automated pumps into the digester tanks where it is heated to 40 degree Celsius and stirred to maximise the production of biogas. This process is contained within a closed system to prevent odour being emitted.

Anaerobic digestion is the process where organic material is broken down into carbon dioxide, methane and water by micro-organisms in the absence of oxygen. The reaction occurs in sealed tanks. The applicant has stated that the process takes between six and eight weeks to complete the cycle.

Following processing the resultant biogas would be upgraded on-site to biomethane and fed into the national gas grid.

Some biogas is to be retained and utilised on-site to power a combined heat and power engine to generate heat and electricity. The heat from the process is utilised to warm the digester.

A digestate is also produced which is a nutrient rich bio-fertilizer that can be used as a fertiliser and soil improver.

The applicant has stated that the solid digestate would be processed through a screw press and loaded onto a heavy goods vehicle for distribution and use on agricultural land within Sheffield's hinterland, predominantly to the north of Sheffield.

The liquid digestate would be collected and stored on site within designated tanks before it is taken by HGV tankers for spreading on agricultural land.

The proposed anaerobic digestion facility would operate 24 hours a day, 7 days a week. There would be three members of staff typically on site at any one time. The applicant has stated that the digesters and combined heat and power plant would be continually monitored remotely online by the relevant technical support and equipment suppliers.

The proposed anaerobic digestion facility would have an on-site capacity of 9,365 cubic metres and would generate up to 7 million cubic metres of biomethane annually and up to 60,000 tonnes of solid and liquid digestate annually.

The proposed facility comprises 5 large cylindrical tanks, a large stores building, and several items of plant and equipment.

The 5 large tanks cover the majority of the site and vary in height from 12.3 metres to 18.5 metres high. The tanks comprise:

- a reception tank (cylindrical tank 12.34 metres in diameter with tank wall height of 12.3 metres);
- a digester tank (cylindrical tank with dome roof 32.4 metres in diameter with a maximum height to top of dome of 18 metres);
- an after digester tank (cylindrical tank with dome roof 28.4 metres in diameter with a maximum height to top of dome of 16.5 metres);
- after storage tank 1 (cylindrical tank with dome roof 33.4 metres in diameter with a maximum height to top of dome of 18.5 metres);
- after storage tank 2 (cylindrical tank with apex cover roof 33.4 metres in diameter with a maximum height to top of apex of 15.5 metres).

The stores building would be sited alongside the retaining wall and would have a base 15.5 metres by 14 metres base and would be 12 metres high.

The range of other tanks and equipment would consist of:

- 2 CO₂ storage tanks (each 3 metres diameter, 12 metres high)
- a standby flare (within a flue which is 1.8 metres diameter and 10.5 metres high);
- a desulphurisation tank (3 metres diameter and 9 metres high);
- 3 sanitation tanks (each 3 metres in diameter and 4.4 metres high);
- 2 propane tanks (each 11.2 metres long and 3 metres diameter on supporting framework);
- biogas upgrading containers (overall 13 metres by 10.4 metre base and in part up to 4 metres high);
- 4 containers (each 6 metres long by 2.5 metres wide and 2.6 metres high) comprising a control container CO₂ unit, a heating header container, a control container, and a gas entry unit container;
- a thin fraction tank (1.7 sq. metre base, and 3 metres high).

The remaining items would comprise:

- CO₂ liquefaction plant (within a covered structure which would be 12 metres by 5.6 metres base, and 7.5 metres high);
- a combined heat and power container (7.5 metres long by 2.5 metres wide and in part up to 6 metres high);
- 2 biofilter/scrubbers (one 5.3 metres long by 2.25 metres wide by 2.8 metres high, and one 12 metres long by 4 metres wide by 4 metres high);
- a decanter bay (4 metre high walled bay with 3 metre high plant above);
- a transformer (2 metres by 2 metres base, and 2 metres high);
- a site office (15 metres by 4 metres, and 3 metres high).

A pipeline connection to the national gas grid is also proposed running from the gas entry container to the existing gas connection point at the eastern end of the site.

The proposed reception, digester and storage tanks would all be grouped within an area surrounded by a bund wall.

RELEVANT PLANNING HISTORY

The site was formerly used for the manufacture of electrodes (originally by British Acheson Electrodes Ltd, and subsequently by Union Carbide Company Ltd (aka UCAR Ltd). The use of the site for the manufacture of electrodes ceased several years ago.

In 2006 planning permission was refused for residential development on the site for reasons that the loss of the industrial and business land would cause harm to the economic development and employment opportunities of the city and that the proposal would result in unsustainable residential development due to its poor

accessibility to local facilities and its separation from existing residential areas contrary to the Government's planning policy guidance (application no. 05/04613/OUT refers).

In 2007 a certificate for lawfulness of proposed use was issued for the former UCAR site relating to the proposed use of buildings for offices, general industry, composting, and materials recovery excluding scrapyards, minerals recovery and breaking of auto vehicles (application no. 07/04221/LD2 refers).

Applications on nearby land include:

Chimneys/Water Tower:

Elsewhere on the UCAR site, an application seeking prior approval for the demolition of 4 no. 65 metre high chimney stacks, a water tower and partly demolished industrial building was submitted in June 2017 (application no. 17/02668/DPN refers).

Access from Beeley Wood Lane:

In August 2017 an application was submitted seeking full planning permission for improvement to the existing access into the Beeley Wood Sustainable Industries Park including demolition of a brick security gatehouse, road widening and erection of a replacement gatehouse (application no. 17/03642/FUL refers). This application is currently under consideration.

Ballast Phoenix Ltd aggregates recycling facility:

In November 2017 planning permission was granted to vary the conditions of the planning permission for the aggregates recycling facility operated by Ballast Phoenix Ltd on their site at the western end of the former UCAR site to allow an increase in throughput to 200,000 tonnes per annum, to vary the hours of operation, to increase stockpile heights to 8 metres, and to revise the storage layout on their site (application no. 16/04644/FUL refers).

Abbey Forged Products Ltd steel press shop building:

In November 2017 full planning permission was granted for the erection of a general industrial (use class B2), business (use class B1) and office/distribution (use class B8) building including steel press shop with associated parking, external storage area/yard and security office on land off Beeley Wood Lane/Limestone Cottage Lane (application no. 16/04046/FUL refers).

SUMMARY OF REPRESENTATIONS

This application has been publicised by display of site notices, newspaper advert and letters to neighbouring properties.

40 representations objecting to the proposal have been received relating to the following matters:

- site is in close proximity to residential areas 150 metres away, not in line with Core Strategy for lower and upper Don valley which states manufacturing will

continue to be important in these areas where it will be developed away from residential areas;

- assess full impact of the sustainable industry park; to determine if this is right location, cumulative effect of expanding industrial activity, existing operations already having negative impact on the local environment, concentrating dirty polluting hazardous processes in the middle of heavily populated areas makes no sense;
- pushing out the Green Belt limit has geographical consequences which is to enclose Beeley Wood industrial estate, woodlands already too industrialised, unacceptable in large semi-rural area, retrograde step;
- it's in a built up residential area, too close to residential areas, impact on residential properties will be dramatic, impact on park and organisations and businesses in the area;
- egregious proposal, huge development, out of scale with local environment;
- upgraded junction between Clay Wheels Lane and A61 does not seem to have improved flow of traffic and at times dangerous, traffic queues blocks junction and pedestrian crossing, great volume of traffic on Halifax Road and Penistone Road, Middlewood Road already a heavily used road, traffic lights on Clay Wheels Lane outside Sainsbury's often disregarded by motorists;
- many extra HGV movements, traffic increase on Middlewood Road not considered, create additional traffic on congested roads, no serious accidents but many near misses;
- detrimental effect on local community, close to schools and nursery, make quality of life in area worse, detrimental to health of people in the area, increase health risks;
- prevailing wind will carry emissions and odours down the valley, wind does not only blow in one direction;
- noise surprisingly intrusive as it carries across the valley, site already makes a considerable noise, noise already above WHO guidelines, consider cumulative noise effect in view of already above national guidelines background level affecting residents, insufficient detail on intermittent noise from flare stack operating overnight, noise impact reports and data vary reducing confidence, monitoring on Forest Close used for Northwood Drive assessment is not comparable, monitoring sites at a lower level to the proposed biogas site, impacts of how sound travels across and up the valley;
- loading solid digestate onto lorries is where proposed development is closest to residential properties;
- nuisance smells, will produce disgusting smell, noxious smells, would be good to see feedback from residents who live close to similar plants, actual odour emitted can be considerably higher;
- dust risk to local residents, dust during construction phase could pose a health risk;
- bad air pollution, air quality in area already badly affected by other operators and HGV traffic, regularly exceeds limits for nitrogen dioxide, increase pollution, contaminated air, make bad situation worse;
- unacceptable risk of explosion, fire and explosion, many examples where safety systems people or processes fail, damage and threat to life, risk of gas flare close to incinerator bottom ash plant, health and safety concern;
- hazards of asphyxiation and disease;

- chemical processes hazardous to health, components of biogas (methane, carbon dioxide, hydrogen sulphide, ammonia) have potential to impact the local community, industrial chemical process to manufacture volatile hazardous product with nasty by products, catastrophic failure is a real risk;
- burning of waste food and associated processes will produce volatile biogas smell and toxic gases as a result of incineration;
- waste will encourage vermin, will increase problem of flies;
- contamination risk, site may contain asbestos, further investigations need to be done;
- environmental impact, water pollution, create more damage to woods and wildlife, area contains three species of bats, increase in nitrogen deposition above recommended levels;
- ten metre gas flare will be in operation for a significant amount of time visible from a large area, large visual impact, cumulative impact on visual amenity, remaining buildings on site are much lower in height;
- security;
- usually located away from densely populated areas, should be in proper industrial locations, surely there is a more heavy industrial area it could be built in, plenty of spaces in Sheffield where heavy plant can be located on the outskirts and near business parks, re-site these facilities to a more sparsely populated area;
- scheme has not been publicised, lack of public consultation;

Representations made relating to depreciation in value of property are not material planning considerations.

A representation from Councillor Lindars-Hammond has been received;

- support creation of jobs for local people and regeneration of local sites;
- concerned that with the granting of planning permission on this site three main factors must be strictly considered and any application that cannot meet these requirements must be rejected. Furthermore enforcement around these factors should take place on any granted application:
- noise, the current background noise must be controlled to a level acceptable to residents and no application must be allowed to make noise above an acceptable current background level;
- odour, no strong odour, capable of being smelt any considerable distance from its source, certainly not as far as any residential properties;
- traffic, do not support any application that requires vehicle movements past residential properties at early or late in the day, nor during the night, the capacity of any road must be assessed to ensure it can cope with any allowed vehicle movements with sufficient spare capacity.

Bradfield Parish Council has submitted an extract of a minute of a recent meeting they held at which this application was discussed. The minute relates to matters raised by Parish Councillors and residents including the following:

- the application is good in terms of renewable energy but understand resident's concerns;

- the site was originally designated for housing and industrial use is now becoming main feature;
- could mean 4000 tankers per year;
- noted concerns regarding noise surveys, noise quality varies greatly when wind is in different directions, like to see more surveys allowing for different wind directions;
- like to see further studies into auxiliary flare use as suggested 8% amount of use seems quite significant;
- concerns regarding increase in tonnage, smells and dispersion of contaminants;
- there is currently odour from the site;
- If passed it is vital that the local authority monitors the operation with regards to noise levels, flare use and odour emitted, the Parish Council should insist on adequate monitoring;
- city council may have failed to consult local residents in relation to local issues, like to see further consultation;
- use of larger vehicles is a concern;
- concerns regarding noise levels, surveys will not be providing accurate representation, currently hear every lorry;
- concerns regarding smells and pollution;
- maintenance releases odour;
- that the amount of waste currently being taken onto the site is less than intended amount is a concern;
- concerns regarding density of population in the area;
- purpose of buffer zone questioned;
- incremental rise of works on the site, cumulative effect is a worry;
- a request asking that City Councillors ensure comprehensive public consultation is carried out.

PLANNING ASSESSMENT

Policy Issues

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

The UDP was adopted in 1998. The UDP Proposals Map identifies the site as being within a General Industrial Area where general industry and warehouses are preferred uses (UDP Policy IB5 refers).

The UDP Proposals Map identified land across the city for various uses to meet the needs of the city including industrial and residential uses. The UDP also identifies the boundary of the city's Green Belt. The UDP identified the Claywheels Lane industrial estate as part of a General Industrial Area and identified land on the former Middlewood Hospital site as a Proposed Housing Site in full awareness of their future co-existence.

The Core Strategy was adopted by the Council in 2009. Core Strategy Policy CS1 relating to land for employment and economic development recognises the need to plan for general industry and storage/distribution and other sui generis general

industrial/processing uses. Core Strategy Policy CS5 identifies the Upper Don Valley as an area where manufacturing, distribution/warehousing and non-office businesses will be located, and Core Strategy Policy CS10 states that industrial and business uses will be promoted in the Upper Don Valley.

The Pre-Submissions version of the Draft City Policies and Sites (CPS) Document and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State. The Draft City Policies and Sites Document and Draft Proposals Map identifies the site as being within a Business and Industry Area where general industry, warehouses and storage, light industry and research and development are preferred uses (Draft CPS Policy H1 refers).

The proposed use is considered to be a sui generis use as it does not fall within general industrial use class B2 or any of the other uses specified in the Town and Country Planning Use Classes Order 1987 as amended. For the purposes of UDP Policy IB5 and Draft CPS Policy H1 the proposal will be decided on its individual merits.

In this instance it is considered that the proposed use is consistent with the industrial characteristics of preferred uses under UDP Policy IB5 and Core Strategy Policies CS5 and CS10.

UDP Policy IB9 relates to conditions on development in industry and business areas including IB9(a) which seeks to maintain a dominance of preferred uses. The proposal will not prejudice the dominance of preferred uses in the area and complies with UDP Policy IB9(a).

Sustainability

UDP Policy MW6 promotes developments involving recycling and reclamation of suitable waste materials except where they would be incompatible with surrounding uses.

Core Strategy Policy CS63 relating to responses to climate change states that action to reduce the city's impact on climate change will include (f) generating energy from waste.

Core Strategy Policy CS65 supports renewable energy and carbon reduction.

Core Strategy Policy CS68 relating to waste development objectives seeks to manage the city's waste more sustainably and encourages reduction and reuse of waste products, and a range of additional treatment facilities mainly in industrial areas to meet the regional apportionment for commercial and industrial waste and other waste streams.

The Government's National Planning Policy Guidance (paragraphs 6 and 7) on waste states that local planning authorities should have regard to the principles of self-sufficiency and proximity when exercising their planning functions relating to waste management. It states that though this is the aim there is no expectation

that each local planning authority should deal solely with its own waste to meet the requirements of self-sufficiency and proximity principles, nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations.

The proposed facility, which will recover energy and a soil additive from waste, accords with the principle of UDP Policy MW6 and Core Strategy Policies CS63(f), CS65 and CS68. The resultant synergy with the proposal's co-location with the existing food recycling facility is considered beneficial to the aims of achieving sustainable development.

The proposal would have a positive impact on the regeneration of this site.

Highway and Transportation Issues

UDP Policy IB9 relating to conditions on development in industry and business areas includes matters of highway safety.

The proposed facility would be accessed off Beeley Wood Lane via the internal service road running through the former UCAR site. This internal service road is shared with other businesses on this wider site.

From Beeley Wood Lane the proposed facility would be accessed to and from the A61 Penistone Road via Claywheels Lane which is the most direct and suitable route.

There is one other route to the site on the local road network which runs from Foxhill Road via Midhurst Road/Limestone Cottage Lane, however this route passes beneath a low arched bridge on Limestone Cottage Lane which has a restricted headroom of 3.2 metres.

The vehicle routing plan submitted with the applicant's Transport Statement shows the designated route to gain access to and from the application site from the A61 as passing along Claywheels Lane and Beeley Wood Lane.

The UDP identifies the A61 as part of the city's strategic road network. Beyond the A61, Middlewood Road is the main route serving the upper Don valley.

The junction of Claywheels Lane and the A61 was remodelled in 2013. A survey of the peak hour flows through the junction was carried out in March 2016. The 2016 survey of the Claywheels Lane/A61 junction shows in the AM peak hour 1,612 vehicles travelling southbound on the A61 of which 1,487 continue southbound to the Leppings Lane/ Herries Road junction and 125 vehicles turn right into Claywheels Lane with 80 vehicles joining the A61 southbound from Claywheels Lane.

The 2016 survey for northbound traffic on this part of the A61 also shows 1,239 vehicles travelling north during the AM peak of which 1,080 vehicles continued north through the junction, and 159 vehicles turned left into Claywheels Lane. 77 vehicles turned left from Claywheels Lane onto the A61 northbound.

The applicant's Transport Statement has reviewed personal injury accidents data within the five year period up to 2016. There has been no personal injury accidents recorded within the industrial site in the five year period. The data indicates one incident (categorised as slight) on Beeley Wood Lane, no incidents on Claywheels Lane, and two (one slight, one serious) at the Claywheels Lane/A61 junction. The conclusion drawn is that although there have been three incidents occurring over the five-year period, there is no pattern of the incidents which cause concern regarding highway safety.

The applicant's Transport Statement recognises that the proposal provides an opportunity to use the food waste product sustainably at the point of sorting rather than transporting it elsewhere for disposal.

The Transport Statement identifies that the proposal will generate vehicle movements to transport the digestate produced. The vehicles used would be heavy goods vehicles (HGVs) such as tankers or sealed food waste collection lorries.

The Transport Statement estimates that the total number of two-way HGV vehicle trips which will be generated by the proposed development will be around 4,000 per year assuming the plant is running at full capacity, which equates to an average of approximately 11 two-way trips on the local network per day (as the HGVs arrive empty and leave full this is equivalent to 6 in and 6 out movements per day to transport the digestate product each day). The HGV trips would occur during the daytime.

There would also be approximately 6 light vehicle movements per day associated with the three members of staff typically on site at any one time. The applicant anticipates 2 staff shifts per day.

The Transport Statement considers the HGV trips and the staff vehicle trips to be immaterial in real terms and unlikely to have a severe impact on the operation of the local highway network.

The applicant's submissions have been assessed. It is considered that the 11/12 two-way HGV trips generated by the proposal each day and the six light vehicle movements per day would not be consequential in relation to the existing background traffic.

The proposal includes sufficient on-site provision for manoeuvring and parking of heavy goods vehicles and provides 3 car parking spaces for staff.

The proposal uses the primary highway network mostly along the A61. The increase in traffic on the local road network is negligible.

It is considered that the existing road network can accommodate the increase in traffic movements and would not cause harm to highway safety.

There are two extant planning permissions recently granted for development of land within the Claywheels Lane industrial estate (application nos.16/04046/FUL and 16/04644/FUL) which will generate additional traffic movements of 3 HGVs, and 1 HGV and 1 light vehicle movements per hour respectively. The anticipated increase in staff from these developments would be mainly outside the morning and evening peak hours. In the context of the capacity and flows on the local road network the cumulative increase of these two developments recently granted planning permission and the current proposal is not significant and the existing road network can accommodate the increase in traffic movements and would not cause harm to highway safety.

There are no highway objections to this proposal.

Effect on the Amenities of Residents and the Locality

UDP Policy IB9 relating to conditions on development in industry and business areas includes matters of amenity and design. UDP Policy IB14 requires an environmental buffer between industry and sensitive uses.

Beyond the industrial areas off Claywheels Lane and Beeley Wood Lane there are blocks of woodland and open spaces beyond which are the residential areas off Middlewood Road/Middlewood Road North and off Foxhill Road.

To the southeast, south and southwest of this application site there are residential properties along Middlewood Road and Middlewood Road North, off Winn Gardens, and on the hillside on the opposite side of the valley.

Beyond the former UCAR site to the north there are some isolated residential properties in the open countryside and further to the northeast and east are the edges of the residential areas off Foxhill Road. To the east of the former UCAR site there is a single dwelling (known as Limestone Hall Farm) amongst the various commercial uses on Limestone Cottage Lane. At the southeastern end of Claywheels Lane there is a row of residential properties set back from the road frontage, and several other residential properties off Beeley Wood Road.

The impacts of the proposed development on residents and the locality are assessed below.

Other Regulatory Regimes

The Environment Agency has stated that the proposed anaerobic digestion plant will need to be regulated by the Environment Agency under an environmental permit. The Environment Agency has advised that this means that the operator will need to employ best available techniques in the operation.

This will impose amongst other things controls on environmental emissions including noise, dust, odour, other atmospheric emissions, emissions to controlled waters and land quality including site restoration on decommissioning.

The applicant has confirmed that the proposed facility is also controlled by the Dangerous Substances and Explosive Atmosphere Regulations (DSEAR) which state the legal requirements for managing the risk of fire, explosion or similar events arising from dangerous substances at the workplace. These regulations are enforced by the Health and Safety Executive (HSE). The applicant has stated that the technical design of the plant and its normal operational procedures takes into account the requirements of DSEAR.

The applicant has stated that the substances stored on site where relevant fall below the threshold for regulation under the hazardous substances consent regime.

Noise

UDP policies include Policy GE24 relating to noise pollution which seeks to ensure development will only be permitted where it would not create noise levels which would cause a nuisance, or locate sensitive uses and sources of noise pollution close together. UDP Policy IB9 seeks to ensure that new development would not cause residents to suffer from unacceptable living conditions.

The Government's planning policy guidance contained in the National Planning Policy Framework (NPPF) states that the planning system should contribute to and enhance the natural and local environment by, amongst other matters, preventing new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution (NPPF paragraph 109). The Government's planning practice guidance (NPPG) on noise advises on how planning can manage potential impacts in new development.

The applicant's submissions include a noise assessment which has subsequently been supplemented with additional supporting information.

The applicant's noise assessment has been informed by noise surveys undertaken by the applicant's consultant in the vicinity of the site. The locations surveyed were at Underhill Lane, Limestone Cottage Lane, Middlewood Road North, Stockarth Place and Forest Close. This data has been used to assess the impacts at receptor locations on Underhill Lane (approximately 390 metres to the north of the main part of the facility on the application site), Limestone Cottage Lane (approximately 480 metres to the east), Northwood Drive (approximately 180 metres to the south), Middlewood Road North (approximately 140 metres to the south), Stockarth Place (approximately 210 metres to the southwest), and Rowborn Drive (approximately 230 metres to the southwest).

The noise assessment report considers the assessment locations are representative of external amenity areas such as gardens and are assessed at a height of 1.5 metres above ground level with the exception of the Middlewood Road North receptor location which is assessed at 4 metres above ground as the property has an elevated balcony.

The applicant's Noise Assessment Acoustics Report identifies the noise generating elements of the proposed facility as including the combined heat and power engine

and exhaust, the biogas upgrading equipment, the emergency/backup flare stack, and HGV movements.

The combined heat and power engine would be housed within an acoustic enclosure to attenuate noise break out from the generator. The biogas upgrading equipment comprises a number of items of plant which are to be located in a number of weather proof containers.

The noise report notes that the flare stack could be used at any time during the commissioning phase of the development, after which the flare stack is only for use in situations necessitating the gas to be safely burnt off (i.e. when the gas cannot be exported to the National Grid and/or when the combined heat and power unit is not operational for example during maintenance). The flare would not be visible from outside the flue stack.

Noise mitigation measures included in the assessment include the combined heat and power enclosure, a silencer on the combined heat and power unit exhaust, and a speed limit of 16kph (10mph) for vehicles on the site. The noise assessment report assumes that the HGV movements would occur between 0700 hours and 1900 hours.

Typical operations of the proposed facility would generate low levels of constant noise.

The noise assessment sets a notional target of 1dB below background. During the daytime operations of the proposed facility, the noise levels would be below the notional target for all six receptor locations (ranging from minus 3dB at Stockarth Place to minus 5dB at Northwood Drive). During the night-time the noise levels at five of the locations would be at or below the notional target (ranging from -6dB at Middlewood Road North to +/-0dB at Stockarth Place). The exception being at Northwood Drive where the noise level would be +1dB above the notional target, which is the equivalent to the noise level being at existing background level.

The applicant's noise assessment also considers the noise impact associated with the emergency operation of the flare stack during the night-time which is when the greatest noise impact associated with the flare stack is likely to occur due to lower background noise levels. The noise levels generated by the flare stack would be at or below the notional target during the night-time (ranging from -6dB at Limestone Cottage Lane to +/-0dB at Northwood Drive). Thus any night-time operations of the emergency flare stack would fall below existing background levels at all six receptor locations.

From this assessment it is noted that the noise levels from typical operation of the facility would not exceed existing background sound level at the assessment locations.

During the daytime, noise levels of typical daytime operations generated by the proposed development would be below the existing background sound level. The noise from the facility during typical daytime operations is considered by the applicant's noise assessment to have a low impact.

During overnight operations there would be no vehicle movements. The noise levels of typical overnight operations would be at or below existing background sound levels. The noise assessment considers the noise from the facility during typical overnight operations to have a low impact.

The noise levels generated by the flare stack would fall below existing background levels whether operated during the daytime or during the night-time.

The applicant's assessment considers the noise generated by the proposed facility would be considered noticeable and not intrusive. In accordance with the Government's National Planning Practice Guidance (NPPG) on noise this would be categorised as having no observed adverse effect.

The Council's Environmental Protection Service has advised that the background noise assessment is considered thorough and appropriate.

It is noted that the monitoring locations for collecting the survey data on existing background noise levels and the comparator assessment receptor locations are generally representative with the possible exception of using the Forest Close monitoring location to inform the Northwood Drive receptor location assessment. During the daytime the assessment predicts noise from the proposed development to be -15dB below the notional target level (1dB below background) at Northwood Drive. This provides a significant safeguard should the surveyed background level at Forest Close be higher and therefore not representative of that at Northwood Drive. During the night-time when there is less traffic on the road it is more likely that the surveyed background level at Forest Close is representative of that at Northwood Drive.

Whilst the noise assessment undertaken by the applicant sought to achieve a notional target of 1dB below existing background sound level, the assessment achieves this with one exception where it would be +1dB above the notional target, i.e. it would be at existing background sound level. The relative impact of a +/- 0dB to a +1dB difference is considered acceptable in this instance.

It is considered that the impact of the proposed development would not be so adverse that it would cause significant harm to the living conditions of occupants within the surrounding locality. A condition is recommended to ensure the operation of the proposed facility complies with the predicted noise impacts and to secure additional attenuation measures should it be found that the operation of the facility exceeds the predicted noise impacts.

Whilst the two extant planning permissions recently granted for development of land within the Claywheels Lane industrial estate (application nos. 16/04046/FUL and 16/04644/FUL) will generate additional noise from the approved operations, these noise levels were assessed as being below background for receptors in the locality with the exception of the receptor at the existing dwelling on Limestone Cottage Lane where planning permission 16/04046/FUL would have an adverse impact. The noise assessment submitted with the current proposal shows the

noise levels of the current proposal to be -6dB (daytime) and -3dB (night-time) below background levels respectively.

It is considered that cumulatively, these two extant planning permissions and the current proposal, would not have a significant impact on noise sensitive receptors and in the context of the impacted dwelling on Limestone Cottage Lane its location amongst existing industrial premises on an industrial estate, it is considered that the impact of the proposed developments would not be so adverse that they would cause significant harm to the living conditions of the occupants.

Conditions to secure controls over hours of HGV access, and the type of vehicle reversing alarms are also recommended.

The proposal complies with UDP Policy GE24.

Air Quality

UDP policies include Policies GE22 and GE23 relating to pollution and air pollution which seek to ensure development is sited so as to prevent or minimise the effect of pollution on neighbouring land uses or the quality of the environment and people's appreciation of it.

NPPF paragraph 109 also seeks to prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of air pollution.

An air quality assessment and an odour management plan have been submitted in support of this application.

The applicant's air quality assessment recognises the site's location within the Sheffield city-wide Air Quality Management Area for exceedances of nitrogen dioxide and particulate matter. It addresses the local air quality impacts associated with the construction and operational phases of the proposed development.

The assessment is based on emissions data from the respective technology providers and predictive modelling. The potential for dust impacts during construction against the Institute of Air Quality Management (IAQM) guidance and assessment criteria. Impacts from combustion emissions and potential odour impacts have been modelled and evaluated using Environment Agency and IAQM criteria.

The main impacts during the construction phase are dust from traffic movements and construction, and combustion pollutants from construction traffic.

The associated construction activities would involve demolition of hardstandings and construction of site infrastructure. The air quality assessment considers the traffic that would be generated during the construction phase (an average maximum of 60 light duty vehicles and 24 heavy duty vehicles). The air quality impacts associated with road traffic emissions as a result of the construction phase would be negligible in accordance with DMRB and IAQM criteria.

The air quality assessment states that the site is considered to be of low risk regarding potential dust and particulate matter during the construction phase. In accordance with IAQM criteria the potential for dust impacts is not significant.

Notwithstanding this, the applicant proposes that dust mitigation measures are to be included under a Construction Dust Management Plan. These measures would include the inherently damp nature of the digestate, loading solid digestate directly onto HGVs which will be covered (sheeted) prior to dispatch, and routinely cleaning operational areas.

During the operational phase, the main impacts associated with the facility that have the potential to give rise to emissions to air are identified by the air quality assessment as combustion pollutants from traffic, combustion pollutants from the combined heat and power unit and auxiliary flare, emissions from the biogas upgrading plant, and odours from on-site digestate loading operations. The proposed anaerobic digestion process does not involve the burning of food waste. The food waste is delivered to the digester on site in an enclosed pipeline.

As feedstock to the facility is conveyed within a sealed pipeline and the aerobic digestion process is sealed, there is limited potential for fugitive emissions of dust and odour to arise during the operational phase.

The auxiliary flare is installed as a safety feature and is not used under normal operating conditions. The Air Quality Assessment states that the flare would run generally for between 2% and 8% of the year.

With regards to combustion emissions, the air quality assessment has modelled the impacts of nitrogen dioxide from the combined heat and power unit, carbon monoxide, and non-methanogenic organic compounds. These emissions are assessed as being within the air quality standards and as not significant.

The principle component (99%) of the exhaust gas from the biogas upgrading process is CO₂ which is recovered and stored for re-use off site. The remaining 1% is minor emissions of methane, nitrogen and oxygen.

The assessment also notes that various measures of mitigation are incorporated into the facility including, apparatus that allow for automatic monitoring and control of the plant to minimise the use of the auxiliary flare which will not be used under normal operating conditions, undertaking regular maintenance, use of biogas to fuel the combined heat and power engine such that it is not expected to be associated with the emissions of particulates, and using stacks of sufficient height to allow for effective dilution and dispersion of any residual pollutants. Any residual contaminants would be filtered through activated carbon filters prior to combustion.

Approximately 82 tonnes of solid digestate product will be removed from the site each day and discharged directly into a HGV. The applicant has states that the solid digestate has a very low odour due to its higher dry matter. The digestion process minimises the residual gas content which reduces the residual odour of the digestate. The applicant's submissions state that the volatile organic

compounds are largely eliminated through the long digestion times and there is almost no odour when the digestate is static and a faint odour when it is agitated. The solid digestate will be fed into a trailer and once full it will be covered with a roller sheet, then swapped with an empty trailer before being directly delivered to a local contracted farm.

The Air Quality Assessment identifies that the highest predicted 98th percentile hourly mean odour concentrations experienced by industrial premises would be 0.034 oue/m³ and by residential premises would be 0.028 oue/m³ which is below the most stringent (1.5oue/m³) criterion contained in the Environment Agency odour management guidance.

The air quality assessment considers that the impacts from combustion emissions would be insignificant and negligible, and that it is unlikely that odours from the transfer and temporary storage of solid digestate would be perceived off-site.

The air quality assessment considers the impacts associated with road traffic emissions that would be generated during the operational phase (6 light duty vehicles and 11 heavy duty vehicles) would be negligible in accordance with DMRB and IAQM criteria.

The submitted odour management plan outlines the methods by which the operator will systematically assess, reduce and prevent activities at the installation that may give rise to offensive odours off-site. It is considered that the proposal would not result in significant air quality and odour impacts on the surrounding locality.

The air quality impacts associated with the recently approved proposals in the locality (application nos. 16/04046/FUL and 16/04644/FUL) associated with the construction and operational phases of those proposed developments were considered to be not significant. Both developments would have management plans for dust management. The traffic generated by the proposals would not significantly impact on air quality. When considered cumulatively these extant permissions and the current proposal would not cause significant adverse emissions to the air.

Conditions are recommended to secure implementation of an odour management plan and a construction dust management plan.

The proposal complies with UDP Policy GE22 and GE23.

Landscape and Visual Impact

The UDP identifies part of the woodland to the south of the site as being an Open Space Area. Land alongside the river and further to the west and beyond the former UCAR site to the north is identified as being part of the Green Belt. The woodland is also identified as an area of natural history interest. The UDP also identifies the site as being within a green corridor.

The Government's planning policy guidance on Green Belts contained in the National Planning Policy Framework (NPPF) seeks to protect the character and

openness of the Green Belt. UDP Policy GE4 seeks to ensure that the visual amenities of the green belt are not harmed by development that is conspicuous from the green belt and that development is in keeping with the area. UDP Policy GE10 seeks to protect and enhance green corridors.

The proposed facility includes several items of plant and equipment grouped together on the site. Some of the items such as the storage and digester tanks have a wide base and would project significantly above the top of the adjacent woodland canopy and the adjacent 6 metre high retaining wall separating this lower terrace from the upper levels of the former UCAR site. The three largest tanks all have dome shaped roofs and would be between 16.5 and 18.5 metres high. The two other large tanks would be 12.3 metres high with a flat roof and 15.5 metres high with an apex roof, and the stores building would be 12 metres high. These larger items would have a simple form and design appearance. The proposed facility as a whole would have a functional industrial appearance.

The applicant's Landscape and Visual Impact assessment notes the site's location at the base of a relatively steep sided valley adjacent to the River Don and surrounded by mature woodland which limits views into the site from lower parts of the valley and the screening effect of the existing building on the former UCAR site on views from the north. Some limited visual effects can be discerned from greater distances higher up the valley.

The assessment considers that the site is characterised by its former use as a large factory which has mostly been demolished with remnant elements remaining and occupied by new uses. The proposal represents a continuation of the existing industrial character and would appear more modern in nature.

The Landscape and Visual Impact assessment considers the proposal to have a neutral impact on the character of the landscape which would be perceptible from the small number of locations from which the site is visible, and views of the development would be limited due to topography, trees and existing buildings.

The effects of construction on the landscape are temporary and for only a limited period. The proposal would have no significant impact on the woodland or water features.

It is recognised that the larger elements of the proposed facility would be significantly higher than the adjacent woodland and as such would be particularly visible from those parts of the surrounding area where views of the site can be seen from. However the industrial character of the proposed development would be compatible with the industrial context of the site and the industrial area as a whole. It is considered that the proposed development on this industrial site, whilst in part being higher than the adjacent woodland canopy to the south and the retaining wall alongside the immediate northern boundary, would never-the-less not be out of character with this industrial site. It is considered that the scale of the proposed development would not, in the context of the site and the surrounding landscape, significantly impact on the landscape character of the area.

The views of the site from the lower parts of the valley and close to the site are screened by the adjacent woodland. Views from elsewhere including from within the Green Belt, from public rights of way, public highways and residential areas are limited to more distant views where the proposed development would be seen in the wider context of the industrial site, woodland and the urban area.

It is considered that whilst the proposed facility would have some elements that are significantly higher than the surrounding woodland canopy, the proposal would not have a significant impact on the landscape character and visual amenity of the locality. The proposal would be visible but not unduly conspicuous from the Green Belt and would not harm the woodland Open Space or this Green Corridor. The proposal complies with UDP Policy GE4 and GE10.

Ecology Issues

UDP Policies GE11, GE12 and GE13 seek to protect and enhance areas of natural history interest. UDP Policy GE15 seeks to encourage and protect trees and woodland, and UDP Policies GE17 and GE26 seek to protect and enhance streams and rivers and water quality.

Whilst this is a brownfield site, there are several self-set trees on the site in places growing through the concrete base and in other places growing on mounds of demolition material. The adjacent woodland is close to the fringes of the site.

Parts of the woodland form two local wildlife sites (Upper Don and Beeley Wood) which hold significant value for local flora and fauna.

The proposal would result in the clearance of the existing demolition material on the site and the self-set trees. The proposal as originally submitted sought to run the gas connection pipeline eastwards through part of the adjacent woodland to the existing gas governor connection which is within the woodland.

The applicant has submitted an Ecological Survey Report with this planning application. The ecological survey report noted that the survey area comprises a brownfield site with hardstanding, spoil heaps with scrub and tall ruderal vegetation, an area of standing water (this is an open water tank which is just outside the application site) and broadleaved woodland along the southern boundary.

The ecological report notes that the areas of scrub and ruderal habitat within the application site will be lost as part of the site clearance and development proposals. The site is of low ecological value with the vegetation present being relatively common species typical of woodland fringe and waste ground.

As scrub offers nesting and foraging for bats and birds, the ecological report proposes mitigation measures comprising six bat boxes and eight bird boxes. It also proposes a construction management ecological plan to evaluate any impacts during the construction phase particularly to ensure the routing of the proposed gas pipe to the existing gas governor minimises and mitigates any impacts on the woodland, and initial annual monitoring (years 1, 2, 3, 5 and 10) of the woodland

habitat. The location of storage tanks within the proposed bund would mitigate spillage impacting on the adjacent woodland.

The proposed routing of the new gas pipeline to the gas governor has been revised such that a part of the route (for a 60 metre length) has been realigned outside of the woodland to reduce its impact on trees and wildlife. The revised route would pass through more peripheral parts of the woodland in two places one for a 20 metre length and one for an 11 metre length. It is considered that this revision significantly reduces the impact of the proposal on the woodland.

The Air Quality Assessment has considered the impact on sensitive ecological receptors including Beeley Wood which is designated a Local Wildlife Site. The potential for adverse impact at ecological receptors is assessed as being insignificant.

The air quality assessment states that the predominant route by which emissions will affect land in the vicinity of a process is by deposition of atmospheric emissions and ecological receptors can be sensitive to deposition of pollutants and has assessed nitrogen oxides impacts at ecological receptors. For statutory sites the predicted rates of nitrogen deposition are less than 1% of the critical load for each habitat. For local nature sites predicted rates of nitrogen deposition are within 10% of the critical load for each habitat with the exception of one location on the edge of the woodland to the south east of the facility where the predicted rate is 11.8% of the critical load. The annual mean acid deposition rates predicted are less than 1% of the critical load with the exception of the woodland edge to the south of the site where it predicts an impact at 1.1% of the critical load which marginally exceeds the 1% criteria for this location. The potential to adversely affect the integrity of the ecology of the area is considered to be insignificant.

Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection to the proposal. In respect of the Habitats Regulations, Natural England has noted that the submitted air quality assessment demonstrates that the process contributions for NOX emissions, nitrogen deposits and acid deposition from the proposed development are less than 1% of the critical load or level for each pollutant.

It is considered that the proposal would not significantly harm the natural environment and matters of biodiversity and wildlife interest. The proposal complies with UDP Policies GE11, GE12, GE13, GE15, GE17 and GE26.

Design

UDP Policy BE5 and Core Strategy Policy CS74 seek good quality design in new developments.

The proposed development would have a typical installation facility appearance, dominated by the large processing tanks and the storage building. The proposed external materials are functional and derived by the operational processes.

The larger elements of the proposed facility, which would be significantly higher than the adjacent woodland, would be particularly visible from parts of the surrounding area. The industrial character of the proposed development would be compatible with the industrial context of the site and the industrial area as a whole.

It is considered that the proposed development on this industrial site, whilst in part being higher than the adjacent woodland canopy to the south and the retaining wall alongside the immediate northern boundary, would never-the-less not be out of character with this industrial site. It is considered that the scale of the proposed development and its design would not, in the context of the site and the surrounding landscape, significantly impact on the visual amenity of the locality.

The proposal is in accordance with UDP Policy BE5 and Core Strategy Policy CS74.

Coal Mining Legacy

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

Following the applicant's submission of a Coal Mining Risk Assessment report the Coal Authority have advised that they do not object to the proposed development subject to a condition to secure intrusive site investigation works and remediation of any coal mining legacy.

Land Contamination

The applicant's Phase 1 Contamination Desk Study has assessed the former uses and geology of the site. It notes that the proposed redevelopment of the site will include minimal groundworks and that the site will be complete hardstanding cover. It assesses the consequent risk to human health as low and a moderate risk overall. The probability of a significant contamination risk to controlled waters is low to moderate. The desk study recommends further ground investigations.

Conditions are recommended to secure appropriated investigation and any necessary remediation works where required.

Flood Risk and Drainage Issues

The site is located within Flood Zone 1 where the risk of flooding is low.

The applicant's Flood Risk Assessment and Drainage Strategy notes that the majority of the site surface is to be retained as concrete, and that all tanks are designed within a bunded water containment area incorporating a sump for water recovery. There is existing on-site drainage which discharges to the River Don.

The Flood Risk Assessment states that the existing system will be surveyed and adjusted such that site runoff is gathered by the drainage system and conveyed to the watercourse. The reuse of water within the bunded area and a flow control

device reducing the rate of runoff will reduce runoff flow and volume to the watercourse.

The Environment Agency has raised no objections on matters of flood risk. Yorkshire Water Services Ltd has no objection to the proposed development subject to conditions securing separate systems of foul and surface water drainage, and details of foul and surface water drainage.

Gas Infrastructure

Cadent Gas own and manage the gas distribution network in the vicinity of the site. Cadent Gas has no objection to this application.

Lighting

The proposed lighting strategy seeks to limit light pollution and maintain minimal impact on the site surroundings whilst providing adequate levels of illuminance for the proposed exterior areas for safety of operatives and visitors.

To ensure that the impact of any external lighting does not significantly harm matters of ecology and local amenity, a condition is recommended to secure appropriate details of any external lighting prior to installation.

SUMMARY

The UDP, which was adopted in 1998, identifies the site as being within a General Industrial Area where general industry and warehouses are preferred uses.

The Core Strategy, which was adopted in 2009, identifies the Upper Don Valley as an area where manufacturing, distribution/warehousing and non-office businesses will be located, and where industrial and business uses will be promoted.

It is considered that the proposed use, which is a sui generis use, is consistent with the industrial characteristics of preferred uses for this General Industrial Area. The proposal will not prejudice the dominance of the preferred uses in this area.

The proposed facility, which will recover energy and a soil additive from waste, accords with the principle of UDP and Core Strategy Policies promoting developments involving recycling and reclamation of suitable waste materials and encouraging a range of additional treatment facilities mainly in industrial areas.

The proposal uses the primary highway network mostly along the A61. The increase in traffic on the local road network is negligible. It is considered that the existing road network can accommodate the increase in traffic movements and would not cause harm to highway safety.

Typical operations of the proposed facility would generate low levels of constant noise. The noise levels from typical operation of the facility would not exceed existing background sound level at the assessment locations. It is considered that the impact of the proposed development would not be so adverse that it would

cause significant harm to the living conditions of occupants within the surrounding locality.

The Air Quality Assessment considers that the impacts from combustion emissions would be insignificant and negligible, and that it is unlikely that odours from the transfer and temporary storage of solid digestate would be perceived off-site. The air quality impacts associated with road traffic emissions as a result of the construction and operational phases would be negligible. The potential for adverse impact at ecological receptors is assessed as being insignificant. It is considered that the operation of the proposed facility has a very low risk of significant dust emission beyond the site boundary.

The industrial character of the proposed development would be compatible with the industrial context of the site and the industrial area as a whole. It is considered that the proposed development on this industrial site, whilst in part being higher than the adjacent woodland canopy to the south and the retaining wall alongside the immediate northern boundary, would never-the-less not be out of character with this industrial site. It is considered that the scale of the proposed development would not, in the context of the site and the surrounding landscape, significantly impact on the landscape character and visual amenity of the locality.

The proposal would be visible but not unduly conspicuous from the Green Belt and would not harm the woodland Open Space or this Green Corridor.

It is considered that the proposal would not significantly harm the natural environment and matters of biodiversity and wildlife interest.

There are no other infrastructure concerns associated with this application.

The proposal complies with UDP Policies IB5, IB9, IB14, BE5, GE4, GE10, GE11, GE12, GE13, GE15, GE17, GE22, GE23, GE24, GE26, Core Strategy Policies CS5, CS10 and CS74, and accords with the principle of UDP Policy MW6 and Core Strategy Policies CS63(f) and CS68.

On balance, it is considered that the proposal is acceptable in principle and would have a positive impact on the regeneration of this site, and that there would be no significant adverse impacts on the amenities of residents and businesses in the area or on the local environment.

RECOMMENDATION

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

Case Number	17/03686/LBC (Formerly PP-06350286)
Application Type	Listed Building Consent Application
Proposal	Park Hill Phase 2 - Refurbishment of block to provide 199 residential units (Use Class C3) and 1,963sqm commercial space (A1, A2, A3, A4, B1, D1 & D2 uses), landscaping, car parking and associated works (application in support of reserved matters 17/03486/REM)
Location	Park Hill Estate Duke Street Park Hill Sheffield S2 5RQ
Date Received	31/08/2017
Team	City Centre and East
Applicant/Agent	Mikhail Riches
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

Reason: In order to comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Approved/Refused Plan(s)

Pre-Commencement Condition(s)

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

2. Details of the extent and specification of brick and concrete repair and cleaning, including sample panels, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works and shall thereafter be carried out in accordance with the approved details.

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

3. Details of the extent and specification of repairs to all other historic fabric (other than brick and concrete), including the mosaic tiles, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works and shall thereafter be carried out in accordance with the approved details.

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

4. Prior to the commencement of development, a structural assessment to support the interventions to the concrete frame shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved assessment.

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

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

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

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

Windows

Doors

Eaves

Roof Balustrade

Balconies

Street finishes, including entrance thresholds and cycle stands

External treatment of commercial units

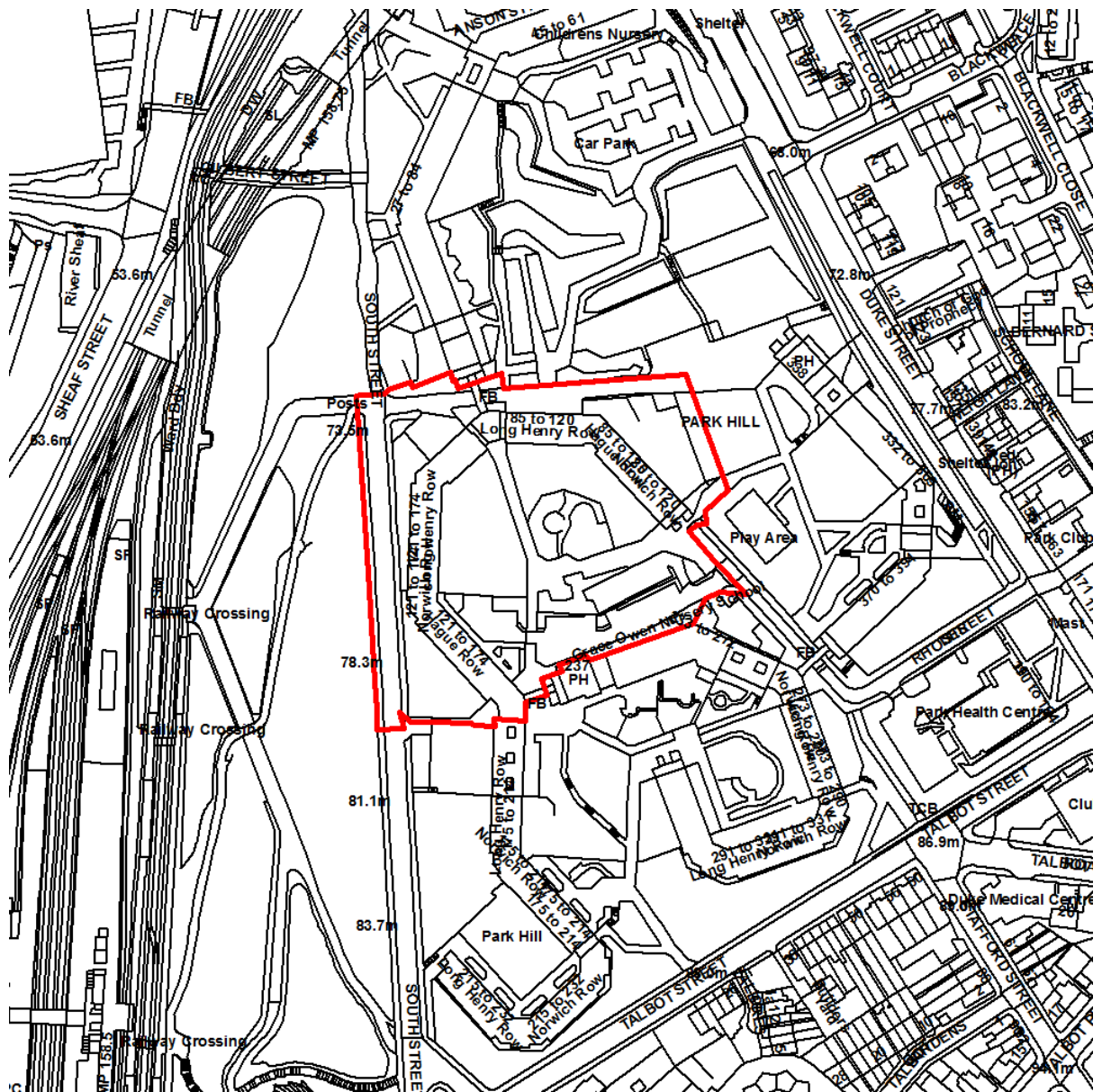
Screening to car park

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

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

Other Compliance Conditions

Site Location



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For joint report see 17/03486/REM

Case Number	17/03675/FUL (Formerly PP-06311203)
Application Type	Full Planning Application
Proposal	Erection of a 7-storey residential building comprising 62no apartments (16no studios and 46no one-bed apartments) with associated access, cycle and disabled car parking, landscaping and amenity works
Location	Stepney Street Car Park Stepney Street Sheffield S2 5TD
Date Received	31/08/2017
Team	City Centre and East
Applicant/Agent	DLP Consultants
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;

17/01 P001

17/01 P003 rev B

17/01 P004 rev B

17/01 P005 rev B

17/01 P006 rev B

17/01 P007 rev B

17/01 P008 rev B

17/01 P009 rev B

17/01 P010 rev B

17/01 P011 rev B

17/01 P012 rev B
17/01 P013 rev A
17/01 P014 rev A

Reason: In order to define the permission.

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

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

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

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

4. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

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

5. 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.

6. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

7. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

8. 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 (see directive) which will secure that such improvement works will be carried out before the building is brought into use.

Highway Improvements:

- a) Resurfacing or reconstructing Stepney Street as needed to provide a shared surface from its broad Street junction.

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.

9. 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: 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.

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

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

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

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

the Local Planning Authority. Thereafter the approved landscape scheme shall be implemented before first occupation and thereafter maintained.

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

12. The residential accommodation shall not be occupied unless the car parking accommodation for 2 no. cars, as shown on the approved plans, has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

13. The residential accommodation shall not be occupied unless the internal cycle parking store and external visitor cycle stands, as shown on the approved plans, have been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

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

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

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

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

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

17. Large scale details, including materials and finishes, at a minimum of 1:10 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Window and door openings including reveals
Parapets
Retaining structures and boundary treatments

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

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

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

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

19. The residential accommodation shall not be occupied unless details regarding the provision of additional lighting within the site have been submitted to and approved in writing by the Local Planning Authority. Once agreed, the lighting shall be provided before first occupation and thereafter retained.

Reason: In the interests of pedestrian safety.

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

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

21. 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.

22. 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 (Noise and Vibration Assessment Report, ref: LK/9722/2630/03, dated: 31/08/17, prepared by: PDA Ltd)

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.

23. 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.

24. The first, second and third floor level windows on the south-west elevation of the four-storey element of the building (facing no. 8 Bard Street), shall be fully glazed with obscure glass, as indicated on the approved drawings, to a minimum privacy standard of Level 4 Obscurity and no part of the windows shall at any time be glazed with clear glass.

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

25. The development hereby approved shall be constructed in accordance with the scheme of works/recommendations set out in the approved Sustainability Statement (document ref 17-E004-005) prepared by Ensphere Group Ltd. Thereafter the scheme of works shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

26. The development hereby approved shall incorporate a Combined Heat and Power (CHP) system in accordance with the the approved Energy Statement (document ref 17-E004-004) prepared by Ensphere Group Ltd. Thereafter the CHP system shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

27. The residential accommodation shall not be occupied unless a service management plan, detailing the proposed servicing arrangements, has been submitted to and approved in writing by the Local Planning Authority.

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

28. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the bin storage enclosure shall have been submitted to and approved in writing by the Local Planning Authority and the residential accommodation shall not be occupied unless such bin storage facilities have been provided in accordance with the approved plans and thereafter retained.

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

29. The development hereby approved shall be constructed in accordance with the recommendations and enhancement measures, including the provision of brown roofs as shown on the approved plans and bird and bat boxes, set out in Section 5 of the approved Ecological Appraisal (document ref BOW17.767) prepared by Bowland Ecology. Thereafter the enhancement measures shall be retained and maintained for the lifetime of the development.

Reason: In order to ensure the development has an acceptable impact on local biodiversity

30. No building or other obstruction including landscape features shall be located over or within 3 (three) metres either side of the centre line of the sewer i .e. a protected strip width of 6 (six) metres, that traverses the site. If the required stand-off distance is to be achieved by closure of the sewer, the

developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker

Reason: To ensure satisfactory drainage arrangements.

31. No roof mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the roof of the building unless full details thereof (including any screening) have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the plant shall be installed as approved.

Reason: In the interests of achieving an appropriate design

Other Compliance Conditions

32. 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.

33. The flat roof area at 4th floor level accessed via the disabled apartment shall not be used as a balcony, roof garden or similar amenity area.

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

34. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of (10l/s maximum surface water discharge to the public sewer).

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

Attention is Drawn to the Following Directives:

1. 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.
2. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street

Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council
Howden House
1 Union Street
Sheffield
S1 2SH

For the attention of Mr P Vickers

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

3. 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:

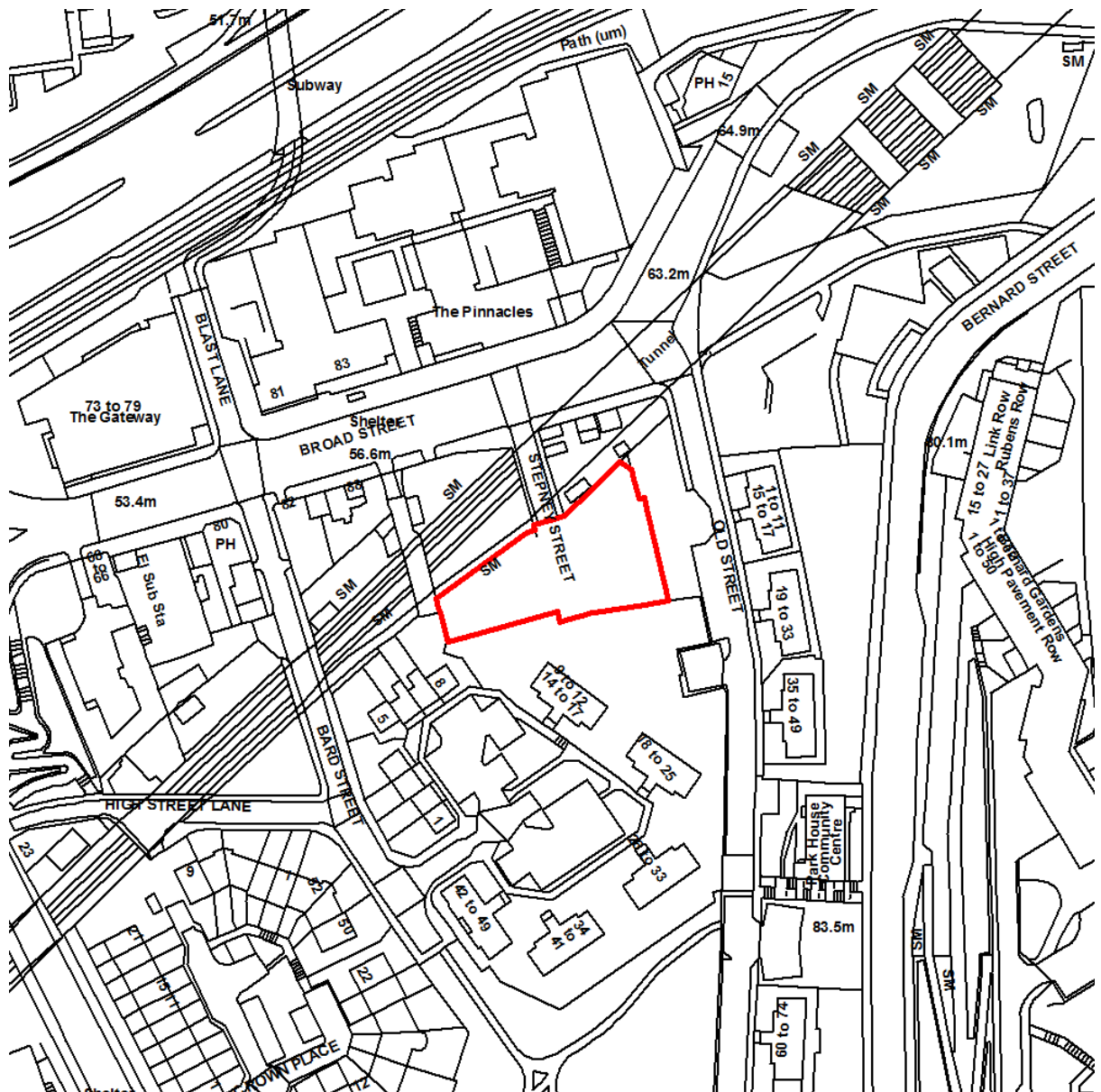
Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

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

4. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
5. 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.
6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114

2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

Site Location



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LOCATION AND PROPOSAL

The application relates to a vacant plot of land off Stepney Street, seeking planning permission for the erection of a 7-storey residential building comprising 62 no. apartments (16 no. studios and 46 no. one-bed apartments), with associated works.

RELEVANT PLANNING HISTORY

17/03058/EIA - EIA (Environmental Impact Assessment) screening request for the erection of a 7-storey apartment block comprising 63no apartments, landscaping and ancillary works – It was concluded that an Environmental Statement was not required (07.08.2017)

SUMMARY OF REPRESENTATIONS

Six objections have been received from neighbours on Old Street, Broad Street and Bard Street. In summary the following concerns have been raised:

- The development will block views of the city from neighbouring properties
- Depreciation in the value of neighbouring properties
- Depreciation in neighbours' quality of life
- 5 storey height suggested as a compromise
- The adjacent garage business provides an easement to the area and Stepney Street is used for their parking (they have no off-street parking) and loading and the development will lead to parking issues and impact on trade. Their gates open out onto the street.
- Limited parking available in the area, with parking on grass verges, preventing emergency services accessing the Bard Street flats
- Influx of people and no parking provision worsening existing parking pressures
- In reality car free development does not happen as most people have a car and owners put stress on existing parking facilities
- Can the Council limit the harm caused by additional car use?
- Land levels are not as significant as suggested, only 2.2m difference at the south boundary next to the Bard Street houses and flats
- 7-storey height and close proximity to Bard Street flats and gardens would over-dominate, overbear and overlook these neighbours, as well as the Broad Street and Old Street flats and their terraces and gardens
- Imposing building and intrusion of privacy for no. 8 Bard Street, blocking the morning sun
- Block natural light to no. 7 Old Street in winter
- Trees will only provide privacy to lower floors during summer months (sparse coverage in half the year) with views into living room spaces. Even if windows are pointing at a slightly different angle there will be a perception of overlooking.
- Query need for 1-bed flats – need 2 to 3-bed accommodation for people to live long term
- Design and materials contrast with surrounding area, and not an appropriate scale or mass for this side of Broad Street, with the existing flats uniformly stepping up the gradient of Broad Street
- Bring more late night noise from students and litter from roof terrace

- Existing empty spaces, such as Park Hill, should be made use of instead of intruding on the community of Bard Street, who do not want this development

PLANNING ASSESSMENT

Principle

The site lies within a Mixed Use Area, as designated by the Unitary Development Plan (UDP), where Policy MU1 promotes a variety of land uses by not allowing one single use to dominate.

Within the Broad Street Mixed Use Area Policy MU3 identifies housing (use class C3) as unacceptable, due to existing uses of the area and its nearness to Sheffield Parkway.

However, it is acknowledged that the area is in transition and is notably different to when Policy MU3 was adopted in 1998. There are now a number of residential developments in the locality, in closer proximity to the Sheffield Parkway than the subject site. Going forward the area is re-designated for housing in the emerging Sheffield Plan. Furthermore, the site is surrounded by longstanding residential properties within the UDP designated Housing Area to the east and south. The principle of a residential development on the site is therefore considered to be acceptable now.

Core Strategy Policy CS41(a) seeks to create mixed communities by providing a broad range of smaller households where no more than half the homes in larger developments (60 dwellings or more) consist of a single house type. In this case the proposed development would create 62 no. apartments (16 no. studios (25.8%) and 46 no. one-bed apartments (74.2%)), and therefore would not accord with CS41(a).

Neighbouring concerns querying the need for one-bedroom accommodation in the area are noted, and a greater mix of larger accommodation would be preferred in accordance with CS41(a).

However, given the development is only 2 no. apartments over the 60 no. unit threshold, it would be unreasonable to refuse the application on these grounds alone, given the wider benefits of bringing an unkempt brownfield site back into use and the contribution to Sheffield's five year housing supply. This is also a market issue, as it is clearly in the developer's interests to develop a deliverable the scheme.

The proposal would also assist the aims of Core Strategy Policy CS24, which seeks to maximise the use of previously developed land for new housing, and CS26, which requires a density range of more than 70 no. dwellings per hectare the edge of the City Centre make efficient use of land (62 no. apartments represents a density of around 490 no. dwellings per hectare in this case).

Design, access and landscaping

The proposed residential development would be of contemporary design, comprising blocks of accommodation, at varying heights and angles, positioned around a central glazed lobby. The building would predominantly read in the townscape as two main blocks, one at five storeys and the other at seven storeys, finished in light and dark grey brickwork respectively, with silver grey powder coated aluminium windows and doors and a number of coloured glazed window panels.

The cleared, vacant site is accessed off Stepney Street, a short access road off Broad Street, which is predominately characterised by the recent student apartment developments (The Pinnacles and The Gateway) along its northern side, although there are a number of commercial uses within low level traditional buildings along the southern side of the street.

To the south and east land levels are higher, with the subject site dug into the landscape and retained by walling. To the south there are low-rise residential flats and dwellings positioned around a parking area off Bard Street. Low rise residential flats also face the site along Old Street. The site is well screened from these neighbours by dense and mature trees and vegetation. Consequently the area immediately to the south and east of the site is more green and residential in character.

High rise residential flats at Bernard Street (Harold Lambert Court) to the east and Park Hill to the west also form a predominant backdrop to the townscape.

Given the level differences to the south and east, and the height of the residential developments opposite, it is considered that the scale and massing of the proposal is appropriate to the site. The development would be predominantly viewed from Broad Street against the backdrop of low rise flats stepping uphill with the topography, and the high rise flats further beyond.

The level of screening to the south and east of the development would ensure it would not be particularly dominant in the street scene of Bard Street or Old Street, and is not considered to have a detrimental impact on the character of this immediate residential area.

The contemporary design approach is considered to be of acceptable quality, and would be viewed alongside the contemporarily designed residential developments opposite; appropriate for this edge of centre location. Full length windows predominantly in a uniform grid fenestration assist in breaking up the massing of the proposed building as visible in the townscape. The proposed grey brickwork would contribute to the overall contemporary design approach, while relating to the neighbouring brick built buildings as the predominant material finish in the area. Full design details would be conditioned in order to ensure appropriate quality finish.

An entrance canopy would assist in providing legibility down Stepney Street and would be an opportunity to form the public art contribution, as the building's most readily seen feature, secured by condition to accord with UDP Policy BE12.

The site would be landscaped and the retaining walls improved as part of the development. This is important in providing a more suitable residential environment and some outdoor amenity space for future occupiers. Full hard and soft landscaping details would therefore be conditioned in order to accord with UDP Policy BE6.

The proposal would transform the character of the physical environment, bringing this derelict, brownfield site back into use and improving the appearance of the wider area. The proposal is considered to accord with the overall design principles as set out by UDP Policies BE5 and MU11(d), and Core Strategy Policy CS74.

Living conditions of future occupiers

Each one-bed flat would comprise a bedroom, which could accommodate a double bed, a small shower room and an open living/kitchen/dining space.

Each studio could accommodate a double bed, and would have a small shower room and kitchen/dining area.

While not explicitly a student scheme, it is clear that the accommodation would be desirable for single students and young professionals.

While some flats are bigger than others, it is acknowledged that most of the accommodation offers a very limited amount of internal space for future occupiers. However, in the absence of any locally adopted space standards, there are limited grounds for refusal on this basis.

Each flat would offer a good outlook and levels of daylight amenity. Communal amenity space provided within a large social room will supplement living standards. Communal outdoor amenity space would be provided around the site and on a large roof terrace.

Given the proximity to the railway line and the resulting levels of environmental noise, a noise survey and mitigation measures were submitted as part of the application. The Environmental Protection Service are satisfied with the submitted information and have recommended conditions to secure the appropriate sound attenuation measures are installed to avoid unreasonable noise disturbance to future occupiers.

Overall, subject to these conditions, it is considered that the living conditions for future occupiers would be satisfactory, according with UDP Policy H5(a).

Coal mining and land contamination

The site lies within a Coal Mining High Risk Area and also has the potential to be contaminated from previous uses. The application was accompanied by a Phase 1

Preliminary Risk Assessment and Coal Mining Risk Assessment. The submitted report has been reviewed by the Coal Authority and by the Council's Environmental Protection Service. They are both satisfied with the report but have recommended that in order to ensure adequate further assessment of potential risks to human health arising from ground contamination, a series of conditions are imposed to ensure the site is fully investigated, and where necessary remediated, to be suitable for residential use.

Living conditions of neighbours

Overshadowing of Bard Street flats

It is acknowledged that the proposed development would present a large mass in proximity to the rear elevation and shared outdoor amenity area of the neighbouring Bard Street flats, specifically the block containing nos. 9-17.

Land levels have been fully appreciated by combination of officer site visits and the submission of section drawings by the applicant's agent. Given the subject site is approximately one storey lower than the level of the Bard Street flats, the nearest point of the development to the flats is the proposed five-storey element, which would be a similar height to the eaves level of the four-storey Bard Street flats (nos. 9-17).

This element of the development would be predominantly to the side of the Bard Street flats (which features no windows), and would not begin to project across the rear elevation of the block (nos. 9-17), which features one habitable window per flat, until the development is a separation distance of approx. 18m away. Beyond this, an additional storey of accommodation would project across the flats' rear elevation; however, this element would maintain a separation distance of approx. 21m.

It would appear the habitable windows affected serve an open living area also served by a front window, supplementing daylight into the main habitable room of each flat. The development would not project across the full rear elevation of this block (nos. 9-17), and would not project directly across the habitable windows of the flats in the south-east side of the block.

The rear garden of the Bard Street flats slopes uphill to the rear and features high and dense mature trees and vegetation, partly screening the development. Overall, the arrangements and separation distances discussed above would ensure that the proposed development would not unreasonably overbear or overshadow these neighbours.

Overshadowing of no. 8 Bard Street

It is acknowledged that the four-storey element would be approx. 3.4m from the boundary with the rear garden of no. 8 Bard Street; however, this would only impact on this neighbour's lower rear portion of the garden, which would maintain sufficient openness to the north and east and would not lead to unreasonable overbearing of the plot. The development would be approx. 10.6m from the nearest

point of the dwelling itself at no. 8 and would not project directly across the rear elevation or main habitable windows.

Privacy of Bard Street flats

The majority of the windows facing the shared rear garden of the Bard Street flats serve communal circulation space and are not main habitable windows. None of these windows directly face neighbouring windows, but are angled away, and would not enable direct views into neighbouring flats.

It is acknowledged that 4 no. bedroom windows would be in close proximity and face the boundary, with the open roof terrace above. However, vegetation to the boundary provides screening. Even in winter months when leaf coverage is sparse, the vegetation remains dense and would not allow clear, unrestricted views across the Bard Street flats' useable grassed garden area. As a shared amenity space, there is mutual overlooking onto this garden in any case from the existing flats. It is therefore not considered that the development would represent a severe breach of privacy, or an unreasonable perception of being overlooked, that would warrant refusal.

Privacy of no. 8 Bard Street

Amendments were negotiated to remove habitable windows from the side elevation of the four-storey element facing the lower rear garden of no. 8 Bard Street. The only windows to this elevation are narrow, obscure glazed secondary windows, which would prevent overlooking onto this neighbour's lower rear garden.

Privacy and overshadowing of Old Street flats and other neighbours

The development would be in excess of 28m from the front elevation of the nearest block (nos. 1-17) of the Old Street flats, which are in an elevated position to the subject site, and the eaves of the flats would be a similar height to the top of the proposed development. The site is also screened by mature and dense trees and vegetation.

Overall the separation distances to neighbouring properties would ensure no unreasonable overbearing or privacy issues for any other neighbour.

Other issues and summary

Concerns regarding direct daylight and the sun path have been considered, however, it is not reasonable or practicable for development to maintain a completely uninterrupted sun path. The development would not eliminate all direct sunlight throughout the day for any neighbour. The impact on direct sunlight is considered acceptable, and the development is to the north of most neighbouring properties in the immediate vicinity, predominantly affecting only the very early morning or late evening sun.

The concerns of neighbours regarding the impact of the development on their general quality of life have been considered. However, for the reasons given

above, the proposal would not unreasonably overlook or overbear neighbouring property, and as such would maintain quality of life.

While the development may attract students, as a residential scheme adjacent to a Housing Area, it is not considered that the proposal could be resisted on grounds of noise disturbance or litter. Any anti-social issues would be a matter for the Police. Overall the proposal would accord with UDP Policies H5(a) and (b) and MU11(b) and would not cause serious nuisance or unacceptable living conditions for existing residents.

Highways

The only access into the site is via Stepney Street, a short side road across the railway cutting with two narrow footways to either side. The tarmac road surface is in a poor state of repair and has worn through in places to the original cobbles. The end portion of Stepney Street has been stopped up and incorporated into the ownership of the subject site as it does not serve any other site.

Despite the comments made by the adjacent business (Planet Garages), Stepney Street is adopted public highway, and an easement to the site is not provided over private land.

Given the development would create 62 no. flats that would be only accessible via Stepney Street, the poor quality of the existing public realm is not considered to offer an acceptable or safe pedestrian approach to the site.

The applicant has agreed to a condition requiring a Traffic Regulation Order (TRO) to upgrade the public highway. Given the majority of movements will be on foot, with only 2 no. disabled parking spaces provided on site, it is considered that a shared pedestrian/vehicle environment should be created on Stepney Street in new block paving for legibility. Parking restrictions would also be required to keep the highway free for emergency or service vehicles. This would ensure safe access to the highway network from the development for vehicles and pedestrians, according with this element of UDP Policy MU11(f).

The parking restrictions proposed would in part address the concerns raised by the adjacent business regarding increased on-street parking on Stepney Street and maintain access and loading to their site. However, it is appreciated that the TRO would prevent the adjacent business using Stepney Street for parking, despite stating that they need to maintain on-street parking. However, restrictions are essential to create a safe access to the development and the neighbouring business has no right over this on-street parking arrangement. The neighbouring site is small and would not have a significant parking requirement, and parking will have to be accommodated within the site or elsewhere within the locality. Furthermore, it should be noted that it is illegal for the neighbour's gates to open out onto the public highway.

The concerns raised by neighbours regarding the lack of dedicated off-street parking are noted, including the increase in on-street parking in the area exacerbating existing pressures following the development. However, given the

scale and type of accommodation provided (small one-bed flats and studios), the accommodation would primarily be desirable for single students and young professionals, and would not represent a demographic with significantly high car ownership levels.

The site is in a very accessible location, on the edge of the city centre and in proximity to various public transport routes. The provision of cycle storage is made within the site to promote sustainable transport modes, and would be conditioned. As such, while more off-street parking would be desirable, on balance it would be unreasonable to resist the application on parking grounds, and the proposal is not considered to fundamentally conflict with the parking requirements of UDP policies H5(c) and MU11(f).

It is accepted that it is likely that some future residents will own a car and that this will have to be accommodated on-street or elsewhere in the locality. It is the responsibility of car owners to park safely and legally, and existing issues regarding parking on grass verges and maintaining access for emergency services to the Bard Street flats are not material planning considerations directly related to the proposal in question.

It is not possible for service or emergency vehicles to turn within the site, and they would be required to reverse along the full length of Stepney Street. 22m is usually the accepted maximum reversing distance. In this case the distance is approx. 25.5m from the red line boundary to Broad Street, which is a busy main road. While this is not ideal, given the relatively short distance involved (only approx. 3.5m over 22m), this is not considered sufficient grounds for refusal. Vehicles should reverse into the site rather than onto the main road, and the submission of a servicing management plan would be conditioned to demonstrate the arrangements have been given appropriate consideration.

Provision would be made within the site for the storage of bins. A condition would require this provision to be made, with full details of the enclosure to be submitted before the occupation of the development, in order to ensure bins are suitably stored and do not encroach into the site entrance or highway.

There is only a single street light column on Stepney Street, sited towards the junction with Broad Street. This sufficiently illuminates the public realm; however a condition would require details of additional lighting to be provided within the site. This is considered necessary in order to ensure the entrance and forecourt area is appropriately lit and facilitate a safe shared pedestrian and vehicle environment for future residents.

Flood risk and drainage

The site lies within Flood Zone 1 and therefore does not lie in an area at high likelihood of flooding. However, the proximity to the railway cutting is noted, and it is understood that the applicant has been in discussions with Network Rail and Yorkshire Water regarding the potential impacts of drainage solutions and surface water disposal on their assets.

Conditions are proposed to ensure no development is commenced until full details of the proposed surface water drainage design have been submitted and approved.

The requirement would be the submission of detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event (10l/s maximum surface water discharge to the public sewer). The developer is aware of this requirement which would ensure the development has an appropriate flood risk and drainage impact in accordance with Core Strategy CS67.

Sustainability

Core Strategy Policy CS64 requires development to be designed to reduce emissions of greenhouse gases, use resources sustainably and function in a changing climate. The submitted sustainability statement details a number of design features for energy efficiency, which would comply with Policy CS64, and therefore a condition would ensure the development is constructed in accordance with the statement.

Guideline CC1 of the Climate Change and Design Supplementary Planning Document requires at least 80% green/brown roof coverage unless this not viable or In compatible with other design/conservation considerations. Some brown roof coverage is proposed although this would be significantly less than 80%. However, given the main area roof would function as roof terrace, which is desirable in providing additional amenity space for future occupants, the level of brown roof proposed is considered acceptable.

The submitted energy statement proposes a Combined Heat and Power (CHP) system for the development. A condition would secure this in order to ensure compliance with Core Strategy Policy CS65, which encourages low carbon technologies and shared energy schemes within large developments.

Ecology

The site is already predominantly cleared, apart from some scrub habitat, which is considered to have potential to support nesting birds, and 2 no. trees. The trees are to be removed, which should be done out of breeding season. There is considered to be low potential for roosting bats within the site's retaining walls.

The soft elements of the landscaping scheme to be conditioned would restore some natural habitat. The development also incorporates brown roofs. However, in this urbanised setting, site level enhancements that make a positive contribution to local biodiversity would also be conditioned, including bird and bat boxes.

Archaeology

The site lies in an area of archaeological interest, as an area of early expansion outside the historic core of Sheffield. Although the extent of survival of archaeological remains is uncertain, if remains are present they would be

destroyed by the proposed development. As such, loss of archaeological evidence should be mitigated by a programme of archaeological investigation prior to the development commencing, and would be secured by condition.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a planning charge, introduced as a tool for local authorities to help deliver infrastructure to support the development of their area. The site lies within Residential Charging Zone 4, where the creation of residential floor space is liable for CIL payments at £50.00 per square metre.

Affordable Housing

The site lies within an area where no affordable housing contribution is required.

RESPONSE TO REPRESENTATIONS

Issues regarding the principle of the scheme, the design, the impact on neighbouring quality of life (overshadowing and privacy) and parking have been addressed in the planning assessment above. The remaining issues are addressed below:

- Planning cannot protect a certain view from a neighbouring property
- The impacts on the value of neighbouring properties or the trade of neighbouring businesses are not material planning considerations
- There is a separate planning application pending for the next phase of the Park Hill flats redevelopment, and on planning grounds vacant units elsewhere are not a reason to resist otherwise acceptable proposals
- It is reiterated that the neighbouring business's gate should not open out onto the highway of Stepney Street.

SUMMARY AND RECOMMENDATION

The principle of the proposed residential development on the site is considered acceptable, as this is an area in transition and is becoming more residential in character.

Although a greater mix of accommodation types would be preferred, as the development is only 2 no. apartments over the 60 no. unit threshold, it would be unreasonable to refuse the application on these grounds, given and the wider benefits of bringing a brownfield site back into use.

The scale and massing and the contemporary design approach are appropriate for the site.

While most of the proposed accommodation offers a limited amount of internal space, Sheffield does not have any locally adopted space standards. Each flat would offer a good outlook and communal amenity space would be provided. The living conditions for future occupiers are therefore considered acceptable, subject to noise mitigation.

The proposal has been demonstrated to have an acceptable impact on the living conditions of neighbours and would not lead to unacceptable overshadowing or overlooking.

The lack of dedicated off-street parking is not ideal; however, the scale and type of accommodation provided would not be oriented towards a demographic with significantly high car ownership levels. The site is in a very accessible location in proximity to various public transport routes and cycle storage would be provided.

Appropriate impacts would be secured by conditions relating to land contamination, flood risk and drainage, ecology, archaeology and sustainability.

It is concluded that the overall impact of the development on all material planning grounds would be acceptable. As such, it is recommended that the application is granted, subject to the listed conditions.

Case Number 17/03486/REM (Formerly PP-06311223)

Application Type Approval of Reserved Matters

Proposal Park Hill Phase 2 - Refurbishment of block to provide 199 residential units (Use Class C3) and 1,963sqm commercial space (A1, A2, A3, A4, B1, D1 & D2 uses), landscaping, car parking and associated works. Application to approve details in relation to design, external appearance, access and landscaping matters reserved by 06/00848/OUT, 07/01962/OUT, 08/02793/OUT and 12/01758/OUT

Location Park Hill Estate
Duke Street
Park Hill
Sheffield
S2 5RQ

Date Received 16/08/2017

Team City Centre and East

Applicant/Agent Mikhail Riches

Recommendation Grant Conditionally

Time Limit for Commencement of Development

Approved/Refused Plan(s)

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

All proposed plans sections and elevations detailed in the Park Hill - Phase 2 Planning Drawing Issue Sheet Ref: 247_Park Hill_ParkHill Drawing Issue Sheet dated 06/2017 and submitted by Mikhail Riches, all received on 16/8/2017

PH_AS_L_00_XX_DR_L_0011 Planting Plan; and
PH_AS_L_00_XX_DR_L_0012 Site Sections received on 16/8/2017

Drawing PH_AS_L_00_XX_DR_L_0010 Rev P2 Site - General arrangement plan received on 6/12/17

Reason: In order to define the permission.

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

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

2. Details of the extent and specification of brick and concrete repair and cleaning, including sample panels, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works and shall thereafter be carried out in accordance with the approved details.

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

3. Details of the extent and specification of repairs to all other historic fabric (other than brick and concrete), including the mosaic tiles, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works and shall thereafter be carried out in accordance with the approved details.

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

4. Prior to the commencement of development, a structural assessment to support the interventions to the concrete frame shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved assessment.

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

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

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

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

Windows

Doors

Eaves

Roof Balustrade

Balconies

Street finishes, including entrance thresholds

External treatment of commercial units
Screening to car park

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

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

7. Before the development is commenced, details of the internal subdivision of the commercial units, including the location and specification of subdividing walls, shall be submitted to and approved in writing by the Local Planning Authority.

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

8. Notwithstanding the approved plans, and before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the proposed cycle parking accommodation within the site - including the 'streets in the sky' cycle stands and the cycle stores adjacent Norwich Street and between Flanks E and D - shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

9. Before the commercial uses hereby permitted commence, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:

- a) Be based on the findings of an approved noise survey.

- b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:

- (i) as a 15 minute LAeq, and;

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

- c) Be capable of restricting noise breakout from the commercial use(s) to all adjoining residential accommodation to levels complying with the following:

- (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);

- (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);

- (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);

- (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority. [Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

10. 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.

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

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

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

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

Other Compliance Conditions

13. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local

Planning Authority. Once installed such plant or equipment shall not be altered.

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

14. Any A3, A5 or D1 commercial uses implemented as part of this phase of the development shall be used for the above-mentioned purpose only between 0730 hours and 2330 hours Monday to Saturday and between 0800 hours and 2230 hours on Sundays and Bank 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 applicant is advised that the signage indicated on the submitted drawings is not approved as part of this permission and will require separate Advertisement Consent. To discuss arrangements for obtaining such consent, and to request application forms, the applicant should contact Development Control Section, Development Services, on Sheffield (0114) 2039183 or go to www.sheffield.gov.uk/in-your-area/planning-and-city-development
2. 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.
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website here:

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

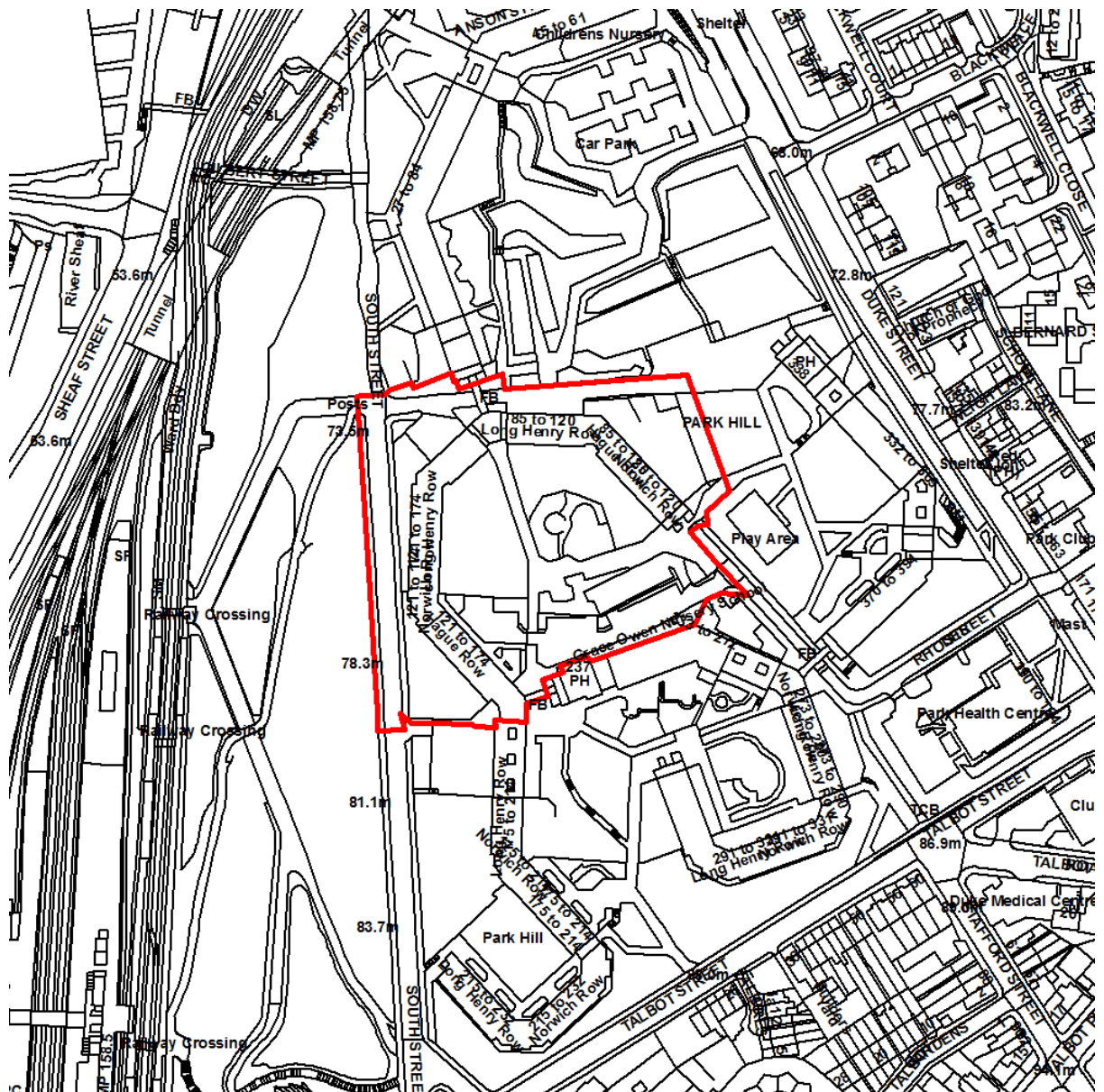
For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

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.

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

Site Location



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INTRODUCTION

Members may recall that outline planning permission for the comprehensive redevelopment of the Park Hill estate was approved at Planning Committee in August 2006 (06/00848/OUT). This approved the redevelopment of Park Hill to provide up to 874 refurbished flats across the whole of the existing grade 2* listed complex, together with a total of 13,761sq.m of various non-residential floorspace (A1, A2, A3, A4, A5, B1 and D1) in refurbished and new-build spaces. A number of matters were reserved by condition including details of design, external appearance, access and landscaping.

The 2006 outline consent has subsequently been varied three times as follows: 07/01962/OUT, to allow phasing of the development; 08/02793/OUT, to allow phased car-parking provision; and 12/01758/OUT, to defer some of the landscaping and highway works to Phase 2 and later.

A reserved matters application for Phase 1 (07/02476/REM) was approved at Committee in October 2007. However, as a result of market changes, the designs for Phase 1 evolved and an amended reserved matters application was approved in December 2011 (11/02801/REM). This consent – which included a reduction in apartment numbers from 321 units to 263 units and a deferral in the provision of the multi-storey car park to a later phase – represents the as-built designs for Phase 1, which was completed in March 2016.

Consent is now being sought for the approval of the reserved matters in relation to Phase 2 of the Park Hill re-development.

This report also relates to the associated listed building consent (17/03686/LBC) for works to Phase 2. Unlike the previous listed building applications, this application will not be subject to referral to the Secretary of State as it does not involve the demolition of the principal building, the demolition of a principal external wall of the principal building, or the demolition of all or a substantial part of the interior of the principal building.

LOCATION AND PROPOSAL

The application site is located within the Park Hill estate to the east of the city centre. The estate covers approximately 32 acres and comprises of four principal blocks that vary in scale from four to thirteen storeys. It is bound by Anson Street and Park Square roundabout to the north, Duke Street to the east, Talbot Street to the south and South Street to the west. Beyond South Street is the Sheaf Valley Park which leads down to the Railway Station in the valley bottom. To the north-east and south-east surrounding areas are predominantly residential in character.

Park Hill was built between 1957- 1961 by the Corporation of Sheffield. This prominent grade II* listed brutalist structure is now the largest listed building in Europe. A characteristic feature of Park Hill are the deck access 'streets in the sky' that link all four main blocks with walkways wide enough to accommodate a milk float. The decks, which were intended to replicate the close community of a

terraced street, occur at every third level and all front doors lead onto these. They are served by 13 lifts and two large goods' lifts.

Flats and maisonettes were designed around a three-bay, three storey unit system comprising a one bed and a two bed flat below deck level and a three bed maisonette on and above the deck level. The rigid grid of flats and maisonettes ensured that kitchens and bathrooms were stacked in pairs to facilitate servicing. Lifts, stairs, pubs and laundries were set at nodal points. The structure was infilled with brickwork and full-height timber windows. Each of the three storey bands has a different brickwork colour (one per street) which gets lighter towards the top.

The current applications relate to Phase 2, the second of five redevelopment phases of Park Hill. Phase 2 is a horseshoe-shaped block situated in the centre of the site which comprises of 5 flanks (D to H) and varies in scale between 7 and 10 storeys.

The application proposes the reconfiguration and refurbishment of the central block to create 199 residential units and 1,963m² of commercial space (within classes A1, A2, A3, A4, B1, D1 and D2). In addition, a resident's courtyard garden and public realm improvements, including two key routes into the estate from South Street and additional surface level car parking, will be provided.

RELEVANT PLANNING HISTORY

- | | |
|--------------------------------|--|
| 06/00848/OUT | In August 2006, the refurbishment and partial redevelopment of the Park Hill Estate to provide residential accommodation (Use Class C3), multi-storey car park, landscaping, new vehicular and pedestrian access routes and A1, A2, A3, A5, B1 and D1 uses, was granted outline planning consent. |
| 06/00849/LBC | In September 2006 listed building consent was granted for the removal of buildings and structures within the curtilage of Park Hill Flats. |
| 07/01962/OUT | In July 2007, the refurbishment and partial redevelopment of the Park Hill Estate to provide residential accommodation (Use Class C3), multi-storey car park, landscaping, new vehicular and pedestrian access routes and A1, A2, A3, A5, B1 and D1 uses (application under Section 73 to vary condition no.1 imposed by 06/00848/OUT (to allow for the phased development of the site)) was approved. |
| 07/02476/REM &
07/02475/LBC | Partial demolitions, refurbishment and reconfiguration of existing flats, erection of multi-storey car park with ancillary A1 (retail), A3 (cafes/restaurants), A4 (bars), A5 (takeaways), D1 (health/education) and B1 (offices) uses and landscaping (Reserved matters in accordance with 06/00848/OUT) were approved in October 2007 |

- 08/02793/OUT In October 2008, an application to vary condition 7 (details of multi-storey car park) and condition 12 (car parking strategy) of application no. 06/00848/OUT (Application under Section 73) was approved.
- 11/02801/REM & 11/03197/LBC Partial demolitions, refurbishment and reconfiguration of existing flats, erection of multi-storey car park with ancillary A1 (retail), A2 (financial and professional) A3 (cafes/restaurants), A4 (bars), A5 (takeaways), D1 (health/education), ancillary gymnasium (D2) and B1 (offices) uses and landscaping (Revised Reserved Matters in relation to Phase 1 in accordance with 06/00848/OUT) were approved in December 2011.
- 12/01758/OUT An application to allow landscaping, the creation of public access routes and highways improvement works to be delayed until Phase 2 of the development (Application under section 73 to vary condition 9 (landscaping and access) and condition 10 (highways improvements) of planning permission ref. 06/00848/OUT (Refurbishment and partial redevelopment of the Park Hill Estate)) was approved in September 2012.
- 12/01800/REM An application to allow highways improvement works to be delayed until Phase 2 of the development (Application under section 73 to vary condition 5 (highways improvements) of planning permission ref. 07/02476/REM (Refurbishment and partial redevelopment of the Park Hill Estate)) was also approved in September 2012.

SUMMARY OF REPRESENTATIONS

12 representations were received in connection with this reserved matters application. 3 are described as objections, 2 in support and the remaining 7 are described as neutral comments. However, while it is clear that many commentators support the continued redevelopment of Park Hill flats in architectural and regeneration terms, most people raised the following key concerns:

- There is no affordable housing planned in phase 2. Affordable housing should be spread evenly throughout all phases of the development. The lack of affordable housing in Phase 2 is not in the spirit of the original vision for Park Hill.
- Allowing vehicular access from Duke Street to South Street, through the existing car parks, will create a rat run and through route for joy-riders. In addition, it will threaten the safety of pedestrians and the character of the outdoor communal areas and result in increased noise and fumes.
- The range of commercial uses allowed and position of food and drink uses needs careful consideration so as to not harm the amenities of residents through noise and smells.

- There is no provision for an internal community space. For Park Hill to work it is important that we have a space for meetings and social functions.
- The proposed 'community garden' should be accessible to the public, like the existing space bordering Phase 1 and Duke Street. Creating a gated garden will lessen the benefits that the regeneration of Park Hill could have for the rest of the city.
- The proposals for South Street are not pedestrian or cyclist friendly. The proposed 'zig zags' slow traffic down but they also force cyclists into the path of vehicles. Pedestrians also find it difficult and dangerous to move along South Street. Separate provision for pedestrians would solve this problem.
- The proposed cycle storage provision is insufficient and not secure enough. Bikes stored on walkways will be a hazard to pedestrians and cause blockages.
- The walkways should not be controlled by fob access. Beyond the main entrance electronic locks only hinder residents and visitors and provide little security against intruders. It is important to maintain the open sense of community that Park Hill was created with and individual front doors are perfectly secure.
- If fob access is introduced residents in both Phases should be able to access Phase 1 and Phase 2 to use the connecting bridges and all access points.
- There are more and more children in Park Hill. A small robust play area would be nice.
- The gravel paths in phase 1 have caused problems. The gravel blocks door runners and is unsuitable for cars. More thought should be given to the path surfaces in phase 2.
- Charging points for electric cars should be provided in both carparks or provision made for them to be easily fitted at a later date.
- Both the sliding doors and the lifts in phase 2 should be more robust than those in Phase 1- they are too narrow to move furniture and they are continuously broken.
- Infrastructure for fibre optic internet should be included from the start.
- Owners of Park Hill properties should be given the option to purchase a parking space.
- The proposed vehicular through route is unlikely to be used as a rat run since the bends in the car park path mean it would still be quicker to use Talbot Street to get to Shrewsbury Road. The access through the car park will be useful to residents wanting to get to the car park without going all the way around the estate if they are arriving from the opposite direction.

The following statutory consultations were also received:

Historic England:

Historic England state that Park Hill is one of the most important post war housing schemes in Britain and a key component of Sheffield's cityscape. They also note the prominence of Phase 2, which forms a significant component of the principle elevation of Park Hill and which is connected to the radically transformed Phase 1. They consider the relationship between the two blocks to be critical to the success of Phase 2.

Historic England has been actively involved in pre-application discussions with the applicant. They note the practical need for some alterations, including the introduction of insulation to soffits and reveals to address the issue of cold bridging, and accept the need to address issues of accessibility and circulation within the building – recognising, for example, that by increasing the size of the main entrance it will improve the legibility of the building from the main pedestrian route along South Street and provide access through the block to the rear courtyard garden.

Historic England welcome the proposed landscaping scheme and like the approach to incorporate a Pennine inspired planting scheme. They note that the internal configuration of the residential accommodation includes the removal and relocation of walls within the flats, but that the H core and service risers will remain intact. Overall they consider these alterations will have little impact on the internal character of the building.

They particularly like the approach to introduce colour and tone into the reveals and soffits to enhance the existing brickwork banding, a renewed approach to the external appearance of the building which they feels complements Phase 1.

While they consider it imperative that the Masterplan is revised to provide a framework to guide the design of forthcoming schemes, Historic England have confirmed that they support the submitted application for listed building consent and the overall design approach to Phase 2. They consider that the proposed alterations to external and internal fabric, as well as the partial demolition of the concrete ramp, steps and walls within the courtyard, will cause some harm to the significance of this grade II* listed building. However, they consider the harm will be minimal and that these alterations are justifiable in order to ensure the long term future of Park Hill.

Twentieth Century Society:

The Twentieth Century Society confirmed that their Members were unanimous in their view that the general approach taken to the conservation of the original fabric and the overall design intent is holistic and guided by in-depth understanding of the building and its history. They consider the result to be a well-considered scheme which deals with the scale and complexity of the listed building both creatively and sensitively.

The Society hopes that this interesting second phase will usher in a new, conservation-led ethos that can guide subsequent phases at this Grade II* listed building - an approach that we consider to be essential for a heritage asset of this significance.

PLANNING ASSESSMENT

This reserved matters application relates solely to the detailed matters reserved by condition in connection with Phase 2 of the redevelopment proposals. Thus the following issues are considered: design, external appearance, access and landscaping. As a listed building application has also been submitted in relation to

these works, the impact of the proposals on the grade II* listed building are considered.

The applicant's substantial submission also refers to a number of issues that are not directly related to this reserved matters application, including affordable housing, the quantum and type of non-residential uses and car parking. These issues will be dealt with through the necessary applications to discharge conditions on the outline consent where they relate to Phase 2 (unless they have a direct impact upon the reserved matters) or in a subsequent Section 73 application where the approach may have evolved from that agreed at outline stage.

Design and External Appearance

Policy BE5 of the UDP (Building Design and Siting) advises that good design and the use of good quality materials will be expected in all new developments while policy CS74 of the Core Strategy (Design Principles) advises that high-quality development is expected which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

As described above, the current applications relate to Phase 2, the second of five redevelopment phases. Phase 2 is a horseshoe-shaped block situated in the centre of the site which is linked to Phases 1 and 3 by bridges. The continuation of this block to the south forms Phase 5.

Phase 2 comprises of 5 flanks (D to H) and varies in scale between 7 and 10 storeys, but retains a continuous roofline which emphasises the slope of the site, one of the characteristic features of Park Hill.

The approach to Phase 1 of the Park Hill redevelopment scheme was bold and involved stripping the building back to its concrete frame, reconfiguring the deck access walkways to increase the footprint of each flat in order to improve storage, and applying vibrant colour to the façade. The approach to Phase 2 is a much lighter touch. It is based on retaining and repairing (where required) the concrete frame, brickwork, and party walls, retaining the full width of the 'streets in the sky', and applying colour in a more restrained manner.

In terms of layout, the existing building contains 249 residential units laid out in clusters around the three 'streets' – Hague Row, Long Henry Row and Norwich Row. These units will be reconfigured to form 199 apartments as follows:

43 one bed units (21.6%)
137 two bed units (68.8%) and
19 three bed units (9.5%)

In addition, 32 of the existing Hague Row units will be converted into commercial space and a further 3 into plant areas

The range of allowable commercial uses (A1, A2, A3, A4, B1, D1 and D2 uses) was approved at outline application stage and does not form part of this reserved matters application. Moreover, conditions were attached to the outline consent

limiting the maximum floorspace allowed for each commercial use class. However, this application proposes commercial accommodation in the lower levels of flanks G and F, where they will provide an active frontage to South Street, and offers an option for how the space could be subdivided. These commercial uses will, in some cases, sit directly beneath residential accommodation and could impact on the amenities of the residents above. While conditions controlling the installation of fume extraction equipment and the setting internal noise targets for the living accommodation were also applied to the outline consent, in order to avoid harming residential amenities it is considered necessary to apply further conditions including restrictions on the hours of use of some uses and measures to limit noise breakout. A condition requiring details of the subdivision of the commercial space is also proposed.

The reconfiguration of the interior includes the knocking through of some of the existing flats to create larger apartments with double balconies as well as a new typology – townhouses – with private ground floor entrances accessed from the courtyard. Also, in order to improve the entrance and hallways of the flats, the existing staircase party walls will be demolished and a small section of floor slab will be removed.

Much of the existing accommodation is small and creating a number of larger units that would appeal to families is considered to be desirable. The proposed internal alterations will also create more spacious 'shared' hallway space and allow light to be brought down to the base of the stairs – features that will greatly improve the quality of the living accommodation with little impact on the general layout.

Access to the existing accommodation is gained via a number of vertical cores. These will be retained and secured for residents' and emergency access. In addition to the existing core entrances, two new residential entrance lobbies will be created where the existing goods lifts are located - the lobby between flanks E and F (opposite Phase 1) will serve as the main entrance to Phase 2.

The existing goods lifts were large enough to accommodate a milk float – the interior of the shafts is approx. 3.2 m by 3.2m – and are positioned directly opposite the link bridges. The view across the bridges currently terminates in the steel shutter doors to the lift and brick infill panels. It is proposed to remove the brickwork and glaze the rear of the shafts, and to install a new glazed residential lift within the shaft (similar to those used on Phase 1). It is considered that the opening up of these shafts will enhance their legibility and create new visual connections with the courtyard garden beyond.

A shared commercial entrance, with level access from South Street, is proposed at the knuckle between flanks G and H.

The deck access 'streets in the sky' are one of the defining features of Park Hill. The 3 metre wide covered walkways are positioned on every third floor and allow access to maisonettes at deck level and to the flats below deck. The streets, or 'Rows', were named after the original streets of slum housing which the estate replaced.

The applicant was concerned that the length, low height and repetition of the streets give them an institutional feel. They receive little direct sunlight and have no visual connection to the flats (i.e. no windows). There are also acoustic and thermal performance issues with the existing streets as the rooms directly above and below are vulnerable to cold bridging and impact sound from activity on the street.

The proposed approach to improving the 'streets in the sky' involves retaining their full width and much of the original fabric, and treating them as an external space and place of activity. This strategy includes the provision of cycle stands between apartment entrances and space for residents to personalise. Front doors will be paired to reflect the internal stair arrangement and full height side lights will be introduced to encourage interaction and visual connection with the street.

There was some concern that storing bikes on the street would cause an obstruction. However, the streets are 3.15 metres wide and the average bike 1.7 metres long, leaving 1.45 metres for access if the bikes are stored perpendicular to the apartments. However, the bikes are likely to be stored at an angle – leaving in the region of 2 metres for access. Moreover, the occupation of the street in this way is also considered to be in the spirit of the Park Hill concept of encouraging interaction and activity on the streets. In principle this proposal is therefore considered to be acceptable subject to agreeing the location and appearance of the cycle stands.

The existing asphalt waterproofing which covers the floor of the streets will be replaced and finished with a layer of porous rubber flooring to reduce the effect of impact sound and provide a new surface which can be used to mark thresholds in the floors or graphic elements such as flat numbers. New render and insulation to the concrete walls and soffit is proposed in order to substantially improve the visual appearance and thermal performance of the existing fabric.

In line with the lighter touch approach, works to the façade will involve repairing the concrete frame and cleaning the brickwork panels. The existing concrete frame is in a poor visual state with spalling and cracking in places, which will continue if remedial work is not undertaken. It is proposed to repair the frame using the same methodology as approved for Phase 1. Also as per Phase 1, the concrete balustrades will be replaced and a new timber handrail introduced at a slightly lower height to improve views out of the apartments.

The concrete frame is infilled with four shades of brickwork (purple, terracotta, light red and cream) which identify the banding of each street. Phase 2 contains three streets and the latter three shades of brickwork. The vertical elements (goods lifts and stair towers) are a different shade of pink brickwork.

The brickwork panels are in a good condition. They also contribute to the character of Park Hill and so are to be retained and cleaned in the residential areas. In the commercial areas much of the brickwork will be replaced with full height glazing to provide high levels of natural light and define the difference in use.

All the existing windows will be replaced with double glazed aluminium units and sliding glass doors to the balconies. The pattern of the proposed windows picks up on the vertical rhythm of the existing windows, but removes the multiple horizontal transoms to create large, full height contemporary openings similar to those windows used on Phase 1.

Also like Phase 1, colour will feature heavily on the elevations. In Phase 1 the brickwork was removed and replaced with horizontal bands of brightly coloured infill panels. As the brickwork is to be retained in Phase 2, colour will be introduced on the reveals and soffits of the balconies, but it was considered important to retain the horizontal emphasis both to reflect the pattern of the retained brickwork and the treatment of Phase 1.

It is therefore proposed that each street will have a base colour, complementary to the retained brickwork, and within that a wide palette of shades will identify individual flats. Shades of red and yellow will link Phase 2 with the bolder colours of Phase 1, while the introduction of blues at the top of the building will soften it against the sky. The overall impact will be more subtle – with the colours only seen in angled views of the facades – and while the approach to the use of colours is different between phases, the concrete frame remains the dominant feature of Park Hill and the different approaches are considered to be complementary.

It is considered that the design approach to Phase 2 will result in a high quality development which will enhance the distinctive features of Park Hill and complies with the requirements of policy BE5 of the UDP and Policy CS74 of the Core Strategy.

Impact on the Grade II* Listed Building

The architectural significance of Park Hill and its place in British housing design was recognised in 1998 when it received grade II* listed building status. Moreover the impact of the re-development of Park Hill on its significance has been considered in principle with the granting of the original outline, and subsequent consents. However, as details of design and external appearance were reserved for subsequent approval, it is relevant to re-consider the impact of these proposals on the listed building.

In terms of local policy, Policy BE15 of the UDP (Areas and Buildings of Special Architectural and Historic Interest) advises that buildings and areas of special architectural or historic interest will be preserved or enhanced and development that would harm their character or appearance will not be permitted. Similarly, Policy BE19 (Development Affecting Listed Buildings) expects proposals for internal or external alterations, which would affect the special interest of a listed building, to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest.

Paragraph 132 of the National Planning Policy Framework (NPPF) notes that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

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

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

Alterations to the building for which listed building consent is required include the following:

- the reconfiguration of the existing apartments and works to convert some ground level residential units into commercial space.
- the formation of the two new residential entrance lobbies.
- replacement of the existing lifts and glazing of the goods lift shafts;
- repair and localised alterations to the concrete frame;
- replacement of the existing fenestration;
- replacement of the concrete balustrades and the secondary ‘eyelet’ balustrades; and
- improvements to the ‘streets in the sky’.

The re-configuration of the internal layout will result in an overall reduction in the number of units and loss of existing typologies and, as previously described, the works involve the removal of some internal walls, plus doors and fixtures. However the works will create good sized, accessible apartments which meet contemporary standards and a range of needs whilst retaining the building’s core structure. Moreover the replacement of residential accommodation with commercial uses in flanks G, E and F will bring much needed activity and services to the wider complex as envisaged in the original masterplan.

The benefits of forming new residential entrances and glazing the goods lift shafts have also been discussed earlier in this report and it is considered that the enhanced legibility and creation of new physical and visual connections will enrich the existing building and improve links with South Street and the neighbouring park.

Finally the repair, and in some cases replacement, of elements of the original building are designed to secure its long term future and drastically improve the quality and efficiency of the living accommodation.

In contrast to Phase 1, the overall approach to Phase 2 has been to retain as much of the original fabric as possible. It is considered that these alterations do not detract from the building’s character – derived in large part from its scale and continuous horizontal roofline, the ‘streets in the sky’, the expressed concrete frame and, more subtly, the pattern of fenestration and use of colour – and that they will sustain and enhance the significance of this grade II* listed heritage asset.

This view is upheld by Historic England who notes that, while the internal configuration of the residential accommodation includes the removal and relocation

of walls within the flats, these alterations will have little impact on the internal character of the building. They also accept that issues of accessibility and circulation need to be addressed and support the interventions proposed.

Thus it is considered that the character and appearance of Park Hill will be preserved that the proposed works accord with Policy BE15 and BE19 of the UDP and guidance within the NPPF.

Access

Policy H14 (d) of the UDP relates to conditions on development within Housing Areas and advises that new development must provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

A section of South Street runs along the western boundary of the Phase 2 development area. The proposed treatment of South Street is a continuation of that established in Phase 1 - a shared surface with irregular kerb lines creating pinch points designed to slow traffic. This includes widened areas which can accommodate delivery vehicles servicing the commercial units on the ground floor.

Concerns were raised that the continuation of the shared surface may not be appropriate as it brings pedestrians and vehicles into conflict. In response the applicant submitted a review of pedestrian walking speeds, from a number of previous studies, and used them to determine the frequency of pedestrian/vehicle interactions. This study shows that, in peak hours, the maximum number of anticipated vehicles encountered by those over the age of 65 along the whole length of South Street is 12. On all other routes, pedestrians will encounter between 1 and 4 vehicles. However, due to the low speeds along South Street and clear forward visibility, it is considered that drivers, pedestrians and cyclists will have ample opportunity to negotiate each other and therefore the continuation of the shared surface does not raise any significant highway safety issues.

The proposals also include connecting the vehicle access between Phases 1 and 2, along Norwich Street, through to the Phase 1 courtyard car park from which it will be possible to drive out onto Duke Street. This has raised significant concerns and, in particular, the possibility of rat-running.

There is likely be a disadvantage in taking a supposed shortcut through the estate as the layout, landscaping and surfacing encourage low vehicle speeds and it would be far quicker to use Talbot Street to get to Shrewsbury Road. It is also expected that the Automatic Number Plate Recognition (ANPR) cameras will act as a deterrent to those who do not live within the development. Moreover, the proposed through route will be useful to residents wanting to get to the car park without having to drive all the way around the estate if they are arriving from the opposite direction.

For these reasons it is considered that the proposed through route is unlikely to be abused by rat-runners and, on balance, the advantages to residents and employees outweigh the disadvantages. However the applicant has agreed to monitor usage once the route is open and, if necessary, introduce bollards or other

barriers to prevent rat-running. It is envisaged that this will be secured through the Travel Plan required as part of the outline consent.

Cycle storage is proposed on the streets, in a purpose built store adjacent Norwich Street and within a store formed at the knuckle between Flank E and D which will be covered with a sedum roof. Subject to further details of the purpose built store, this level of provision is considered to be satisfactory.

Finally, while not an issue covered by this Reserved Matters application, there are concerns that the number of car parking spaces proposed at Park Hill (details of which were included within the planning submission) may not meet the future demands of residents and that some parking may be displaced onto surrounding residential streets. The applicant was asked to review the parking strategy with a view to maximising the number of parking spaces within Phase 2 without any significant loss of landscape or harming the setting of the listed building. Following this work, it has been determined that a total of 192 spaces can be provided to facilitate Phase 2 (some will be outside the red line boundary) and that this will be secured through the submission to comply with the relevant parking related conditions attached to the outline consent.

The Phase 2 access details therefore raise no issues in principle and are considered to provide a sufficient level of car parking that is appropriately accessed via the South Street shared surface, which itself provides an attractive setting for the development in accordance with Policy H14 of the UDP.

Landscaping

Policy BE6 of the UDP (Landscape design) advises that good quality landscape design is expected in all new developments and that this should provide an interesting and attractive environment which integrates existing landscape features into the development. It should also seek to promote nature conservation and use native species where appropriate.

This application proposes to extend the design style and materials palette set out in Phase 1, which was inspired by the character of the Pennine and Peak District, but seeks to deliver a landscape with a distinct character and sense of place. The landscaping scheme comprises, in Phase 2, of three areas, South Street, Norwich Street and the central courtyard.

The treatment of South Street is very much a continuation of the design approach established in Phase 1. The road varies in width, incorporating both pinch points to slow traffic and wider areas for delivery parking, while the finishes, and planting along the periphery reflect the concept of a 'Country Lane' in the city. The continuation of the treatment is supported.

The junction of South Street and Norwich Street forms an entrance into Phase 2 and the site generally, and forms a connection through to the Sheaf Valley Park and the station. Here a stone paved crossing zone is proposed which highlights the junction and warns vehicles of likely pedestrian movement. This opens out onto a large forecourt space fronting the commercial façade and main residential

entrance foyer which will feature tree planting, informal seating and a pull in bay for deliveries and refuse collection.

The central courtyard incorporates a private resident's garden to the lower northern half and car parking and a circulation area to the upper southern half. The resident's garden space is defined by the two large original concrete retaining walls, which will be retained. Within this, the original landscape included an open lawn space divided by a long, steep access ramp. The ramp, which is too steep to function as a compliant accessible route, will be removed to create a large central garden space. Remnants of the walls to the ramp are retained within the new garden providing reference to the original landscape design.

As the steep non-compliant ramp has been replaced with stair access, at-grade access for wheelchairs and pushchairs will be gained via level 6 entrances. The pathways within the garden will be fully accessible.

In accordance with the established theme, the garden will be planted with Pennine inspired heathers, grasses and trees. Existing mature trees will be retained.

The upper courtyard level will accommodate car parking and shared surface access routes through a landscaped courtyard. Existing retaining walls which define the parking terraces will be retained though the brick cladding and copings will be removed and stripped back to reveal the original concrete. Several poor quality trees identified in the tree survey have already been removed. New tree planting will replace the felled trees.

Concerns were raised by existing residents that the gravel paths in Phase 1 have caused problems, including blocking door and lift runners. This could be remedied by introducing a solid surface close to entrances and will be considered as part of the detailed design of the landscape scheme.

On this basis, the proposed landscape scheme is considered to be acceptable and in accordance with the aims of policy BE6. It will provide high quality, usable spaces which will enhance the setting of the listed building and the bio-diversity of the area.

Affordable Housing

The provision of affordable housing does not form part of this Reserved Matters application as there is a specific condition (Condition 4) attached to the outline consent requiring details of affordable housing equivalent to no less than 20% of the total number of dwellings to be approved by the local planning authority. However, in view of the many representations relating to the provision of affordable housing, Members are advised that, on completion of Phase 2, there will be a total of 460 residential units on site and that 96 affordable units have already been provided within Phase 1 via the Great Places Housing Group. This equates to 21% of the 460 units.

While it may be desirable to spread the affordable units more evenly across the site, the affordable housing obligations under this condition have already been met. Therefore no additional affordable housing is proposed within Phase 2.

RESPONSE TO REPRESENTATIONS

Response to representations not covered in the report above:

- The provision of an internal community space.

While not necessarily a planning matter, the submission refers to the potential for a residents' lounge or communal area on floor 4. The applicant has also confirmed that they continue to look at how community spaces are best provided across the Park Hill estate.

- Access to the gardens and walkways.

This is a management issue that should be resolved through discussion between the applicant and residents

- Provision of a play area.

No specific play equipment is proposed but the landscape and resident's courtyard garden is designed to be used by families and may include playable features such as a climbing wall.

- Charging points for electric cars.

There are no proposals to incorporate electric charging points within the scheme at present but the applicant is supportive of this in the long term and demand can be monitored through the Travel Plan.

SUMMARY AND RECOMMENDATION

This application provides details of design, external appearance, landscaping and access and details for listed building consent for Phase 2 of the Park Hill development, as outlined in the report above. It is concluded that these detailed proposals, which comply with the principles of the outline planning application, will retain and protect those features of the buildings that merited Park Hill being awarded grade II* listed building status and deliver the next phase of a development that will secure the building's long term future.

It is also considered that the details submitted in relation to the listed building consent provide sufficient justification that the proposed development will preserve and enhance the special character of this significant grade II* listed building.

As per paragraph 15(1) of DETR Circular 01/2001: Arrangements for Handling Heritage Applications-Notification and Directions by the Secretary of State and Circular 08/2009: Arrangements for Handling Heritage Applications Direction 2015, this application is not subject to referral to the Secretary of State as it does not

involve the demolition of the principal building, the demolition of a principal external wall of the principal building, or the demolition of all or a substantial part of the interior of the principal building.

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

Case Number	17/02711/OUT (Formerly PP-06184402)
Application Type	Outline Planning Application
Proposal	Erection of office building with undercroft parking and alterations to existing car park (Resubmission of application no. 16/03684/OUT)
Location	Twelve O Clock Court 21 Attercliffe Road Sheffield S4 7WW
Date Received	27/06/2017
Team	City Centre and East
Applicant/Agent	Initiatives Design Ltd
Recommendation	Grant Conditionally

Time Limit for Commencement of Development

1. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of appearance, landscaping and scale (matters reserved by this permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

2. Application for approval in respect of any matter reserved by this permission must be made 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.

3. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

Approved/Refused Plan(s)

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

728.1/OHL/200/04, 728.1/OHL/200/02-REVA, 728.1/OHL/200/03-REVA, 728.1/OHL/200/01-REVA,

Reason: In order to define the permission.

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

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

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

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

Reason: In the interests of 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.

7. The office accommodation shall not be brought into use unless a scheme of sound insulation works has been implemented and is thereafter retained. Such works shall:
 - a) Be capable of achieving the noise level Noise Rating Curve NR45 (0700 to 2300 hours).
 - b) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilations.

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

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

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

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

9. 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.

10. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

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

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

12. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

13. 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.

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

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

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

Other Compliance Conditions

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

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

16. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), Version 2, report reference 15188/E01, dated April 2016 prepared by Datrys, and the following mitigation measures detailed within the FRA:

- The ground floor will be utilised as undercroft parking only.

The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

Attention is Drawn to the Following Directives:

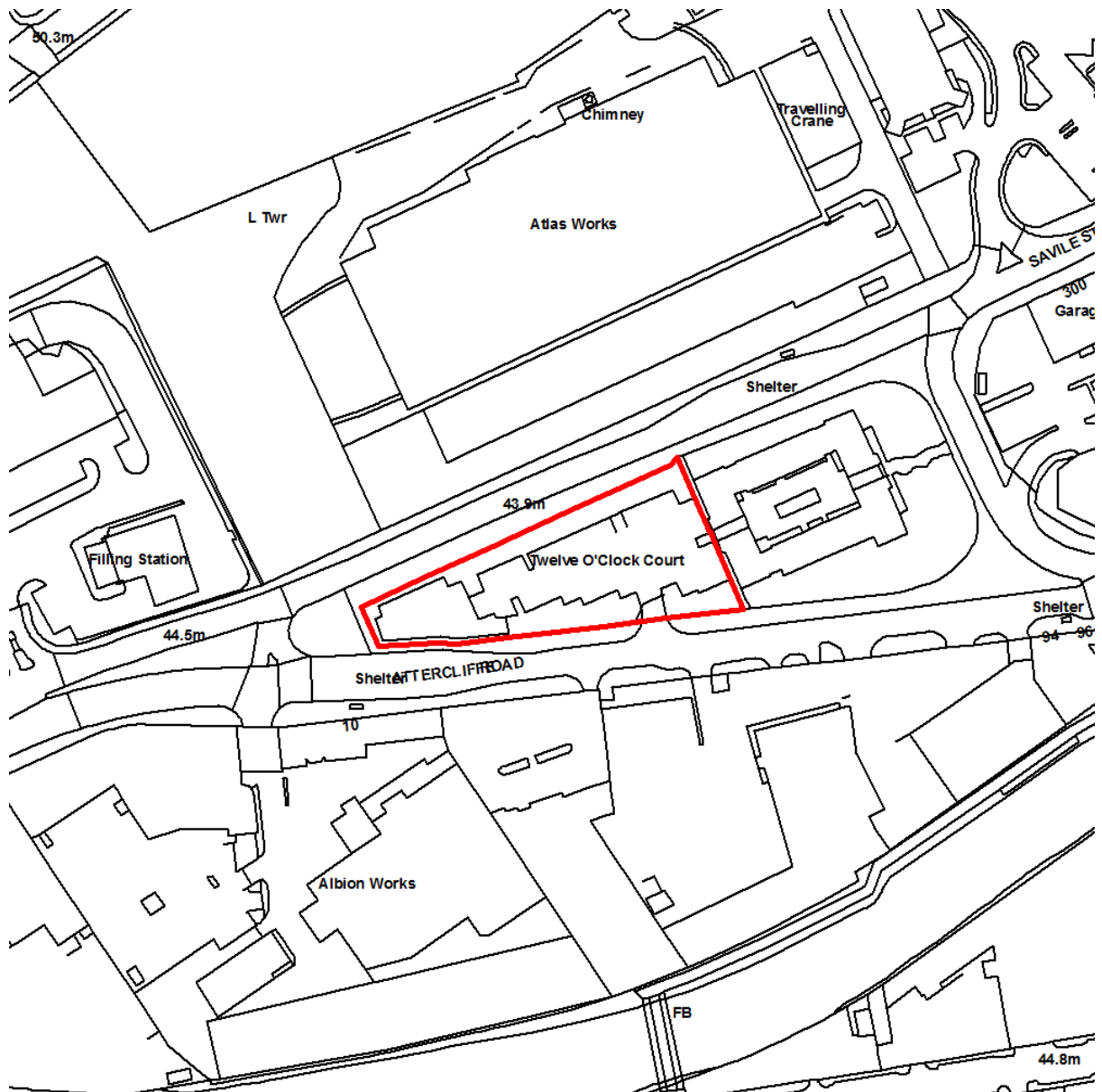
1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

Site Location



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Location and Proposal

The site is located on the corner junction of Attercliffe Road and Savile Street. The site is currently used as a car park, which serves a neighbouring office block at Twelve O Clock Court and benefits from an area of approx. 3,146m².

Outline planning permission is being sought for the erection of an office building with an undercroft parking area; alterations to the existing car park are required to accommodate the development. Access and Layout are matters for which approval is being sought at this stage. Details of Appearance, Landscaping and Scale are not under consideration as part of this outline application.

The application is a resubmission of application no. 16/03684/OUT (Erection of office building with undercroft parking and alterations to existing car park), which was refused as insufficient supporting information relating to flood risk was submitted.

Submitted plans include an indicative floor layout with 2 floors of office space and undercroft parking area; elevation drawings have not been submitted. The submitted layout plan shows the existing vehicular access off Attercliffe Road to be retained and the existing car park bays reconfigured. The proposed building has been shown to be located close to the corner junction of Attercliffe Road and Savile Street.

Planning History

16/03684/OUT- Erection of office building with undercroft parking and alterations to existing car park- refused due to insufficient information submitted.

02/00052/FUL - Continuation of use of land as extension to car park- Granted

00/01141/FUL- Alterations to parking accommodation, provision of new access arrangements and erection of restaurant (app under section 73 to vary condition 1)- Granted

Summary of Representations

12 letters of representations have been received. Objections raised are outlined below;

- existing office blocks in close proximity are currently vacant as such no need for more offices
- increase flood risk which already a high risk area due to the trees, grass & bushes that would be removed
- loss of vegetation
- increase in pollution
- highway issues in terms of congestion and reduction in visibility especially because client's will not be able to see the office coming from town
- increase in traffic for the estate
- dust during construction

- loss of amenity
- disrupt all the current owners and clients of offices within Twelve O'clock Court due to the loss of car parking spaces as well as the additional mud, mess and additional building traffic
- consider that the gardens around the Twelve O'Clock Court site have a positive impact on the local landscape character to an otherwise industrial area and it would be a shame to see these ruined by the proposed development.
- other non-planning issues

Planning Assessment

Policy Issues

The site lies in a Fringe Industry and Business Area as defined in the adopted Sheffield Unitary Development Plan (UDP). Policy IB6 identifies B1, B2 and B8 uses as preferred. This approach was continued in the Core Strategy in Policy CS5a that promotes manufacturing, distribution and warehousing. This general approach was also continued in the draft City Policies and Sites that proposed a Business and Industrial Area but this document has little weight as it is not being submitted for adoption. However, Policy CS3b also promotes office uses in this location. The proposed office use is welcomed, as it would help to meet the aims of Core Strategy Policy CS3 that seeks to concentrate office development in the City Centre and at its edge, particularly in accessible locations.

As a result, the principle of development is acceptable subject to the provision of policy IB9 'Conditions on Development in Industry and Business Areas', notably with regards to part, a), which seeks to ensure new uses do not prejudice the dominance of industry and business in the area, c) is well designed, and f) features safe highway access and appropriate off street parking.

As such from a policy point the proposed development is acceptable in principle.

Appearance, Scale and Design Issues

The site itself is not considered to contribute to the visual amenity of the locality being a landscaped car park and of no significant public amenity value.

The outline nature of the application means that no precise details of the proposed design are given at this stage. However, it is considered that the indicative layout with a ratio of built footprint to curtilage is comparable with other buildings in the locality. Subject to appropriate design and detailing it will be possible to erect a building with no adverse impact on the character of the street scene.

In terms of the impact of the development on existing fauna there is no evidence that any protected species are present. Whilst the footprint and curtilage of the proposed building would result in the loss of some smaller trees and shrubs these are not of significant public amenity value.

Given the above it is not considered that the proposal would conflict with Unitary Development Plan policies IB9.

In addition to policy IB9 (c), Policy BE5 'Building Design and Siting' requires development to complement the scale, form and style of surrounding buildings. Part f) of this requires development to take advantage of the site's natural and built features. Core Strategy policy CS47 'Design Principles' emphasises that development should take advantage and respect the built form of the local area.

The plans submitted show a new building could be comfortably accommodated within the plot as shown, with a good separation distance to the boundaries and an appropriate built density in terms of plot to size ratio.

In terms of elevations, the site is situated on a prominent corner plot it will be advised that any building will need to be of a similar scale to the other buildings within the immediate vicinity, which consists between 2 to 6 storeys high as such a similar height will be sought with materials to respect those on this street scene and with well aligned fenestrations. Furthermore a street scene elevation taken from both roads (Attercliffe Road and Savile Street) would be required to ensure that the overall scale is appropriate.

Impact from the neighbouring Businesses Issues

The immediate area is predominantly business use in nature. It is not considered that the proposed office building will impose additional burdens on the neighbouring business and will integrate well with the surrounding businesses.

Sustainability

Policy CS64 (Climate Change, Resources and Sustainable Design of Developments) and CS65 (Renewable Energy and Carbon Reduction) suggests that any new development must be sustainably designed. Indicators for a sustainable development will be encouraged and expected at full planning stage.

Amenity Issues

Policy IB9 (a) suggests that new development must not cause any unacceptable; living conditions to residents, visitors in any hotel, hostels, residential institutions or housing.

There are no residential properties in close proximity to the site in question, the nearest residential property is located north, more than 50m from the site in question off Spital Hill and Ellesmere Road. As such there will be no detrimental impact to the living conditions of nearby residents. However as the site is located within a noisy commercial area and is next to busy roads, as such conditions relating to noise conditions and validation requirements will be imposed

Highways Issues

In accordance with UDP policy BE9 (f), development needs to provide suitable off street parking accommodation whilst providing a safe access to the highway network.

The existing access from Attercliffe Road is to be retained, and should not result in highway conflicts and being that the site is currently used as a car park the existing

entrance/exit will be used. It is not considered that the proposed development would give rise to any significant peak hour movements or impact on the safe flow of traffic as the existing land use is a carpark and the existing entrance/exit will be retained.

The site is capable of managing the additional traffic and can provide an acceptable level of off-street car parking. The site is also located on good public transport links and is within walking distance of the city centre. Highway officers have raised no objections subject to conditions.

Flood risk Issues

The site lies within Flood Zone 3, which has a high flood risk. Paragraph 101 of the National Planning Policy Framework (NPPF) requires new development to areas at the lowest risk of flooding by applying a Sequential Test. A Sequential test for flooding has been undertaken, the results are considered satisfactory as such the sequential test has been passed

A Flood Risk Assessment has been submitted which is considered satisfactory and a condition will be imposed to ensure that the ground floor will be utilised as undercroft parking only as the site is within a flood risk zone 3.

Land Contamination Issues

As the site is within an industrial area, and has been used for non-residential purposes, any consent would likely require the submission of a phase 1 land contamination survey to identify any risk of harmful contaminants on site. This will be conditioned.

SUMMARY AND RECOMMENDATION

The proposal is considered to accord with adopted UDP and Core Strategy Policies and it is considered that the site can accommodate such a development without causing significant detriment to the adjoining premises or the surrounding area.

Case Number	17/01148/FUL (Formerly PP-05919039)
Application Type	Full Planning Application
Proposal	Retention of existing cafe and extensions to form toilets and storage area including changes to opening times to 07:00 to 23:30 on two occasions per month for functions/events (Amended Plans and Description)
Location	Stannington Park Stannington Road Sheffield S6 6BX
Date Received	16/03/2017
Team	West and North
Applicant/Agent	Mr M McGrail
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:

Dwg No: 201 rev A - Site Plan (proposed) received 6th December 2017

Dwg No: 203 - Proposed Planning (floor plan) received 6th October 2017

Dwg No: 202 - Proposed Planning (elevations) received 6th October 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)

Other Compliance Conditions

3. The building shall be removed on or before the 19th December 2022.

Reason: In the interests of the amenities of the locality owing to the design and external appearance of the mobile building.

4. The building shall be used for the above-mentioned purpose only between 0700 hours and 1800 hours on any day except on two separate occasions per calendar month (inclusive of Temporary events notice [TENS]) when the building can be used between 0700 hours and 2330 hours.

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

5. No amplified sound or live music shall be played within the cafe at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time.

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

6. The outside seating areas shall only be used between 0700 hours and 1800 hours on any day.

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

7. The bi-fold door glazing systems serving the outdoor areas of the premises shall remain closed from 2000 hours on all days, save for access and egress or in case of emergency.

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

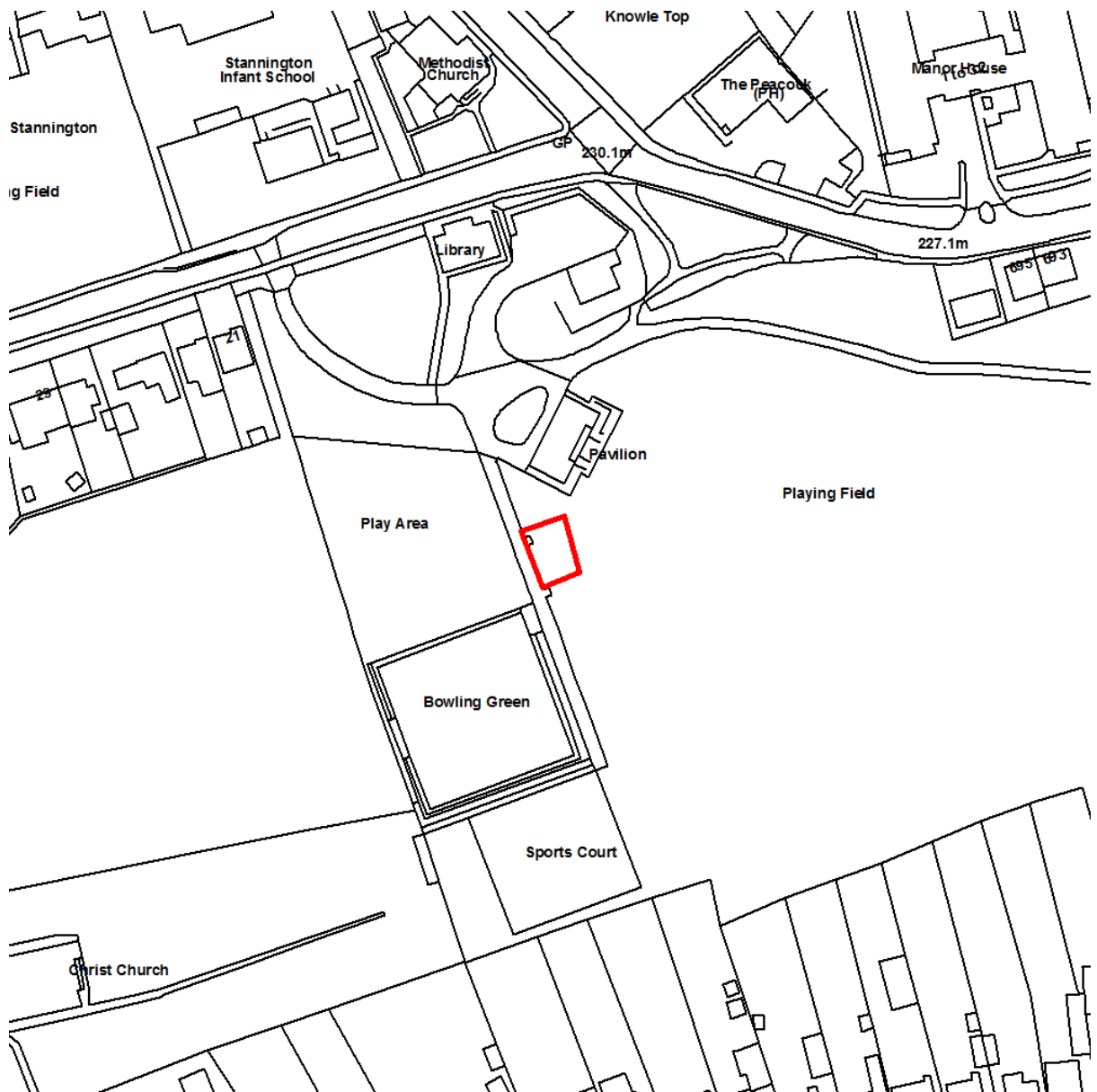
8. Within 1 month of the date of this decision a suitable receptacle for the disposal of litter shall have been provided outside of the premises and thereafter retained at all times during the opening hours authorised by this consent.

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.

Site Location



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LOCATION AND PROPOSAL

This application relates to an existing café building (Reserved Café) which is located at the western end of Stannington Park adjacent to the Children's play area.

Two previous planning consents have been granted for a café building on this site in 2010 and 2014. Both previous planning consents were time limited due to the temporary nature of the building. The latest consent expires on the 6th February 2019.

This application seeks permission for the following;

- Renewal the planning consent for the cafe,
- Extensions and minor alterations to the café building to provide storage facilities and publically available toilet facilities,
- Alterations to the hours of opening of the café until 2330 hours on two occasions per calendar month for functions/events.

The site is located in Stannington Park which is an allocated Open Space Area as defined in the adopted Sheffield Unitary Development Plan.

RELEVANT PLANNING HISTORY

10/03480/FUL – Erection of log cabin style building to form cafeteria – Granted Conditionally.

13/04166/FUL - Siting of pre-fabricated building to form cafeteria (Email received 04/02/2014) – Granted Conditionally.

SUMMARY OF REPRESENTATIONS

The application was advertised by way of neighbour letter and site notice.

A total of 22 Letters of representation were received during the first round of public consultation (April 2017) including comments from Loxley Valley Protection Society (LVPS) and Bradfield Parish Council. The issues raised are summarised as follows:

20 representations in objection

- The extension will result in the loss/reduction in publicly owned park/recreation space paid for by the tax payer for the benefit/profit of a privately owned business.
- The current café does not enhance the park and the extended building will become an eyesore and is not in keeping with the park or local area.
- Outside seating associated with the cafe encroaches into the park area and if the extension is allowed the café will take up most of the top end of the park.
- Increase in littering which is already a problem.

- Events already take place (beyond its hours of use restrictions) and extensions to the premises and its hours of use will increase the numbers of people who can use the venue causing noise and disturbance issues.
- The inclusion of a bar on the plans indicates that the café will be selling alcohol causing noise and disturbance issues.
- Increase noise and disturbance from people smoking and using the outside terrace areas in the evening.
- If allowed to grow and change the establishment would be more akin to a nightclub/public house which would impact on one of the few remaining green and safe spaces for local youngsters.
- Reduction in public amenity/recreation space in the park
- There are other licensed premises in the locality already.
- Secure gates should be fitted to the play area to prevent late night revellers spilling out of the café and into other areas of the park.
- Loud music has been heard coming out of the premises.
- Lack of adequate parking facilities – the existing 8 car parking spaces in the park are already used by a multitude of different users of the park and increase capacity of the café will increase demand for parking.
- Increased use of the access road into the park endangers pedestrians. Measures required of the applicant to minimise the impact of vehicles accessing the site.
- Servicing issues damage verges.
- Potential for public nuisance issue to arise from unsupervised use of the public toilet.
- Safeguarding issues will arise as children cannot be adequately supervised using different parts of the park due to the position of the building.
- The café provides a screen to potential antisocial behaviour.

Loxley Valley Protection Society (LVPS)

The concerns of local residents are shared by LVPS particularly that of possible noise & disturbance if opening hours are extended & alcohol is permitted on a bring your own basis; and the suitability of a public park with limited parking facilities to support such an enterprise. If permitted the extension should be constructed and be of a temporary nature.

1 neutral representation from Bradfield Parish Council

No objections to this planning application providing that all planning rules are followed; however there are concerns regarding the loss of open recreational space. If the application were to be approved the Parish Council would suggest that the toilet facilities should be open to park users.

1 representation in support

The café is a welcome addition and will be improved further by the provision of toilets.

16 letters of representation (in objection) were received following a further round of public consultation undertaken in October 2017 including comments from LVPS and Councillor Penny Baker. The issues raised are summarised as follows:

- No objection to 1800 hours opening however extending the opening hours until 2330 hours would not benefit the local community and could potentially cause disturbance.
- There is no necessity for any further expansion of the cafe or its opening hours.
- This cafe is not an asset to the village and is restricting the open space in the village. Extending the café would lead to the loss of additional green space.
- There is a children's playground right next to the café, this area should be for children and not for the commercial benefit of the cafe owner.
- Potential for broken glass, bottles and litter on the playing fields near to the children play area.
- There is insufficient lighting or security for the opening hours to be extended.
- Concerns with the potential to serve alcohol in the premises as this will cause noise and disturbance issues.
- The premises lie in an elevated position within the park, not far from residential properties and longer evening opening hours with general cafe/bistro use would cause noise and potential disturbance to neighbouring residents.
- Increased storage will lead to a larger premises and increased impact on local residents.
- A small village park is not the ideal location for this establishment and there are already other established food and drink facilities in the locality.
- The driveway to the park is badly damaged with potholes and the grass verges are very muddy.
- Existing park entrance is becoming dangerous with the additional traffic.
- Lack of lighting on the park access gives rise to safety concerns for pedestrians.

LVPS

- Loxley Valley Protection Society supports the neighbour objections to the extension of the cafes opening times, for all the reasons given.
- Peoples' views would possibly be more accommodating if it was to cater for increased day time trade rather than the more controversial evening events.
- The building should remain temporary and not permanent. If permission were to be granted this should only be done on a temporary basis when the impact of the operations could be reviewed.
- A private enterprise operating in a public open space creates conflict and is not a suitable location for expansionist capitalism when there are plenty of other restaurant locations in the city, situated where they are more convenient for both customers and residential areas. For this reason we feel the extension of hours & retention beyond a given date should be refused.

Councillor Penny Baker

It is inappropriate for this development within the park which is adjacent to the children's playground.

PLANNING ASSESSMENT

Policy Issues

The café is in an allocated Open Space Area as defined in the adopted Sheffield UDP. The principle of siting a temporary café building on a small area of open space within Stannington Park has been established by the previous and extant planning consents on this site. This application seeks permission to retain the café for a further 5 year period and extend the existing building to provide additional storage space for the cafe and a publically available toilet for the users of the café and park.

The extensions to the café would not lead to the loss of any formal sports pitch provision, however the extensions and alterations to the building would lead to the loss of a small area of open space adjacent to the existing building which comprises of amenity grassland. Core Strategy Policy CS47 part (g) identified that development which results in the loss of open space will only be permitted where the development would be ancillary to the open space and have minimal impact on the use or character of the open space. The café is an established ancillary facility to the park and the modest extension would take up only a very small additional area of land (approximately 7 m by 6 m). The ancillary seating area to the front of the building is occupied by tables and chairs that are moveable and therefore does not result in any permanent loss of open space. As such the proposal would not lead to the loss of a significant area of the open space within the park which would detrimentally affect its character or the primary use of the park as a recreational facility. The extensions/ alterations are ancillary to the main café building and the publically available toilet facilities would be beneficial to users of the park. In light of the above the proposal is considered to accord with policy CS47 (g).

Design Issues

CS47 part (g) seeks to ensure that development permitted in open space areas should have a minimal effect on the character of the open space and Policy LR5 part (g) of the UDP identifies that development will not be permitted if it would harm the character or appearance of a public space.

The existing café is constructed from converted shipping containers which are clad with vertical cedar boarding. The proposed extension will be attached to the southern side of the existing building and is proposed to be constructed of three shipping containers which will be timber clad in order to form a seamless extension of the existing building. An extended terrace area is provided to the front of the building in order to facilitate access to the extension and existing café and the ancillary outside seating area is read in the context of the building.

The existing building does not occupy a particularly prominent position when viewed from the adjoining public highways (Stannington Road and Uppergate Road) due to being located behind the existing single storey pavilion building which is located immediately to the north of the application site. Within the park itself the café building is visible, particularly from the east, however the building is now an established feature within the park and the modest extensions and alterations to

the existing building are not considered to significantly increase the visual impact of the structure.

When approaching the site from the east the existing café and proposed extension will be seen against the back drop of a high hedge, fence and existing structures of similar scale which from part of the bowling green facilities located immediately to the rear of the site.

In light of the above the proposal is considered to be acceptable from a design perspective and is not considered to detrimentally affect the character and appearance of the park. The proposal therefore accords with policy CS47 of the Core Strategy and LR5 of the UDP.

Amenity issues

Policy LR5 part (k) seeks to ensure that development in Open space areas would not be incompatible with surrounding land uses.

The existing café is a standalone structure and due to its location within the park the existing building and the proposed extensions and alterations are not considered to give rise to any overshadowing or overbearing issues.

The extensions accommodate additional storage and toilet facilities and no major changes are proposed to the internal layout of the existing café which would result in the capacity of the building being increased. There will be some increased seating capacity on the terrace area to the front of the building, however this will be minimal as the terrace area primarily facilitates access to the existing café and the new storage and toilet extension. A small ancillary seating area is provided on the grass to the front of the building the use of which will be restricted to the day time (0700 to 1800 hours) only.

In accordance with condition 4 of planning application ref: 13/04166/FUL the existing café is permitted to operate between 0700 hours and 1800 hours 7 days a week. The applicant is seeking to retain the existing day time operating hours, however on two occasions per calendar month permission is sought to extend the opening hours until 2330 hours to cater for events including bistro evenings.

The site benefits from existing dedicated (vehicular and pedestrian) access points off Uppergate Road and Stannington Road which customers of the premises would use minimising any potential for noise and disturbance to occur from customers coming and going from the premises in the evening.

The application site is located approximately 70 metres from the boundary with the closest residential properties which are located on Uppergate Road. These properties are separated from the site by the existing play area and some established mature tree planting on the periphery of the park. There will be some increased activity in the evening at the venue as a result of the proposed extended opening hours, however taking account of the separation distance between the site and existing residential properties, the proximity of other established commercial uses (The Peacock) which currently operate until late in the evening, and the fact

that the evening opening will be limited to only two occasions per calendar month; the proposed extended opening hours are not considered to give rise to any significant noise and disturbance issues which would detrimentally affect the amenity of residents.

Furthermore conditions are recommended to be imposed to prevent noise breakout from the building and prevent the use of the outside seating areas in the evening to further minimise any potential disturbance.

In light of the above the proposal is considered acceptable from an amenity perspective and accords with policy LR5.

Highways

The site is in a sustainable location within easy walking distance of established residential areas. The café due to its limited scale is considered to primarily be a local facility and as such a large majority of people using the premises will arrive on foot and use the café as part of a linked trip to the park, children's play area or other existing facilities in the locality including the library on the Uppergate Road. As such the existing café use is not considered to be a significant traffic generator itself. The extensions to the building comprise of storage and toilet facilities and are therefore not considered to generate a substantial numbers of additional customers which would give rise to any highways concerns.

The park benefits from a number of dedicated pedestrian access points and an established vehicle access from Uppergate Road which leads to a small shared use car parking area that includes disabled car parking provision. Should customers arrive by car it is considered that any parking demand that is specifically generated by the use could be reasonably accommodated within the existing parking area or on the adjoining roads without harming highway safety.

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

RESPONSE TO REPRESENTATIONS

The play area is separated from the facility by a public footpath and is already securely enclosed with gates and railings.

The sale of alcohol is controlled by separate licensing legislation.

The applicants have confirmed in writing that there is no intention to operate a bar and any reference to such a use has been removed from the plans.

The proposal will not significantly affect visibility between the main park area and the children's play area as the extensions are located to the south of the existing building.

It is not the Planning Authority's role to prevent competition between operators of commercial uses.

Issues raised regarding income derived from a commercial use located within a public park are not planning matters.

The building is constructed of shopping containers which require no permanent foundation and which can be removed from the site easily. Conditions are imposed to restrict the length of the planning consent due to the nature of the development.

There is no evidence to suggest that the existing use or extended opening hours will give rise to any antisocial issues and there is considered to be adequate separation between the building and the other uses within the park.

The use of the publically accessible toilets is to be managed and controlled by the applicant.

A condition will be attached requiring a bin to be provided outside of the premises during opening hours in order to prevent the spread of litter.

Maintenance of the park, its facilities and associated access to it is a matter for the landowner.

All other matters are considered in the main body of the report.

SUMMARY AND RECOMMENDATION

Permission is sought to retain, extend and alter an existing café building within Stannington Park and extend its hours of operation on two occasions per calendar month until 2330 hours to hold events/bistro evenings.

The site is in an allocated Open Space area as defined in the adopted Sheffield Unitary Development Plan and the principle of locating a café building in the park is established by the previous and extant planning consents on the site. The proposed extensions and alterations to the existing building are small scale and will not result in the loss of a significant area of additional open space that would detrimentally affect provision of open space in the area or the character, appearance and function of the existing park.

The extended evening opening hours are limited to two occasions per month and taking account of the separation distance of the building from existing residential properties the proposal is not considered to give rise to any harmful amenity issues and conditions are recommended to further control the operation of the café.

The proposed extensions do not significantly increase the capacity of the café and site benefits from dedicated pedestrian and vehicle access points and a small shared use car park. As such the proposal is not considered to detrimentally affect highways safety.

In light of the above the proposed development is considered to comply with the relevant adopted Unitary Development Plan and Core Strategy Policies and the

National Planning Policy Framework and it is recommended that Planning Permission is Granted Conditionally.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Service

Date: 19 December 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
19 DECEMBER 2017

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a Replacement fence (Retrospective) at 23 Lawson Road Sheffield S10 5BU (Case No 17/02495/FUL)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a single-storey side extension, alterations to roof space to form habitable accommodation including formation of gable end and front dormer window at 52 Glenalmond Road Sheffield S11 7GW (Case No 17/02202/FUL)

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a two-storey side extension to dwellinghouse at Roegate Cottage Dungworth Green Sheffield S6 6HE (Case No 17/02620/FUL)

(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse to issue a Certificate of Lawful Use or Development under Section 191 of the Town and Country Planning Act 1990 (as amended) for an application to establish the lawful use of building as a dwellinghouse (Application under Section 191) at Building At 'White Waters' Station Road Halfway Sheffield S20 3AD (Case No 17/01900/LU4)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for alterations to roof including raising of ridge height to form 2 flats at 46 Wostenholm Road Sheffield S7 1LL (Case No 17/02206/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issues as being:-

- a) Impact on the character and appearance of the Nether Edge Conservation Area;
- b) Effect on living conditions of future occupants – particularly accommodation and amenity space

For a) he noted the 3 storey building containing 5 flats is in a prominent location in the conservation area, which is characterised by detached, semi-detached and terraced properties whose characteristic feature is adequately proportioned traditional hipped and gable roofs.

He agreed with officers that the proposed replacement mansard roof, 0.2m taller than the existing roof, with a pitch of 70 degrees vs 26 degrees as existing, would appear disproportionately top heavy and incongruous, unacceptably at odds with the predominant roof scape on the road. As such he considered it would harm the conservation area and neither preserve or enhance its character. He concluded there were no public benefits to outweigh the less than substantial harm (in NPPF terms).

For b) the 2 proposed flats had a floor space of approximately 50 sqm. Officers felt this fell short of guidance in the South Yorkshire Residential Design Guide which suggests 62sqm. The Inspector noted this was reflective of the Government's Technical Housing Standards – Nationally Described Space Standard which suggests a minimum of 61sqm. He therefore considered there was a shortfall in floor space.

He also agreed with officers that the usability of the floor space was greatly compromised by the slope of the front and rear walls leading to unacceptably cramped living conditions.

He also considered the absence of access from the flats to useable amenity space to be unacceptable and further representative of poor living conditions.

He dismissed the appeal on both counts for failure to comply with UDP policies BE5, BE15, BE16, H5 and H14; Core Strategy policy CS74; and paras 131-132.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for the erection of a dwellinghouse and detached garage at Land Adjacent 133 Long Line Sheffield S11 7TX (Case No 17/00548/FUL) has been dismissed.

Officer Comment:-

Note: The reason for refusal in this case did not relate to the principle of the erection of a dwelling as officer had concluded this would be in line with UDP policy GE5, and para 89 of the NPPF which permit limited infilling of single plots within the confines of a group of buildings or villages.

The main issues were:-

- a) The effect on the openness of the Green Belt; and

b) The effect on the character and appearance of the Area of High Landscape Value (AHLV).

In respect of a) as the site formed part of an existing garden amongst a group of properties the Inspector considered the development would not lead to encroachment of development into the countryside but would inevitably have some impact on openness. However he concluded that given infill development was supported by national and local policy, there was no encroachment beyond existing residential curtilage, and that it would follow adjacent ribbon development, overall it would not have a greater impact on openness of the green belt and the purposes of including land within it.

For b) he noted the plot size was sufficient to accommodate a relatively large 2 storey dwelling with sufficient space around it. However the substantial and steep pitched roof would result in a dominant appearance and a dwelling taller than adjacent properties and would have the effect of drawing the eye to the extent it would be at odds with neighbouring properties.

He felt that as the property would be visible in views from the south in particular, it would appear as an unacceptable dominant feature within the countryside and have a detrimental effect on the AHLV.

He dismissed the appeal for failure to comply with UDP policies GE4, GE8, and BE5 and Core Strategy Policies CS31 and CS74.

5.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

19 December 2017