

Planning and Highways Committee

Tuesday 12 June 2018 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), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Alan Law, Robert Murphy, Zahira Naz, Peter Price, Chris Rosling-Josephs and Andrew Sangar

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 Simon Hughes on 0114 273 4014 or email simon.hughes@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
12 JUNE 2018**

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 - 12)
Minutes of the meetings of the Committee held on 16 May and 22 May 2018
- 6. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Applications Under Various Acts/Regulations**
Report of the Director of City Growth
- 8. 37 Townhead Road (Case No. 18/01048/FUL)** (Pages 13 - 22)
- 9. Baldwins Omega Ltd Brincliffe Hill (Case No. 17/04961/REM)** (Pages 23 - 70)
- 10. Within The Curtilage Of 109 Hallam Grange Rise (Case No. 17/04889/FUL)** (Pages 71 - 84)
- 11. Land To The East Of The Junction With School Street Station Road Mosborough (Case No. 17/04669/FUL)** (Pages 85 - 106)
- 12. Curtilage Of 26 Rangeley Road (Case No. 17/04664/FUL)** (Pages 107 - 120)
- 13. Record of Planning Appeal Submissions and Decisions** (Pages 121 - 126)
Report of the Director of City Growth
- 14. Date of Next Meeting**
The next meeting of the Committee will be held on 3 July 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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Planning and Highways Committee

Meeting held 16 May 2018

PRESENT: Councillors Dianne Hurst (Chair), Peter Rippon (Chair), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Alan Law, Robert Murphy, Zahira Naz, Peter Price and Chris Rosling-Josephs

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Andrew Sangar.

2. APPOINTMENT OF CHAIR AND DEPUTY CHAIR

2.1 **RESOLVED:** That Councillors Dianne Hurst and Peter Rippon be appointed Co-Chairs for the 2018/19 municipal year.

3. DATES AND TIMES OF MEETINGS

3.1 **RESOLVED:** That meetings of the Committee be held on Tuesday 22 May 2018 meeting every three weeks thereafter at 2.00pm as follows:-

- 12 June 2018
- 3 July 2018
- 24 July 2018
- 14 August 2018
- 4 September 2018
- 25 September 2018
- 16 October 2018
- 6 November 2018
- 27 November 2018
- 18 December 2018
- 15 January 2019
- 29 January 2019
- 19 February 2019
- 12 March 2019
- 2 April 2019
- 23 April 2019
- 14 May 2019
- 4 June 2019

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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 22 May 2018

PRESENT: Councillors Dianne Hurst (Chair), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Robert Murphy, Zahira Naz, Peter Price, Peter Rippon and Chris Rosling-Josephs

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1. APOLOGIES FOR ABSENCE

- 1.1 An apology for absence was received from Councillor Alan Law but no substitute was appointed.
- 1.2 Councillor Robert Murphy attended the meeting as an observer.

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 Jack Clarkson declared personal interests in agenda items 7 and 8 'Proposed Closure of Part of Footpath Sto/11 at Ellen Cliffe, Deepcar' and 'Proposed Diversion of Part of Footpath Sto/65 at Underbank Activity Centre, Stocksbridge' (see minutes 6 and 7 below) as a local Ward Councillor. Councillor Clarkson stated that he had not declared his position on the proposals prior to the meeting and would participate in their determination.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of the meeting of the Committee, held on 1 May 2018, were approved as a correct record.

5. SITE VISIT

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

6. PROPOSED CLOSURE OF PART OF FOOTPATH STO/11 AT ELLEN CLIFFE, DEEPCAR

- 6.1 The Director of Culture and Environment submitted a report seeking authority to process the Public Path Closure Order required for closing part of the definitive public footpath Sto/11 at Ellen Cliffe Farm, Deepcar.

6.2 RESOLVED: That:-

- (a) no objections be raised to the proposed closure of part of definitive public footpath Sto/11, as shown on the plan included as Appendix A to the report, subject to satisfactory arrangements being made with 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 and Governance to:-
 - take all necessary action to close the footpath under the powers contained within Section 118 of the Highways Act 1980; and
 - confirm the Order as an unopposed Order, in the event of no objections being received, or any objections received being resolved.

7. PROPOSED DIVERSION OF PART OF FOOTPATH STO/65 AT UNDERBANK ACTIVITY CENTRE, STOCKSBRIDGE

7.1 The Director of Culture and Environment submitted a report seeking authority to process the Public Path Diversion Order required for altering the course of definitive public footpath Sto/65 at Underbank Activity Centre, Stocksbridge.

7.2 RESOLVED: That:-

- (a) no objections be raised to the proposed diversion of definitive public footpath Sto/65, as shown on the plan included as Appendix A to the report, subject to satisfactory arrangements being made with 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 and Governance to:-
 - take all necessary action to divert the footpath under the powers contained within Section 119 of the Highways Act 1980; and
 - confirm the Order as an unopposed Order, in the event of no objections being received, or any objections received being resolved.

8. PROPOSED DIVERSION OF FOOTPATH SHE/1072 AT BANNERDALE SITE, MILLHOUSES

8.1 The Director of Culture and Environment submitted a report seeking authority to process the Public Path Diversion Order required to divert part of the public footpath at the former Bannerdale Site, Millhouses, as shown on the black line on the plan attached as Appendix A to the report.

8.2 RESOLVED: That:-

- (a) no objections be raised to the proposed diversion of part of footpath She/1072, as shown on the plan included as Appendix A to the report, subject to satisfactory arrangements being made with 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 and Governance to:-

- take all necessary action to divert part of the footpath by order under the powers contained within Section 257 of the Town and Country Planning Act 1990; and
- 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.

9. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

9.0.1 **RESOLVED:** That 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.

10. LAND WITHIN THE CURTILAGE OF THE UNIVERSITY OF SHEFFIELD, BOLSOVER STREET, S3 7HF (CASE NO. 18/00613/FUL)

9.1.1 Having considered representations at the meeting from the applicant's agent speaking in support of the application, and following clarification on deliveries to the facility, as outlined in a supplementary report circulated at the meeting, an application for planning permission for erection of a new Energy Centre for Sheffield University (amended location) at land within the curtilage of University of Sheffield, Bolsover Street (Case No. 18/00613/FUL) be granted, conditionally, for the reasons detailed in the report now submitted.

11. 90 TRIPPET LANE/8 BAILEY LANE, S1 4EL (CASE NO. 18/00386/FUL)

9.2.1 Having considered a supplementary report to committee which was circulated at the meeting (which outlined relevant considerations with regard to the National Planning Policy Framework and related amendments to the recommended reasons for refusal), and representations at the meeting from the applicant's agent speaking against the officer's recommendation to refuse, and, notwithstanding the officer's recommendation, members were minded to grant an application for planning permission for demolition of existing building and erection of 7 storey (plus basement) mixed use development comprising 63. no student bedrooms in 13 clusters over 6 storeys with commercial use on ground/lower ground floor and cycle storage at 90 Trippet Lane/8 Bailey Lane (planning application reference 18/00386/FUL), subject to appropriate conditions.

9.2.2 Members outlined that they found it difficult to support the officer's recommendation and thought the building was similar to other recently erected

buildings of scale in the area. Members stated that the proposed development would not cause harm to the conservation area; on the contrary members expressed that they thought it enhanced the conservation area given the existing building to be demolished was not of significant value.

- 9.2.3 Members voted unanimously against the officer recommendation to refuse permission and to instead grant permission for the development for the reasons outlined during the discussions, subject to appropriate conditions being applied. Authority was delegated to the Head of Planning, in consultation with the Co-Chairs, to approve conditions to be attached to the planning permission.

12. CURTILAGE OF 29 FLORENCE ROAD, S8 0GE (CASE NO. 18/00272/FUL)

- 9.3.1 An application for planning permission for demolition of single-storey off shot/detached garage and erection of 2. no semi-detached dwellinghouses (as amended plans) at the curtilage of 29 Florence Road (Case No. 18/00272/FUL) be granted, conditionally, for the reasons detailed in the report now submitted.

13. BAL FASHIONS AND KNITWEAR, 16 EXCHANGE STREET, S2 5TS (CASE NO. 18/00028/CHU)

- 9.4.1. Having heard representations at the meeting from three local residents speaking against the application, an application for planning permission for change of use from A1 (retail shop) to A4 (drinking establishment) and provision of outdoor seating/smoking area at BAL Fashions and Knitwear, 16 Exchange Street (Case No. 18/00028/CHU) be granted, conditionally, for the reasons detailed in the report now submitted.

14. 28A SCHOOL GREEN LANE, S10 4GQ (CASE NO.17/05237/FUL)

- 9.5.1 Having considered representations at the meeting from a local resident speaking against the application and from the owner of the business speaking in support of the application, and subject to the inclusion of an additional condition that the applicant provide a waste management plan prior to the commencement of development, as outlined at the meeting, an application for planning permission for the erection of a detached outbuilding for use as a cattery at 28A School Green Lane (Case No. 17/05237/FUL) be granted, conditionally, for the reasons detailed in the report now submitted.

15. CURTILAGE OF 26 RANGELEY ROAD, S6 5DW (CASE NO. 17/04664/FUL)

- 9.6.1 It was reported that this application had been withdrawn from consideration at the meeting in order for officers to assess further information provided by the applicant shortly before the meeting.

16. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 10.1 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.

17. DATE OF NEXT MEETING

- 11.1 It was noted that the next meeting of the Committee will be held at 2:00p.m. on Tuesday, 12 June 2018 at the Town Hall.

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Case Number	18/01048/FUL
Application Type	Full Planning Application
Proposal	Application to extend opening hours to 19:00 hours on Tuesdays and Thursdays and to 17:00 hours on Saturdays and to open for emergencies only between 08:00 and 20:00 hours on any day (amended description) (Application under Section 73 to vary condition No. 5 (operating days/times) as imposed by planning permission No. 18/00114/FUL
Location	37 Townhead Road Sheffield S17 3GD
Date Received	14/03/2018
Team	South
Applicant/Agent	Hightrees Clinic
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development must be begun not later than the expiration of three years from the 7th of March 2018

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 Red Line Plan and Floor Plan scanned on 10 January 2018 and submitted as part of planning application 18/00114/FUL .

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. 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.

Other Compliance Conditions

4. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the unit shall be used solely for the use hereby permitted and shall not be used for any other purpose within Use Class D1 (Non-Residential Institutions).

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

5. No customer/patient is permitted to be on the premises outside of the following hours, unless it is for an emergency:

- Mondays, Wednesdays and Fridays between 09:00 and 18:00 hours.
- Tuesdays and Thursdays between 09:00 and 19:00 hours.
- Saturdays between 09:00 and 17:00 hours.

The hereby approved use can open to provide emergency treatment only between 08:00 and 20:00 hours on any day. Emergencies being defined as a patient with bleeding, swelling or severe pain.

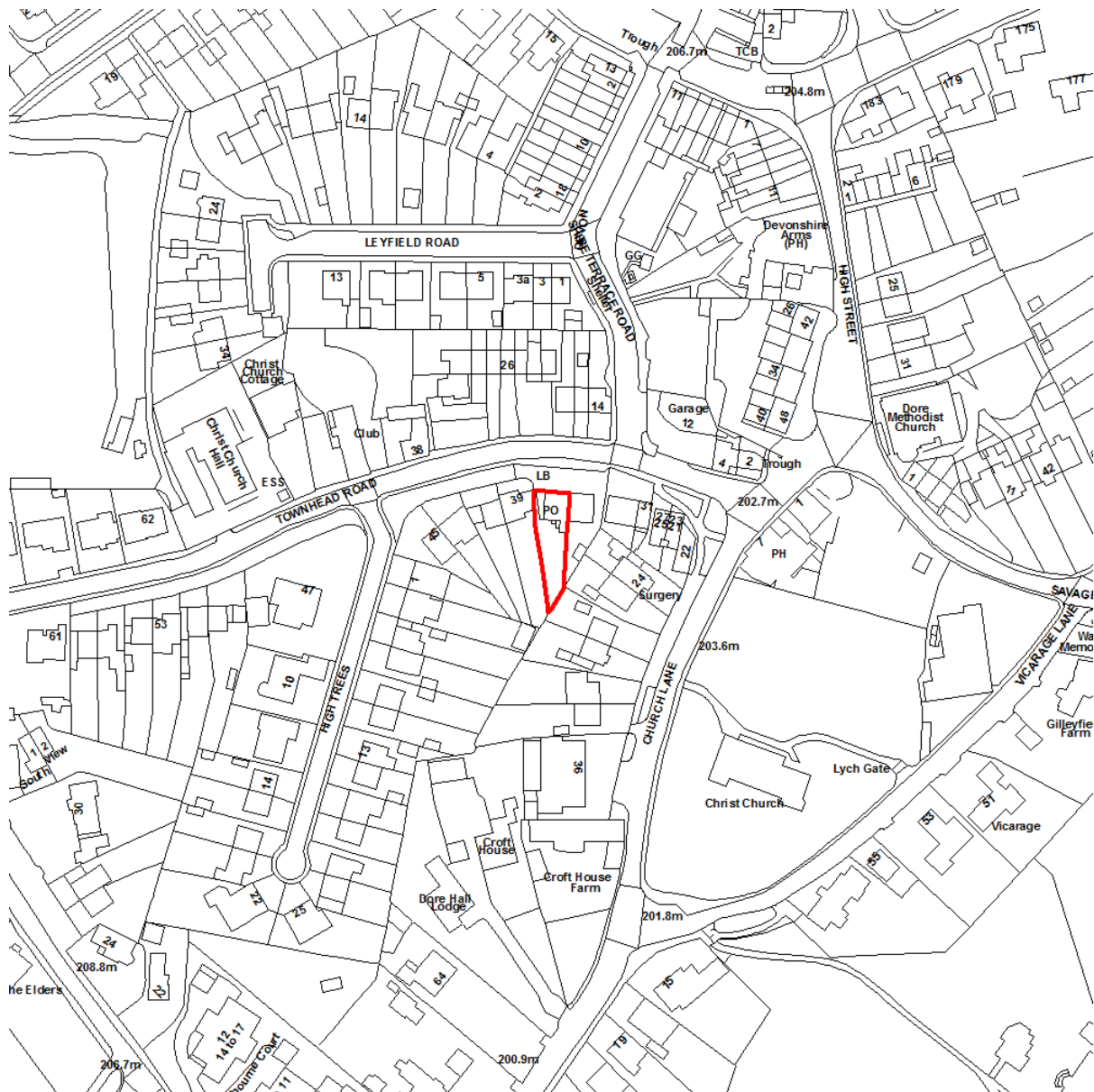
Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

Attention is Drawn to the Following Directives:

1. Where conditions require details to be submitted, an Application for Approval of Details Reserved by Condition is required (unless the condition gives the option of implementing the details already submitted). The Local Planning Authority is expected to determine these applications within 8 weeks of being validated, so it is essential to include all the information required. Apply online at www.planningportal.gov.uk. There are fees, which are also set by the Government.
2. 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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PROPOSAL

Planning permission was approved under delegated powers for a dental surgery (Use Class D1) at 37 Townhead Road in March 2018, under planning reference 18/00114/FUL.

Although works are ongoing in respect of the conversion, the use itself is yet to commence. The applicant has however revisited the proposals and decided to seek revised hours of operation through a variation to Condition 5.

The original application sought permission to operate during the following hours, which was deemed as acceptable:

- Monday to Friday between 09:00 and 18:00 hours.
- Saturdays between 09:00 and 14:00 hours.
- No opening on Sundays and Bank Holiday Mondays.

This new proposal seeks the following alterations to the original approved hours:

- To open for an additional hour (until 19:00 hours) on Tuesdays and Thursdays.
- To open for an additional three hours (until 17:00 hours) on Saturdays.
- To have the ability to provide emergency out of hours treatment for patients between 08:00 and 20:00 hours on any day.

It is noted that the proposed permanent extended hours have been reduced during the course of this application in response to the number of objections raised. The original proposal sought the following:

- To open until 19:30 hours Monday to Friday.
- To open for an additional three hours (until 17:00 hours) on Saturdays.
- To open between 10:00 and 16:00 hours on Sundays.

LOCATION

This application relates to a two storey semi-detached property located within a Local Shopping Centre and the Dore Conservation Area, as defined by the adopted Sheffield Unitary Development Plan (UDP).

The ground floor of the property was last used as a post office and a residential apartment is situated on the first floor.

The adjoining property, along with the other properties to the east, also falls within the defined local shopping with commercial uses at ground floor and a variety of uses on the upper floors, including further residential apartments.

Family housing is set to the direct west of the application site and across Townhead Road to the north.

RELEVANT PLANNING HISTORY

Planning permission was approved for a dental surgery (Use Class D1) in March 2018 under planning reference 18/00114/FUL.

Prior to this the premises were in use as a post office with no restrictions on hours of use.

SUMMARY OF REPRESENTATIONS

Councillor Martin Smith has written in twice to object to the proposal for the following reasons:

- The Sunday hours would cause noise and disturbance to neighbouring properties and none of the other retailers along Townhead Road open on a Sunday.
- It is disappointing that the applicant has applied to vary the planning conditions so soon after the original planning application was approved.
- Emergency appointments are already available at another practice operated by the applicant in Sheffield.
- Some new windows have been inserted into the rear of the property.

Councillor Colin Ross has written in twice to object to the proposal for the following reasons:

- The extended opening hours would cause disturbance to neighbours.
- Opening seven days a week would be out of step with other commercial premises in the village centre.
- The need for emergency cover would have been known during the original application and should have been made clear then.
- The windows to the front have been altered and a new window has been added to the rear of the unit.

There have been twelve individual letters of objection to the proposals, two being from the Dore Village Society, and the others from local residents. These raise the following matters:

- The revised hours are excessive and not suitable for the location, which is adjacent to residential properties.
- The proposals will create noise and disturbance, which includes general comings and goings from customers and staff and vehicles associated with the use.
- The proposals will impact on the privacy of surrounding residents.
- The highway in front of the unit is narrow and already congested with limited car parking. The proposals would exacerbate such matters and many customers will arrive by car.
- The applicant has been misleading in acquiring planning permission for the lesser hours and then reapplying. It is difficult to believe that the need for extended hours was not known at the time of the first application. This is disrespectful to the planning system and other interested parties, including the neighbours.
- This is a private business and not a public amenity.
- Dore is a traditional village with Sunday being a quieter peaceful day, allowing children to play in the street. This proposal would be contrary to this.
- Allowing these extended hours would set a precedent for other businesses, which at present do not open during such hours/at weekends.

- It will be extremely difficult to monitor the use of extended hours for emergency dental treatment only, to ensure compliance. This could create a sense of frustration and unease in the community.
- The applicant already has a dental practice in the city that has emergency cover so why can't emergencies be dealt with at this alternative location.
- External alterations have taken place to the property without planning permission.

A petition has been received alongside a further letter with 47 signatures attached to it. This raises objections to the scheme on the following grounds:

- Increased noise and disturbance, which would negatively impact on the quality of life for surrounding residents.
- Increased traffic and problematic parking situations in an already congested village centre.
- This could set a precedent for other businesses in the village, which would impact on the village atmosphere and identity.
- How clinical waste will be dealt with is a real concern as the passage to the side of the property is only wide enough for a standard domestic black bin. A larger bin could create noise and also damage the neighbouring property.

PLANNING ASSESSMENT

As this application is for an extension to the approved hours, the following assessment will only focus on the relevant material considerations, rather than assessing all matters again, such as land use, given that the principle of the use has already been accepted.

Amenity

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

It is firstly noted that, in response to initial objections from third parties, the applicant has revised down the proposed permanent hours of opening, which includes restricting Sunday opening to emergency treatment only. It is, however, acknowledged that the objections to the proposals remain.

In order to help understand the likely impact of the proposed additional opening hours the applicant has provided a supporting statement that highlights the following points:

- The types of appointments that will be provided during the proposed permanent hours will generally require between 30 minutes and three hours each. As such, based on there being two treatment rooms, the additional permanent patient numbers will be a maximum of 4 people for the additional hour on Tuesdays and Thursdays and 12 people for the additional three hours on Saturdays.

- The applicant has also provided supporting information that makes it clear that as part of their Denplan/Simply Health contract there is a duty of care to provide some out of hour's emergency cover. In this case this would typically be in situations where a patient would contact the surgery with bleeding, swelling or severe pain not controlled by over the counter medication. (For reference Denplan/Simply Health is a leading dental payment plan specialist).

Whilst it is always difficult to predict when such an emergency would occur, the applicant has stated that it is rare and generally they would try to accommodate such patients at the start or at the end of a normal clinic.

However, in terms of numbers of people on the premises in the case that such an emergency would need to be dealt with on a Sunday for example, this would typically involve the patient and no more than three members of staff.

Having offered the above information due consideration, and taking into account the relatively quiet nature of the use and its position in an existing established shopping centre, it is not considered that the impact of the additional hour on a Tuesday or Thursday, or the afternoon opening on a Saturday, would lead to any unacceptable noise and disturbance to surrounding residents.

With respect to the emergency opening, it is accepted that this would be infrequent and there would be a very limited number of people in attendance during such incidents. Taking this into account, and given the nature of the use, it is concluded that it would be unreasonable to refuse the extended hours of operation on the grounds of noise and disturbance.

The proposal is therefore concluded to result in an acceptable impact on the living conditions of nearby residents.

Highways

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

It is accepted that the section of Townhead Road in front of the unit does narrow at this point, and parking in the area can be difficult. However, given the limited proposed increase in the operating hours of the approved use and its location within a Local Shopping Centre (which is readily accessible via public transport and within easy walking distance for the surrounding community who are likely to use this facility), the scheme continues to give rise to no concerns from a highway perspective, particularly since the increase in hours will not result in any increase in the numbers of patients / staff on the premises at any one time.

It should be borne in mind that the proposal is replacing an established commercial use, which would have generated vehicle movements and parking. There is also some limited off-street parking on the forecourt.

RESPONSE TO REPRESENTATIONS

A number of the issues raised in the representations have been addressed in the above assessment. The outstanding matters are addressed as follows:

It is disappointing that the applicant has applied to vary the planning conditions so soon after the original planning application was passed.

- In response, it is understood that the applicant made a genuine error on the original application forms.
- Nevertheless, an applicant is entitled to apply to vary conditions at any point and each scheme is considered on its individual merits.

The proposals will impact on the privacy of surrounding residents.

- In response, the relationship between the commercial use and the surrounding residents in respect to privacy will be no different than was the case with the previous use, particularly given the ground floor nature of the use.

Dore is a traditional village with Sunday being a quieter peaceful day, allowing children to play in the street. This proposal would be contrary to this.

- In response, it should be pointed out that there are businesses within the existing centre that do operate in the evenings and at weekends, including Sundays. Of particular note is the Coop convenience store which opens between 0700 hours and 2200 hours every day.
- It is also noted that there would have been no planning restrictions preventing a retail use moving into this vacant building and operating without planning controls on hours, given the historic established A1 retail use of the Post Office.

Allowing these extended hours would set a precedent for other businesses, which at present do not open during such hours/at weekends.

- In response and as already stated, there are businesses in Dore such as public houses and the Coop convenience store that do operate in the evenings and at weekends. Furthermore, each future application would be judged on its own merits.

It will be extremely difficult to monitor the use of extended hours for emergency dental treatment only, to ensure compliance. This could create a sense of frustration and unease in the community.

- In response, it is accepted that monitoring emergency opening would be a strain on resources. However, it is possible if genuine problems arise.

- It is also unreasonable to simply assume that a planning permission/condition would be breached.

The applicant already has a dental practice in the city that has emergency cover, so why can't emergencies be dealt with at this alternative location.

- In response, it is not for the Local Planning Authority to dictate that the applicant must undertake emergency treatments at an alternative location. It is for the LPA to judge the application before it on its merits.

External alterations have taken place to the property without planning permission.

- In response, these matters are separate to the consideration of this application but are in the process of being investigated.

How will clinical waste will be dealt with as the passage to the side of the property is only wide enough for a standard domestic black bin. A larger bin could create noise and also damage the neighbouring property.

- In response, a clinical waste bin does not need to be larger than a domestic black bin and the applicant has confirmed their intention to store the bins in the rear garden area.

SUMMARY AND RECOMMENDATION

The use of the premises as a dental surgery has already been established by the granting of planning permission in March this year. This application deals solely with a proposal to extend the operating hours of the business by one additional hour on Tuesday and Thursday evenings; to operate on Saturday afternoons and to allow for genuine emergency appointments between 8am and 8pm on any day.

Given the previous use of the premises as an A1 retail use with no restrictions on hours of use; and the position of the premises in a sustainable location within an established local shopping centre it is considered that the additional hours requested will not result in unacceptable impacts and it is therefore recommended that planning permission is granted subject to the listed conditions.

Case Number	17/04961/REM (Formerly PP-06570523)
Application Type	Approval of Reserved Matters
Proposal	Demolition of existing buildings and erection of 52 apartments in 6 blocks with associated car parking and landscaping (Application to approve details relating to appearance, landscaping, scale and layout - matters reserved under planning application 15/04019/OUT) (Amended plans received on 23 April 2018, including revisions to the vehicle access arrangements).
Location	Baldwins Omega Ltd Brincliffe Hill Sheffield S11 9DF
Date Received	04/12/2017
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Reserved Matters Approved Conditionally

Time Limit for Commencement of Development

Approved/Refused Plan(s)

1. With the exception of details to be agreed in order to satisfy the other conditions of this notice, the development shall be carried out in strict accordance with the following approved plans:
 - Red Line Boundary Plan scanned on 09 February 2018.
 - Chelsea Court Entrance Plan received via email dated 23 April 2018 (Ref: 182/P1.32/A).
 - Ground Floor Masterplan received via email dated 23 April 2018 (Ref: 182/P1.03/E).
 - First Floor Masterplan received via email dated 23 April 2018 (Ref: 182/P1.04/D).
 - Second Floor Masterplan received via email dated 23 April 2018 (Ref: 182/P1.05/D).
 - Third Floor Masterplan received via email dated 27 March 2018 (Ref: 182/P1.06/C).
 - Fourth Floor Masterplan received via email dated 27 March 2018 (Ref: 182/P1.07/B).

- Roof Plan scanned on 04 December 2017 (Ref: 182/P1.08).
- Landscape Masterplan received via email dated 23 April 2018 (Ref: 551/BOS08/D).
- Block A Elevations scanned on 09 February 2018 (Ref: 182/P3.01/A).
- Block B Elevations received via email dated 23 April 2018 (Ref: 182/P3.02/C).
- Block C Elevations scanned on 23 February 2018 (Ref: 182/P3.03/B).
- Block D Elevations scanned on 06 March 2018 (Ref: 182/P3.04/B).
- Block E Elevations scanned on 09 February 2018 (Ref: 182/P3.05/A).
- Block F Elevations scanned on 09 February 2018 (Ref: 182/P3.06/A).
- Block A Floor Plans scanned on 09 February 2018 (Ref: 182/P1.09/A - P1.10A - P1.11A - P1.12/A & P1.13A).
- Block B Floor Plans received via email dated 23 April 2018 (Ref: 182/P1.14/B - P1.15B - P1.16B)
- Block B Third Floor Plan scanned date 09 February 2018 (Ref: 182/P1.17/A).
- Block C Floor Plans scanned on 09 February 2018 (Ref: 182/P1.18/A & P1.19A).
- Block D Floor Plans scanned on 06 March 2018 (Ref: 182/P1.20/B - P1.21/B - P1.22/B & P1.23/B).
- Block E Floor Plans scanned on 09 February 2018 (Ref: 182/P1.24/A - P1.25/A - P1.26/A & P1.27/A).
- Block F Floor Plans scanned on 09 February 2018 (Ref: 182/P1.28/A - P1.29/A - P1.30/A & P1.31/A).
- Site Sections A-B received via email dated 23 April 2018 (Ref: 182/P2.01/B).
- Site Sections C-D scanned on 04 December 2017 (Ref: 182/D2.02).
- Site Sections E-F received via email dated 27 March 2018 (Ref: 182/D2.03/A).
- Site Sections G-H received via email dated 27 March 2018 (Ref: 182/P2.04/A).
- Site Section I received via email dated 27 March 2018 (Ref: 182/P2.08).
- Large Scale Section Plans scanned on 08 January 2018 (Ref: 182/P2.06 & 180/P2.07).

Reason: In order to define the permission.

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

2. No works, which include the creation of trenches or culverts or the presence of pipes, shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:
 - a) Creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and

b) Open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Once agreed each phase of the development shall be carried out in accordance with these details.

Reason: In the interests of ecology and protected species.

3. The proposed green/brown roof(s) (vegetated roof system) shall be provided on the roof(s) in accordance with locations shown on the approved Landscape Masterplan. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site for the corresponding phase. The green/brown roof(s) shall be provided prior to the use of the corresponding phase commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

4. No phase of development shall commence until full details of measures to protect the retained trees affected by that phase have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented. These measures shall include a construction methodology statement detailing how any works within the Root Protection Areas (RPAs) of these trees will be implemented and a plan showing these accurate RPAs.

Reason: 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 phase of development shall commence until a final Rock Slope Stability Report has been submitted to and approved in writing by the Local Planning Authority. This report must include:

- Detailed proposals to ensure the long term stability of all rock faces that sit within and adjacent to the site.
- A timeframe for implementation of those proposals.

The proposals must be carried out in accordance with the approved details and timescales thereafter.

Reason: In the interests of the safe redevelopment of the site and the safety of surrounding residents/property.

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

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

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

7. Before any development commences a method statement detailing how Japanese knotweed (*Fallopia japonica*) on the site will be treated and disposed of, including timeframe's, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed method statement thereafter.

Reason: To ensure the appropriate redevelopment of the site.

8. If development does not commence before 25th August 2019, then no development shall commence until additional Bat Emergence Surveys, including mitigation measures as relevant, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the recommendations of the updated survey thereafter.

Reason: In the interests of ecology.

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

Reason: In the interests of ecology.

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

Reason: In the interests of ecology.

11. The first and second floor southernmost windows/glazing (one window on each floor) on the east facing elevation of Block E (these form part of a larger corner window) shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-

opening. The window(s) shall be permanently retained in that condition thereafter.

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

12. Within three months of the development commencing on a relevant phase, details of privacy screens serving the balconies in the following locations, as relevant to that phase, shall have been submitted to and approved in writing by the Local Planning Authority:

- a) The eastern side of the third floor balcony on Block E.
- b) The eastern side of the easternmost first and second floor balconies on the southern elevation of Block E.
- c) The southern side of the first and second floor balconies on the eastern elevation of Block D.
- d) The northern side of the first and second floor balconies on the north section of the east facing elevation of Block B.

Before first occupation of the relevant phase the approved details/screens shall be in place and they shall thereafter be retained.

Reason: In the interests of delivering a suitable form of development from an amenity perspective.

13. Within three months of development commencing on the two blocks to the north of the site (shown as Block A & B on the approved plans) the following details shall have been submitted to and approved in writing by the Local Planning Authority:

- a) Measures to ensure vehicles do not have to the potential to drive/fall over the cliff edge.
- b) Protective measures along the northern boundary to stop residents falling over the cliff edge.

Reason: In the interests of the safe redevelopment of the site and the safety of future and surrounding residents/property.

14. Before first occupation of the relevant phase the approved bin storage and cycle parking, as identified on the approved plans, shall be in place and thereafter such cycle parking and bin storage accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport and the amenities of the locality.

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

Reason: In order to ensure an appropriate quality of development

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

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

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

- a) Junctions between cladding materials, which shall include glazing.
- b) Windows, including reveals.
- c) Doors, including any plant room doors.
- d) Eaves, parapets and verges.
- e) External wall construction.
- f) Cladding patterns.
- g) Canopies.
- h) Rainwater Goods.
- i) Cantilevers, including soffits.
- j) Louvres.
- k) Balconies, balustrades and railings.

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

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

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

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

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

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

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

20. Within six months of any development commencing details of two rapid electric charging points for electric vehicles, including locations, technical information, a timeframe for implementation and signage, shall have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall have been provided in accordance with those details and thereafter retained.

Reason: In order to promote the development of clean technologies and to mitigate the air quality impact of the development.

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

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

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

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

Other Compliance Conditions

22. No phase of development shall be occupied unless the car parking accommodation relating to that phase and as shown on the approved has been provided in accordance with those plans.

Once in place the car parking shall be retained and used for the sole purpose intended thereafter.

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

23. There shall be no gates or other means of enclosure at the entrance of the site from Chelsea Court.

Reason: In the interests of highway safety.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. The applicant is advised that within the representations received from surrounding residents it has been suggested that the site was used for military training purposes during World War One and the potential for live ammunition needs to be accounted for during the construction of the development.
4. The applicant is advised that the highest quality materials are expected to be used in respect of this scheme and this should include natural zinc and natural stone cladding.

Site Location



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INTRODUCTION

Members are reminded that outline planning permission was approved at Planning Committee for this site in February 2016. This outline approval was for the demolition of the existing buildings and the re-development of the land for residential purposes (Ref: 15/04019/OUT).

Within this outline application all matters, with the exception of vehicle access points into the site, were reserved for future approval.

These vehicle access points allowed only emergency vehicles to enter or leave the site via Brincliffe Hill, while all other vehicles would access the site via Chelsea Court.

LOCATION

The application relates to a site of approximately 0.85 hectares in area, which is located in the south west of the city within an allocated Housing Area, as defined by the adopted Sheffield Unitary Development Plan (UDP).

The site use is currently the Baldwin's Omega restaurant and function rooms (Use Class A3).

The restaurant itself is a sizeable, predominantly single storey building with both pitched and flat roofs, and is located towards the northern boundary of the site. Owing to the falling ground level across the site from west to east, the existing building does achieve two storey elements.

A further single/two storey flat roofed commercial building located along the western boundary is also to be demolished as part of the proposals.

The remainder of the site is dominated by a large car park (approximately 95 spaces), although there are some areas of soft landscaping adjacent to the main building, along the north and north west boundaries. The southern and western boundaries are in part defined by a number of large trees.

The site is currently accessible to vehicular traffic from Brincliffe Hill to the north west and Chelsea Court to the east. However, as established by the approval of the previous outline application, only emergency vehicles would access the site from Brincliffe Hill as part of any future residential scheme.

Owing to its former use as a quarry there are quite dramatic changes in land levels across the site, with land falling towards the residential properties to the north and east, to the Bluecoats Estate and Chelsea Court respectively. By contrast the residential properties to the west, which front onto Brincliffe Hill, are elevated notably above the application site. The apartment block to the south, which is accessed via Chelsea Rise, is on a similar level to the application site.

More generally, with the exception of the current use as a restaurant and function rooms, the surrounding area has a strong residential character.

An Area of Special Character skirts the north west corner of the site, but none of the proposed buildings sit within this area, while the Nether Edge Conservation Area is set approximately 41 metres to the south east and 22 metres to the north east. However, owing to changing land levels and existing buildings, views of the proposals will be rare from within the conservation area itself.

Several trees that are subject to Tree Preservation Orders (TPOs) border the north west boundary of the site, but these trees are not within the red line boundary itself.

PROPOSAL

The proposed scheme is for the erection of 52 apartments (31 two bedroom and 21 three bedroom) in six blocks that will range between two and five storeys. Each of the blocks will follow a contemporary approach to design, including the incorporation of flat roofs.

Block A is set to the north west of the site and ranges between two and five storeys.

Block B is set to the north of the site and ranges between three and four storeys, with the upper floor set back.

Block C is actually two buildings, each of which is two storeys in height. These are set to the east of the site and provide four two bedrooms units.

Blocks D, E and F are set adjacent to one another on the western section of the site. These blocks are mainly three to four storeys in height, but also include two storey sections.

The principal external material will be brick for Blocks B, E & F and stone for Blocks A, C & D. There are several unifying design features across the blocks, including balconies and recessed masonry panels.

The scheme has utilised the existing land levels to provide a mixture of undercroft and surface level car parking.

The undercroft parking has facilitated the creation of a podium that will be utilised as communal amenity space. Amenity space is also provided in the form of private terraces/balconies and within existing areas of landscaping that will be retained. Blocks A, C & F also incorporate areas of green roof.

RELEVANT PLANNING HISTORY

As discussed above, outline planning permission for the demolition of the existing buildings, and the re-development of the land for residential purposes with vehicular access from Chelsea Court, was approved in February 2016 under planning reference 15/04019/OUT.

Within this outline application all matters, with the exception of vehicle access from Chelsea Court, were reserved for future approval.

It is noted that originally this outline application sought permission for the erection of 38 dwellings (a mixture of flats and detached dwellings). However, owing to concerns in regard to the indicative layout, based on the limited information provided at that time, the exact number of units was not approved, and just the principle of residential development was established.

SUMMARY OF REPRESENTATIONS

- Representation from Paul Bloomfield acting as a Member of Parliament

A representation has been received from Paul Bloomfield in his role as a Member of Parliament for Sheffield Central, which states that local residents have highlighted issues around a lack of notification and consultation with regard to the planning application.

Concerns are also expressed within this representation in respect to:

- The lack of car parking provision.
- Traffic generated by the scheme and the associated noise and pollution.
- The scale/size of the proposed blocks and the impact this has on the character of the area.
- The impact of the blocks on residential amenity with respect to shadowing and privacy.

- Representation from Councillor Mahammad Maroof

Councillor Maroof has written to object to the proposals in his role as a councillor for the Nether Edge and Sharrow Ward.

Within this representation concern is expressed that the development will have a detrimental impact on the locality owing to its substantial scale. It is also stated that the proposals will create many problems, not only for the occupants of the proposed new dwellings, but also for the existing residents on its doorstep.

It is stated that the site is ill served through a narrow opening onto an already busy junction where three roads meet and which are used separately by the occupants of two existing blocks of flats and a number of private residences.

The objection also states that the site is poorly served by public transport, given that there is only one bus service near to the site and this is unreliable, infrequent and under threat from low usage. As a consequence, there will be a high ownership of cars in an area which is too small to cater for them.

- Representation from Councillor Alison Teal

Councillor Teal has written to object to the proposals and states that this application is substantially different in scale to the outline application and completely out of proportion and character with this conservation area.

Councillor Teal states that the proposal is likely to affect the quality of life of surrounding residents and cites issues of outlook, privacy, noise and light pollution.

Councillor Teal also considers the proposals would represent too many dwellings feeding an already dangerous junction (Chelsea Court). In addition, because of inadequate pavements planned, this will put pedestrians (and cyclists) at risk, including school children and elderly people who cross the site for access.

A question is also raised in respect to the residents of Brincliffe Hill, who do not wish to use the dangerous Psalter Lane junction, but now might be obliged to (instead of having relatively safer access via Chelsea Court)?

Other concerns raised within this representation are:

- Inadequate parking.
 - Stability in respect of the existing rock faces.
 - Drainage/sewer capacity.
 - Loss of trees and impact on ecology.
- Representation from the Sheffield Area Geology Trust

The Sheffield Area Geology Trust have sought comfort that the former quarry face on the western boundary should remain available for viewing and study for geological reasons as the site is listed as a Local Geological Site.

More clarity is also requested with respect to works to the rock face and it is requested that the rock will either be exposed, or left as it is.

- Representation from the Sheffield and Rotherham Wildlife Trust

The Sheffield and Rotherham Wildlife Trust have provided the following comments:

- Has the increase in unit numbers resulted in the loss of more trees on the site?
- Suitable investigations need to be made with respect to the presence of badgers on the site and suitable mitigation should also be conditioned as required.
- Investigation as to the presence of wildlife in the rock face to the west of the site is needed.
- Removal of vegetation on the rock face should be limited.
- It is difficult to determine which trees are to be removed.
- There are many positive elements with respect to the scheme and these include brown roofs, new tree and shrub planting and the inclusion of bird/bat boxes.
- An Ecological Management Plan should be conditioned.

- Representations from Local Residents and Local Community Groups

In response to the neighbour notification process 88 letters of representation have been received objecting to the scheme.

These representations, which are summarised below, have been received from individual residents, the Brincliffe, Chelsea, and Bluecoats Residents Group, the Banner Cross Neighbourhood Group and the Nether Edge Neighbourhood Group.

(a) Highway Matters

- The revised access proposals from Chelsea Court are still far from adequate and will cause congestion and accidents both within the development and on Chelsea Court.

- There is insufficient detail about forward visibility available to drivers from the give-way line in respect of the updated access proposals. This is required to ensure this element of the proposals can function safely.
- When a driver leaving the site is satisfied that it is safe to proceed from the give-way line, they will also have to give-way to any other vehicles leaving the existing properties. It is not clear from the details provided that a driver would have sufficient visibility to do this safely.
- The information provided shows that a refuse vehicle and fire tender would not be able to enter the site if a vehicle is parked at the now proposed give-way marking.
- Insufficient details have been provided to demonstrate a 'high reach' fire tender can access the site.
- On street car parking is a concern, most notably in relation to Chelsea Road, Chelsea Court and Brincliffe Hill, where overspill and inconsiderate parking already creates manoeuvring difficulties and adversely impacts on residential amenity and highway safety.
- The proposal provides inadequate off street car parking and poor access.
- The units proposed are likely to attract young professionals who will have more than one car per unit.
- The access from Chelsea Court is not capable of accommodating two-way traffic and will be particularly problematic during periods of freezing weather due to ice/snow on the roads.
- In recent years the construction of the apartment blocks at Quarry Head Lodge and Sycamore Court has already caused a considerable increase in traffic and wear and tear on the road surfaces. The addition of more dwellings would exacerbate this situation.
- The surrounding highways have not been designed to accommodate the volume of traffic being proposed and already suffer in regards to manoeuvrability and capacity. There have been a number of 'near misses' already and the proposals will lead to increased issues/risk.
- The increased on-street parking could result in emergency vehicles not being able to access properties.
- The site is not sustainable with only one bus service operating along Psalter Lane for example. As such, car parking provision which falls below the maximum standards should not be supported.
- The Brincliffe Hill/Psalter Lane junction should be utilised as a vehicle access point for future residents to ease the pressure on Chelsea Court and other roads on this side of the site.
- The Brincliffe Hill/Psalter Lane junction is not dangerous and there are no reports of accidents at this junction.
- Suitable consideration has not been offered to the safety of other junctions that will be used as alternatives to the Brincliffe Hill/Psalter Lane junction. These are the subject of traffic accidents.
- How will the proposed restricted use of the Brincliffe Hill/Psalter Lane junction for emergency vehicles only be enforced?
- The footpaths/shared surfaces into and within the site are inadequate and will create conflicts between pedestrians and vehicles. This is a clear safety concern.
- The site has long been used as a thoroughfare for pedestrians of all ages, will this still be the case?
- A pedestrian route through should be retained during the construction works.
- A dedicated adopted public footpath should be provided through the site.

- The traffic data offered for the current use of the site is taken on a Friday, which is a busy night. This is not representative of a typical weekday when traffic is much less significant. In addition, vehicle movements associated with the current use will be at different times in comparison to a residential scheme.
- The trip generation data used within the Transport Statement was collated during the school holidays and is therefore unreliable.
- How will construction traffic be managed/access the site. Such traffic will damage surrounding highways/verges and cars associated with this phase will also take up on-street car parking spaces.
- The submitted Transport Statement should consider the highway impact of the scheme against maximum parking standards to ensure suitable highway mitigation is provided.
- Parts of Brincliffe Hill are narrow with no footpaths and therefore it should not be a pedestrian route into the site.
- Brincliffe Hill is an unadopted public highway and what measures will be taken to deal with the impact on this highway if vehicles associated with residents begin to use it to park vehicles.
- Signage at the end of Brincliffe Hill could be introduced to stop people trying to use it as a through route.
- The decision to not have cable connected television and internet by the residents of Brincliffe Hill (so they don't lose the ability to access their homes while it being connected) must be respected.
- Brincliffe Hill cannot accommodate emergency vehicles as it is too narrow for two way traffic.
- Visibility from Chelsea Rise is limited.
- Can a formal cycle route be created through the site, or can the current prohibition of cycling between Quarry Lane and Brincliffe Hill be removed?
- The scheme does not include electric vehicle charging points.
- The width of Chelsea Court is between 5.05 metres and 5.3 metres, not the 6.2 metres as claimed within the Transport Statement and, according to the Governments Vehicular Access Standards, the minimum width of an access should be 6.0m for a two way traffic.
- The Transport Statement includes several inaccuracies, including the width of the site access from Chelsea Court. It also underestimates the amount of vehicles using the junction of Chelsea Court/Rise/Road.
- Monies gathered through the Community Infrastructure Levy contribution associated with the development should be utilised to improve bicycle and pedestrian connections around the site.
- Using the average car ownership for residents of apartments across the city is ambiguous and this does not reflect the demographic of the people who would live in this area. Such people are likely to have above average car ownership.
- The footway within the site narrows to 0.7 metres, which is insufficient.

(b) Amenity Considerations

- The proposed buildings will have an unacceptable impact on the amenity of local residents with respect to matters such as noise pollution, outlook, over dominance, over shadowing, light pollution and overlooking. This problem will be exacerbated when the changing land levels are accounted for.
- The disruption to residents during the construction works will be significant.

- The loss of trees on the rock face to the west will impact on the views and privacy of residents along Brincliffe Hill.
- The construction phase will result in dust nuisance for surrounding residents.
- Are there any asbestos/hazardous substance issues with the existing building?

(c) Drainage Considerations

- Drains/sewers in the locality have overflowed in the past and created flooding problems and health risks. These issues will be exacerbated by the proposals as these historic drains have not been designed to cope with the influx of new residential development.
- The use of soakaways would be likely to lead to the flooding of surrounding properties.

(d) Land Stability Considerations

- The proposed development would have an impact on the stability of the surrounding quarry walls, which is a clear health and safety issue. Not enough information is available to take a considered view on this.
- The developers should consider permanently taking over ownership/maintenance of the quarry walls.
- The earlier outline application stated that the stability of the quarry face is not a planning concern, is this correct?
- The Rock Stability Report fails to address the digging of semi basement foundations.

(e) Design Considerations

- From a design perspective the proposed contemporary architecture does not complement the area.
- The scale and footprint of the blocks are out of character with the surroundings, including the Nether Edge Conservation Area, which are largely defined by two storey properties.
- The site lends itself to family houses with gardens.
- The proposals are a complete overdevelopment.

(f) Ecology & Landscape Considerations

- The geodiversity of the rock face should be protected and this could be done via a planning condition.
- The development will have a negative impact on wildlife, including protected species that are evident on the application site, and this should be avoided/mitigated.
- The scheme would result in the loss of a number of trees and this is not acceptable.

(g) Other Considerations

- Revised plans do not address the fundamental flaws with the proposals.
- Safety barriers should be provided to prevent vehicles going over the cliff edge to the north of the site and into the residential gardens below.
- The area already suffers from air pollution and the proposed will increase this.

- The site was used for military training purposes during World War 1 and the potential for live ammunition needs to be investigated.
- The proposed number of units is far in excess of the number proposed within the outline application (36). This represents a 40% increase in unit numbers.
- The exact number of units was removed from the outline description at the last minute and approval simply given for the principal of residential development. Had residents been made aware of this change then further objections would have resulted during the outline stage of the application.
- The density of housing proposed on this site is excessive and does not meet planning policies.
- Continuing to allow large scale development such as this in quiet residential areas will eventually have a detrimental economic impact on the city in general.
- The scheme offers very little in terms of sustainable energy.
- It is very likely that future residents will occupy units via short tenancy agreements. As such, these tenants will not have the same interests in looking after the area as an owner occupier.
- The scheme is one of several similar proposals in the local area over recent times and the cumulative impact of such proposals needs to be considered.
- The proposals are more concerned with developer profit rather than protecting the amenity of surrounding residents.
- The proposals will have a negative impact on the value of surrounding properties.
- Neighbour letters were sent out over the Christmas period, which did not allow sufficient opportunity for residents to comment.
 - Not enough residents along Chelsea Court had been sent formal neighbour letters with regard to the proposals.
- The consultation process in relation to the application was not sufficient and this includes no site notices being put up.
- Insufficient neighbour consultation took place with respect to the outline application.
- No public consultation took place ahead of the application being submitted.
- The application site encroaches onto third party land and the appropriate land ownership certificates have not been served.
- No mobile phone masts should be erected on the roofs of the proposed blocks until such time that it is conclusively established as being not detrimental to health. These masts would also be an eyesore.
- Brincliffe Hill could be a location for voyeurs looking down into the new apartments.
- Who is liable for the damage of vehicles if they are parked on privately owned land?

PLANNING ASSESSMENT

To ensure it is suitably comprehensive the following assessment will make reference to all relevant material considerations. However, it will be made clear when matters have already been established/agreed as part of the approval of the earlier outline planning permission (Ref: 15/04019/OUT).

In such cases, most notably in respect of the acceptability of residential development on the site and the agreed vehicle access point being from Chelsea Court, it is not appropriate to revisit the fundamentals of such matters as part of the consideration of this reserved matters application.

However, and by way of an example, matters such as the suitability of the local highway network and the site access to accommodate the level of development/traffic being proposed do require consideration.

National Planning Policy Framework

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

Land Use

The site is located entirely within a Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP). As such, the proposed housing use is preferred and indeed has been approved in principle within the earlier outline approval.

Housing Land Supply

The NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer.

In addition, Policy CS22 (Scale for the Requirement for New Housing) within the Sheffield Development Framework Core Strategy (CS), sets out Sheffield's housing targets until 2026.

In relation to Sheffield's current housing land supply position, although the latest monitoring shows in excess of a 5-year supply of housing sites against the CS targets, these targets pre-date the National Planning Policy Framework and should now be considered out of date.

The latest Government household growth projections suggest that housing need in the city is higher than was previously planned for in the CS and, as such, the city has an approximate 4.5 year supply of housing using the latest growth projections.

It is clear that a residential proposal such as this would make a substantial positive contribution towards the identified housing supply shortfall and this should be offered appropriate weight as a material consideration.

Development of Brownfield Land

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

Housing Density

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the CS requires appropriate housing densities to ensure the efficient use of land.

Policy CS31 (Housing in the South West) within the CS states that, in South-West Sheffield priority will be given to safeguarding and enhancing its areas of character. As such, the scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

The recommended density for a site such as this, which is within 400 metres of the Banner Cross District Shopping Centre, is between 50-80 dwellings per hectare, as set out in Policy CS26. This scheme achieves a density of approximately 63 dwellings per hectare, which is on the lower side of the acceptable density range, and this therefore accords with the above policies.

It is worth noting as a point of clarity that within the previous committee report which accompanied the outline application, the acceptable density range was identified as being between 40-60 dwellings per hectare. This was an incorrect statement as it failed to account for the proximity of the Banner Cross District Shopping Centre. Although it is worth pointing out that the proposed density is only slightly above this lower range.

Design

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

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

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

Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new buildings should be in scale and character with neighbouring buildings.

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

- Demolition

The existing buildings on the site are reflective of their function, offering a sprawling generally single storey appearance with a mixture of roof forms (flat and pitched).

Whilst these structures are not considered to be particularly poor from a design perspective, subject to a suitable scheme being developed, they are not of such a quality that would warrant any resistance to their removal.

- Contemporary Approach

It is considered that the principle of contemporary architecture, which includes flat roofed buildings, is both long established and acceptable. Indeed, such architecture, if of an appropriate quality, is accepted on more sensitive sites, including within Sheffield's conservation areas.

While the quality of the architecture is considered further below, it would be unreasonable and inconsistent to resist the principle of flat roofed contemporary buildings on this site.

- Height

In relation to height, the blocks vary between two and five storeys and the approach taken has been to position the lower two storey block (Block C) at the site entrance fronting Chelsea Court, so this will reflect the scale of existing properties that are set along this street, which are either single or two storey units with pitched roofs.

There would then be a gradual transition in the height of the blocks as the site is accessed from Chelsea Court, with the taller five storey element in the north west corner (Block A). Although, it should be noted that only a limited section of this block reaches five storeys, before transitioning down to four and then two storeys. This taller block would be approximately 85 metres away from the main site entrance at Chelsea Court.

From a height perspective, when the flat roof design is considered, the two and three storey elements of the proposed blocks are reflective of the heights of neighbouring dwellinghouses, when their pitched roofs are accounted for.

Whilst the four and five storey elements of the blocks are taller than the majority of the surrounding residential units, it is considered that owing to the unique characteristics of the site, resulting from its former use as a quarry, it has a very limited amount of visibility from principal public views. For example, it is set substantially lower than the land to the west (Brincliffe Hill). As such, this does allow discretion for additional height in places.

Indeed a similar approach to height has been followed with respect to the apartment block which is accessed from Chelsea Rise and set to the immediate south of the application site (Quarry Head Lodge). This block provides three floors of accommodation along with a large pitched roof, reaching a height of 11.15 metres. This is akin to the four storey elements of the proposed scheme, which measures approximately 12.67 metres in height.

It should be noted that during the course of pre-application discussions a view was provided looking towards the site from Ecclesall Road South and this demonstrated that the taller elements of the scheme would not be visible over the top of the existing tree canopy when the site is viewed from this direction (the west) and this is welcomed.

- Footprint

As Block C has a frontage onto Chelsea Court the footprint of this block has been limited to reflect the domestic scale of the existing Chelsea Court properties.

There is greater flexibility with respect to the footprint of the remainder of the blocks given that these do not have to address existing road frontages. As such, while the footprint of these blocks varies depending on their position within the site, the size of these footprints is viewed as being fairly typical of apartment schemes of this nature.

Again Quarry Head Lodge, which is set to the immediate south of the application site, offers a useful example of this as it occupies a similar footprint to the proposed blocks.

- Layout/External Areas

The general layout of the blocks is considered to be logical with buildings facing onto existing and new public highways/public routes and private amenity areas.

This layout has been defined to a large extent by the numerous constraints this unique site offers, with such constraints including:

- The need to set the blocks a sufficient distance away from the surrounding residential uses to ensure amenity is suitably protected.
- The desire to protect the existing landscaped area to the north east of the site as this provides a welcoming entrance and a buffer between the taller elements of the scheme and Chelsea Court.
- The need to set any buildings away from the tall quarry wall that runs along the west boundary.
- The established access points into the site from Chelsea Court and Brincliffe Hill.

One unique feature of the layout relates to the undercroft car parking with private amenity areas above on a podium level. This solution ensures that the public areas of the site are not dominated by car parking, while also utilising the existing ground levels across the site.

The main pedestrian route through the site will be well overlooked and is positioned in a way that ensures the route between Chelsea Court and Brincliffe Hill is convenient/direct for people wishing to use it.

- Detailing and Materials

The materials being proposed are of a suitably high quality and include stone cladding, brickwork, zinc cladding and aluminium windows, with the final samples being conditioned should Members be minded to approve the scheme.

The principle external material will be brick for Blocks B, E & F and stone for Blocks A, C & D. The change in material is intended to create some variety across the blocks, with the stone buildings set in the more prominent locations marking gateways. There are also further subtle differences between the stone and brick

blocks, most notably the use of recessed top floors and zinc cladding on the brick blocks. This approach is supported.

There are also several unifying design features across all the blocks to ensure a suitable degree of legibility, including balconies, recessed masonry and aluminium windows.

All of the blocks will be well articulated with a number of features that add interest, including the top floor setbacks and recessed balconies. The architect has also introduced layers into the elevations in places by manipulating how the principal material is utilised.

Overall the combination of the high quality materials and rich detailing will ensure an appropriate quality and appearance.

Sustainability

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

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

In relation to the requirements of CS63, the site is in a sustainable location in respect of access to local amenities and public transport. For example, the site is within a reasonable walking distance (within 400 metres) of the multitude of amenities available within the Banner Cross District Shopping Centre, which is also on a high frequency bus route.

In addition, the site is previously developed and the scheme will incorporate sustainable drainage systems that will result in a reduced surface water run-off rate (see Drainage Section below).

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

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

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach.

The applicant has confirmed that the 10% target will be achieved across scheme and this will be provided in part by incorporating high levels of insulation (the fabric first approach).

The scheme also includes a number of further features that add to its sustainability credentials. The most notable involve the provision of several green/brown roofs, two vehicle charging points, extensive cycle parking and the creation of additional soft landscape areas in comparison to the existing site.

Overall, it is considered that the proposal meets the local sustainability policy requirements.

Highways

Paragraph 32 of the NPPF states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'

Policy CS51 (Transport Priorities) within the CS identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

Section d) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

- Vehicle Access and Highway Widths

The establishment of the principal vehicle access point into the site being from Chelsea Court, which is already a main vehicle access for the existing use, was approved within the outline application, as was utilising the Psalter Lane/Brincliffe Hill access for emergency vehicles only. As such, it is not appropriate to reconsider such principles within this reserved matters application.

However, consideration needs to be given to the suitability of the local highway network, most notably Chelsea Court, and the access point to accommodate the level of traffic being proposed.

Clearly Chelsea Court and the surrounding roads were designed prior to the current guidance and, whilst not formally adopted by Sheffield, it is considered that the South Yorkshire Residential Design Guide offers a useful modern day reference point in terms of expected standards for two-way traffic.

Of most use is Paragraph B 2.1.6 (Page 143) within the Technical Requirements Section. This advises that for roads with a 20 miles per hour (mph) design speed, which is what we should be aiming for on all residential roads, the appropriate

minimum width for two-way traffic is 4.8 metres. For comparison, Paragraph 2.1.7 states that where a road has a higher design speed the width should be 5.5 metres.

Given that Chelsea Court is a cul-de-sac, and the layout of the new scheme will also create a cul-de-sac, it is perfectly reasonable to consider that the lower design speed of 20mph is appropriate, and these highways should therefore have a minimum width of 4.8 metres to accommodate for two-way traffic.

In this respect Chelsea Court has a carriageway width that in all instances is in excess of 4.8 metres, being approximately 5.1 metres at the narrowest point.

However, following issues surrounding land ownership that have come to light during the course of the application, the original access point into the site from Chelsea Court, which had been identified having a minimum width of 5.2 metres for vehicles, has had to be revisited.

The revised plans now show an access width of four metres at point where vehicles would enter the site from Chelsea Court, which is below the 4.8 metre wide standard for two-way traffic.

As such, the applicant has put forward a proposed alternative layout, in which priority is given to vehicles entering the site from Chelsea Court, with vehicles leaving the site waiting at a stop line approximately 13-metres back from the point of access. The width of the access road at the location of the stop line is approximately six metres, which is more than sufficient to accommodate two-way traffic.

Therefore, whilst it is accepted that the vehicular access arrangements from Chelsea Court does include a limited length of narrowing, owing to the measure proposed, namely the stop line within the site giving priority to vehicles entering from Chelsea Court, this is considered to be acceptable. It should be noted that similar features are specifically included in many adoptable highway layouts to promote traffic calming for example. It is not unacceptable for one vehicle to have to stop and wait for another.

It is also noted that the acceptability of the revised vehicular access is influenced by the relatively low level of traffic expected to use the road/access, which is discussed in the following section of this assessment, and the fact that vehicles will be travelling at low speeds.

There also seems to be some concern within the representations regarding the use of the immediate part of the turning head adjacent to the Chelsea Court access by existing vehicles and the safety implications of this. However, given consideration to the low number of properties and the estimated traffic generation, again it is not considered that unreasonable conflict would occur.

Based on the above, it is considered that Chelsea Court, the access point into the site and the roads within the site will be of a sufficient width/design to ensure appropriate highway safety standards are achieved.

- Traffic Generation/Highway Capacity

It is anticipated that the average amount of combined vehicle arrival/departure movements in the morning peak hour would be 13 and this would rise to 23 in the afternoon peak hour. Over the course of a typical 12 hour period the combined vehicle arrivals and departures to the site would be around 201, or 17 movements an hour, and this is before movements associated with the existing use of the site as a restaurant and function space are discounted.

It is noted that these figures are provided through the use of TRICS (Trip Rate Information Computer System), which is a database of trip rates for developments used in the United Kingdom for transport planning purposes, specifically to quantify the trip generation of new developments.

Given these relatively low trip generation figures, it is considered that the scheme would have a minimal impact on the existing highway network and would certainly not create capacity issues that could be considered as severe, which is the acceptability test set out within the NPPF.

- Pedestrian Access

As identified within the representations received from interested parties, most notably local residents, the Baldwins Omega site has been informally used as a pedestrian link between Chelsea Court and Brincliffe Edge/Psalter Lane for a number of years. Concerns have been raised that this arrangement would not be retained as part of the development.

In reply to this the applicant's team have confirmed that the existing pedestrian connection through the site will be retained and this is clearly indicated on the submitted plans. This proposed pedestrian access will be a combination of a segregated pedestrian footway and a shared surface, which is set towards the north west of the site.

In terms of pedestrian/residents safety when manoeuvring through the site, it has already been identified above that vehicle speeds would be low. Further to this a segregated footpath ranging between 1.2/2 metres in width is shown running from the main entrance point at Chelsea Court and terminating adjacent to Block A. Whilst ideally the 1.2 metre width would be improved upon, it is accepted as it only relates limited sections of this footway, which runs a total of 83 metres.

A shared surface would then be created adjacent to Block A, which is the section of the site that will see very few vehicle movements as the Brincliffe Edge/Psalter Lane access will only function as an access point for emergency vehicles. As such, there is no objection to a shared surface in this location from a pedestrian safety perspective.

A further shared surface is proposed adjacent to Blocks D, E & F, which is an area that will be used by residents and visitors, rather than pedestrians walking through the site. Again owing to the anticipated low vehicle speeds and restricted vehicle movements this creates no pedestrian/highway safety concerns.

Speaking in more general terms about shared surfaces, it is again appropriate to make reference to the South Yorkshire Residential Design Guide, which indicates that shared space streets are acceptable where vehicle movements are exceptionally low (less than 40 vehicle movements per hour). As identified above the anticipated maximum number of vehicles movements are much less than this, being around 23 per hour.

- Car/Cycle Parking Provision

The scheme incorporates 31 two bedroom apartments and 21 three bedroom apartments. In accordance with Sheffield City Council Information Sheet Three: Car Parking Guidelines, the maximum parking standards for a two/three bedroom unit would be two parking spaces, with an additional visitor space provided for every four apartments, which would result in 13 visitor spaces in this case. The overall maximum car parking spaces for this development would therefore be 117 for residents and visitors.

However, this is the maximum provision and this can therefore be relaxed in circumstances where a site is in a sustainable location for example. In this case the site is within easy walking distance of the Banner Cross District Shopping Centre (within 400 metres), which also acts as a high frequency bus route. Furthermore, it is accepted that car ownership associated with apartments is generally lower than with traditional family dwellinghouses.

As such, it is not deemed necessary to impose maximum parking standards and the following is therefore considered appropriate and is achieved as part of the proposals:

- 1 car parking space per 2 bedroom unit (there are 31 two bedroom units in total).
- 2 car parking spaces per 3 bedroom unit (there are 21 three bedroom units in total).
- 14 visitor spaces.
- Total requirement for 87 spaces.

When some additional mobility spaces are accounted for, the scheme actually achieves 91 car parking spaces, which is above the level required on this particular site.

It is therefore considered that, whilst it is not possible to fully guard against people parking on surrounding highways, with the parking provision and relatively sustainable location accounted for, the concerns expressed within the representations that the scheme will create unreasonable on-street car parking pressures, and therefore exacerbate capacity issues, are not considered to be reasonable.

In terms of undercroft car parking provision this raises no objections from a highway safety perspective and is a solution that is employed elsewhere in the city.

It is also noted that the scheme includes one secure cycle space per apartment, which is welcomed.

- Tracking/Serviceing

Tracking information has been provided which demonstrates that a refuse vehicle can enter the site from Chelsea Court, turn within the site, and exit via Chelsea Court in a forward gear.

Tracking information has also been provided that demonstrates that fire tenders, including 'high reach' appliances, can access the site from Brincliffe Hill and Chelsea Court.

South Yorkshire Fire Service has assessed this information and confirmed the details are acceptable.

Drainage/Flood Risk

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

- Requiring the new development to limit surface water run-off.
- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.

The site itself is located within Flood Zone 1 and therefore not at any significant risk of flooding.

Drainage was considered within the outline application and a planning condition was imposed to ensure that surface water run-off/discharge is reduced by 30% in comparison to the existing situation.

This reduction in the surface water run-off rate will partly be achieved through the provision of green/brown roofs and the increase in grassed/soft landscaped areas in comparison to the existing situation.

In terms of the overall design of the drainage system, soakaways will be considered, but these may provide problematic owing the notable changes in topography relative to the neighbouring land. As such, it is possible that underground attenuation tanks may offer the agreed solution in association with natural features such as the green/brown roofs.

The final details of the drainage design will however be agreed when the applicant seeks to approve details relative to the drainage conditions imposed by the outline application, as is normal practice.

With respect to the discharge of foul water from the development, several representations from third parties have raised concerns with respect to how the sewers will cope and have cited examples of existing capacity issues.

Discharge of foul water was considered by Yorkshire Water as part of the outline application and no issues were raised with respect to capacity problems. Yorkshire

Water in fact identifies the 150mm diameter public foul sewer recorded in Chelsea Court as the appropriate discharge point.

Subject to complying with the conditions imposed on the outline application, Yorkshire Water and the Lead Local Flood Authority have confirmed that these proposals are acceptable in principle and the scheme is therefore in accordance with Policy CS67 within the CS.

Access

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

H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout of the scheme itself, owing to the sloping nature of the site it does create challenges with respect to achieving access for all users. However, with the exception of Block C and the two storey element of Block A, level access is achieved into all blocks. Furthermore, the mobility parking spaces are located next to the main entrances into the blocks from the car parks and, with the exception of Block C, all blocks will have lift access.

Level access onto the podium is also provided from the public realm via a level route to the west of Block D.

Based on the above when the levels of the site are accounted for the proposals are considered to offer a suitable response from an access perspective.

Affordable Housing

Policy CS40 (Affordable Housing) within the CS states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

The target within Policy CS40 is between 30 & 40% of the units, but a more spatial approach to affordable housing provision is now adopted within the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) (SPD). The SPD identifies affordable housing provision based on viability across a particular area. This site falls within the City Centre and West area and sites within this area have a target of 10% for affordable housing provision.

This matter was considered in its broadest sense during the outline application, as, at that stage, it was not possible to determine if it would be financially viable to meet the 10% requirement because a detailed scheme was still to be brought forward.

A condition was therefore placed on the outline permission so affordable housing could be considered in detail at a later date, which is the normal approach.

Although a detailed scheme is now being considered as part of this reserved matters application, the technically correct way to deal with the affordable housing requirement when it has been conditioned within an earlier outline approval is through an application to agree details relating to the relevant condition, rather than within the reserved matters application itself.

In the spirit of transparency however it should be noted that the applicant had provided a financial appraisal as part of the original submission of this reserved matters application and this has been considered by CP Viability, acting as an independent valuer/expert on such matters.

At this stage there is a notable difference between the figure the applicant considers to be viable and the figure CP Viability and officers consider viable.

This issue will need to be resolved before development commences on site, as is stated in the relevant condition (see Condition 17 of 15/04019/OUT), and there is a separate conditions application currently under consideration (see 15/04019/COND1). It is not however necessary or appropriate to determine this issue as part of this reserved matters application.

Amenity of Future Occupiers

Paragraph 17 within the NPPF states that the planning system should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

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

H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

In relation to noise, the site is surrounded on all sides by residential accommodation and is set a good distance from Psalter Lane. As such, future residents will not be exposed to problematic sources of noise.

Owing to the past land use there are land contamination matters that would need to be tackled as part of the construction phase. The relevant planning conditions were attached to the outline approval to ensure this is addressed.

Having assessed the submitted information in terms of internal layouts and the positioning of buildings, it is considered that occupiers will generally be afforded good living conditions in terms of space standards, outlook, light and privacy.

For example, it is clear that careful thought has been offered with respect to matters such as the positioning of windows and balconies to ensure overlooking between blocks will be minimised. Measures such as obscuring windows and providing screens to balconies where appropriate will also be utilised to avoid unreasonable overlooking.

A scheme like this does however require some compromise with respect to the residential amenity of future occupiers, verses good design and providing suitable surveillance. For example the separation distance between the southern elevation of Blocks A & B and the north facing elevation of Block D is approximately 9.5 metres and, although facing windows are off-set from each other, this is still not ideal from a privacy standpoint.

However, this relationship does allow the main pedestrian route from Chelsea Court to Brincliffe Hill to be well overlooked and ensures the respective elevations have suitable articulation.

Taking all of these factors into account, including the mitigation measures such as offsetting windows, it would not be reasonable to resist the scheme on this basis.

In relation to external amenity space a number of units will be provided with balconies or small garden areas, which is welcomed. However, the opportunity for balconies is restricted to an extent by the need to protect the residential amenity of adjacent occupiers.

Each of the blocks will also have direct access to communal amenity space and this forms a substantial area of the site. Further to this, Chelsea Park is within approximately a 325 metre walk of the site and this offers a welcome bonus for future residents.

Based on the above the proposal is considered to offer an acceptable level of amenity for future occupiers.

Amenity of Surrounding Residents

Paragraph 17 within the NPPF states that the planning system should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions

would be satisfactory for occupants of the accommodation and for their immediate neighbours.

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

When approving new development an assessment needs to be made as to the impact on surrounding uses in relation to matters such as over shadowing, over dominating and privacy infringements. In this case such an assessment also needs have regard to changes in land levels.

- Brincliffe Hill Properties

With respect to the properties set to the west, which front onto Brincliffe Hill, these are generally set at a considerably higher level than the application site itself.

Indeed the section plans provided with the application show that the properties along the southern section of Brincliffe Hill will be set approximately eight metres higher than the application site and would therefore face towards the top floor of Blocks E & F.

The windows and balconies within the western elevations of Blocks D, E & F, facing towards Brincliffe Hill, would be in excess of 30 metres from the existing facing windows of the Brincliffe Hill properties, and in some cases this distance is in excess of 40 metres.

This difference in land levels is reduced in relation to the properties that sit to the north of Brincliffe Hill and face towards Block A, resulting in the ridge of this block sitting slightly higher than the ridge of the Brincliffe Hill properties. However, there is still in excess of thirty metres between the taller elements of Block A and these Brincliffe Hill properties.

With these separation distances and changes in land levels accounted for, it is considered that the scheme would not have an unacceptable impact on the amenity of the Brincliffe Hill residents/properties.

- Quarry Head Lodge

With regard to Quarry Head Lodge, which is the residential apartment scheme set to the direct south, it is noted that this neighbouring building has main habitable windows within its northern elevation, facing towards the application site, and these windows are set within nine metres of the common boundary.

The proposed southern elevation of Block E would result in main habitable windows being sited approximately 18 metres away from the northern elevation of Quarry Head Lodge and balconies approximately 16.5 metres away.

Whilst not ideal from a privacy perspective, it would be entirely unreasonable to resist windows and a limited number of balconies on the southern elevation of Block E because of the presence of a development of an adjacent site, which is unduly relying on the application site for outlook/privacy.

As such, it is considered that with the retention of the existing mature trees on the common boundary, the separation distances being proposed will achieve the correct balance between retaining privacy between the existing and proposed apartment blocks, and not unduly constraining the development potential of the application site.

In relation to the potential for the over shadowing and over dominating of the residents with Quarry Head Lodge, this is not considered to be problematic for the following reasons:

- There is no significant change in land levels.
- The separation distance between buildings is appropriate, being approximately 18 metres.
- The proposed building is set to the north and therefore does not interfere with the path of the sun.

- Chelsea Court Properties

In terms of the relationship between Block C, which is the two storey block, and 15 Chelsea Court, which sits to the south of this block, it is firstly noted that, although 15 Chelsea Court is set at a slightly lower level, it has no main habitable windows within the north facing gable wall.

Furthermore, the closest section of the new block will run almost parallel with the gable wall of this existing property, while the section that projects beyond the rear elevation of number 15 will be set approximately 9.3 metres from the common boundary. It is also noted that Block C is set to the north of 15 Chelsea Court and therefore does not interfere with the path of the sun.

With respect to privacy, there will be no windows in the proposed south facing gable walls of this new block, which is the elevation that faces number 15.

In relation to the impact of Blocks E & F on the rear elevations and gardens of the Chelsea Road properties, it is noted that these existing properties are set to the east of these blocks and at a lower level, with the difference in land level ranging between approximately 2.5 and 3.2 metres.

To mitigate the impact on these existing properties from a shadowing and dominance perspective, the proposed blocks have been set away from the common boundary by a minimum distance of approximately 11.6 metres and are no closer than 21 metres from the rear elevations of these existing properties. It is also noted that the top floors of the blocks have been set back to soften any impact.

These distances are considered as being sufficient to ensure unacceptable over shadowing/dominance will not be created, even with the land levels and orientation accounted for.

In terms of privacy, there are no balconies proposed on the east elevations of Blocks E & F, which face towards the rear of the Chelsea Court properties, and it is proposed for a screen to be erected along the east facing side of the balconies that are set on the southern elevation of Block E.

In relation to the ground floor windows within Blocks E & F, these will face onto an existing low wall and fence that form the rear boundary of the Chelsea Court properties and which act as a screen.

In relation to the first and second floor windows, as it is proposed to obscure the southernmost windows within the east elevation of Block E at both first and second floor, the closest windows within the east elevation of this block will be approximately 13.9 metres from the common boundary with the Chelsea Court properties, and 24 metres from the original main facing windows within the rear elevations. These distances are also very similar in respect of the first and second floor windows within Block F and the Chelsea Court properties.

In terms of window to window distances, it is also worth noting that, as the Chelsea Court properties are bungalows, the first and second floor windows within Blocks E & F will generally afford direct views onto, or over, the roofs of these existing properties.

As the top floors of these two blocks are set back from the main east elevation, the distances between facing windows and common boundaries is increased, which compensates for these windows being at a higher level. For example, the top floor of Block E is set back a minimum distance of 4.5 metres.

From the public realm an existing low wall and fence ensures that views into the rear gardens of the Chelsea Court properties cannot be achieved.

14 Chelsea Court is set to the east of Block B and is approximately 2.5 metres lower in terms of land level. However, the gable wall of Block B is 19.6 metres away from the common boundary and there are no windows that directly over look this neighbouring property.

With the separation distances and changes in land levels accounted for, it is therefore considered that the scheme would not have an unacceptable impact on the amenity of the Chelsea Court residents/properties.

- The Bluecoats Estate

The Bluecoats Estate is set to the immediate north of the application site and is at a much lower level, with the sections provided showing a level difference of approximately 11.5 metres in places, although this level difference is reduced to around 4.5 metres towards the eastern section of the site.

In terms of separation distances, generally the rear elevations of the taller sections of Block A and Block B will be between approximately 13 and 18 metres from the

common boundary, and between 26 and 30 metres from the rear elevations of the Bluecoats properties.

There is one element where Block B reaches a point in its north east corner that will be approximately 23 metres from the rear elevation of the facing Bluecoats property, and 9 metres from the common boundary. However, this section of the building then splays away from the boundary, rather than forming a solid mass.

In terms of privacy, owing to the dramatic land levels, many of the new windows will face onto or over the roof of the Bluecoats properties, with only limited views gained into the existing gardens and lower floor windows of these properties. Furthermore, it is considered that the separation distances involved are sufficient to protect privacy in instances when there would be facing windows. It is also noted that balconies are not being proposed on the north elevation of Blocks A & B.

In terms of dominance and outlook, owing to the presence of the rock face, only limited views of the proposed blocks will be gained from a number of the adjacent existing gardens and ground floor windows, which tend to be the spaces that provide the main day to day living accommodation, as demonstrated within the submitted section plans.

In terms of shadowing, given that the Bluecoats properties are set to the north of the application site, they are most susceptible to being over shadowed. In this respect the South Yorkshire Residential Design Guide offers a useful point of reference to determine acceptability from a shadowing perspective.

With this in mind, Section B1.3 identifies the 25 degree rule, which is defined by taking a horizontal line extending back from the centre point of the lowest window and drawing a line upwards at 25 degrees. All built development facing a back window should be below the 25 degree line to be considered to have an acceptable impact from a shadowing perspective. The plans have been amended to ensure this guideline is met.

In this respect, the section plans provided demonstrate that the vast majority of Blocks A & B would not breach this 25 degree line. In places where the 25 degree line would have been breached (relating to Block A), the existing rock face is shown to be already breaching this line, and therefore the new block would not make this shadowing situation unacceptable.

There is also an element where Block B reaches a point in its north east corner that breaches the 25 degree line. However, as already identified above, this section of the building then splays away from the common boundary, rather than forming a solid mass.

With the above in mind, and when the separation distances are accounted for, it would not be reasonable to refuse the scheme based on the amenity impact on these properties.

The Quarry Face and Stability

It is noted that in response to concerns raised by residents with respect to matters relating to slope/quarry face stability and subsidence within the outline approval, it was stated within the subsequent report presented to Members at Committee that such matters 'are the realm of Building Regulations.'

This statement is not accurate as, for example, a Guidance Note published in March 2014 by the Ministry of Housing, Communities & Local Government states that, working alongside a number of other regimes, including Building Regulations and the Coal Authority, planning authorities have to consider the implications of land stability as this could, for example, result in risks to property and the public.

This guidance note goes on to state that, with respect to land stability, planning authorities should ensure development is not placed in unstable locations without precautions being taken.

In order to address this issue the application has been accompanied by a Rock Slope Stability Assessment, which provides an understanding of the long term stability of these relevant rock faces/slopes that border all sides of the site and the effect the proposed development, including the relevant foundations, could have on these features.

The assessment also provides initial indicative proposals to mitigate any identified issues. However, a final detailed mitigation scheme will be the subject of a planning condition, should Members be minded to approve this scheme.

The assessment itself considers in most detail:

- The principal rock face that forms primarily the west boundary of the site (labelled the main rock face in the assessment). This rock face ranges between approximately six and eight metres in height and is around 70 metres long. The Brincliffe Hill properties are set on top of this particular rock face, although they are set well back from it.
- The northern boundary of the site, which is formed by a similar rock face, and overlooks the recently constructed Bluecoats development. The report notes that this rock face has recently undergone stabilisation works.

The assessment considers matters such as the orientation and existing conditions of the rock faces. It also considers the three possible modes of instability, these being planar (or sliding), wedge and topping instabilities.

In respect to the rock face on the western boundary, a rock mapping exercise was undertaken, although it is noted that large sections of the rock face could not be viewed owing to the extensive vegetation in place. This mapping exercise comprised recording the orientation of the structures visible along the exposed rock faces.

In relation to this western rock face and the modes of instability, it is concluded that there is no risk of planar (sliding) failure, given the shallow dip of the bedding and the expected high friction angle of the sandstone.

There is an anticipated small risk of wedge failure along the slope, caused by the intersection of joint sets J2 and J3 (as defined within the assessment). While this risk is considered low, further investigation is recommended before any development commences and existing vegetation will need to be removed in places to allow this.

There is considered to be a moderate risk of toppling failure, largely owing to the orientation of joint set J1. It is also noted that where trees roots have penetrated and widened this joint set, then the risk of instability grows.

Several mitigation options for the west rock face are proposed for further consideration when additional assessments have been carried out, which will be done before development commences, including:

- Ensuring further tree growth is prevented and any blocks loosened by root action are removed by a rock scaling exercise.
- A roof structure at the toe of the rock face is considered.
- The installation of protective measures including localised rock bolting to particular high risk areas, and the installation of a rock netting system to cover larger exposures.
- Vegetation removal.

In respect to the rock face on the northern boundary, which sits adjacent to the Bluecoats properties, it is noted that a previous stability assessment was carried out in 2014 and extensive stability measures were undertaken. This included vegetation removal, scaling, rock bolts and netting.

As such, the assessment concludes that the location of the proposed future foundations in the northern section of the site (close to the Bluecoats scheme) will not have any influence on the existing repaired and strengthened slope forming the northern boundary of the site, as the distance away from the crest of the rock face is sufficient.

The assessment has been considered by the Building Regulation Section, who have a greater level of experience with respect to such matters, and they have confirmed satisfaction with the content with respect to understanding the risks and proposing mitigation at this stage of the process.

It is proposed that a planning condition be imposed however, should Members be minded to approve the scheme, to secure a final Rock Slope Stability Assessment and the associated mitigation measures before development commences. This will allow further investigations to take place following the removal of existing vegetation as required.

Archaeology

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

As detailed within the original outline application, other than the semi-exposed quarry face on the west boundary (which is more of geological interest than historical) there is little to suggest that historic artefacts will be present below the existing buildings and infrastructure.

The site was used as a sandstone quarry (for grindstones for cutlery working) in the late 19th Century, but historical maps reveal that cranes for haulage of stone may have been the only industrial structures on site.

No further archaeological investigation is therefore required as part of developing the site.

Landscape/Trees

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

53 of the 83 individual and grouped trees on the site are proposed for removal and the application has been accompanied by a tree survey that identifies that all but one of these trees are either considered to be of a low standard or unsuitable for retention owing to significant defects.

Many of these trees to be removed are sited along the west boundary, including on top of the existing rock face, and in the north east section of the site. Largely these are to come out in order to accommodate the new buildings and the new public route through the site, or to help ensure the long term stability of the western rock face.

A few points of note in this regard include:

- A mature Swedish Whitebeam (labelled 78 on the Tree Protection Plan), which is listed as being a moderate quality, is to be removed in order to help create the segregated footpath.
- The trees that sit on top of the of the rock face along the western boundary, which have been identified for removal, have root areas that are severely restricted by the cliff and the retaining wall, leading to the trees themselves being potentially unstable.

Furthermore, in the longer term these trees could act to destabilise the rock face and indeed the submitted Rock Slope Stability Assessment already identifies that trees roots have penetrated and widened a joint set, which increases the risk of instability.

Whilst the residents of the Brincliffe Hill properties have objected to the loss of these trees, which do provide visual amenity, it would be unreasonable to resist their loss based on the above considerations.

By way of compensation, the landscape plan shows 26 extra heavy standard trees proposed, which are to be planted across the site, and new areas of soft landscaping will also be provided resulting in a notable net increase in such areas in comparison to the existing situation. This includes additional tree planting on the southern boundary and in the north east section of the site, in order to reinforce the tree groups in these locations.

In addition, ivy removal and pruning works will also be undertaken on the retained trees to ensure their long term health and the existing area of landscaping to the north west of the site will be retained, ensuring an open landscaped feel as the site is accessed from Chelsea Court.

Measures will be taken to ensure retained trees are not damaged during the construction phase and this includes protective fencing and compliance with a method statement for any works within the root protection areas of the retained trees.

Speaking more generally the scheme incorporates additional soft landscape features such as green/brown roofs and lawn/meadow areas. Several areas of hard landscaping will also be created, including paved shared surfaces that will help portray a high quality public realm.

It is also noted that information provided demonstrates that the scheme will not impact on the protected trees set on the adjacent land to the north.

Based on these circumstances, the proposals are considered to be acceptable from a landscape perspective.

Ecology Considerations

Policy GE11 (Nature Conservation and Development) requires development to respect and promote nature conservation.

The application has been accompanied by information that considers in detail the ecological implications of the development. The main points of note in relation to this information is summarised as follows:

- Bats

No evidence of bats was found in relation to the existing buildings during the dawn/dusk surveys carried out on site, which followed a preliminary roost assessment.

This assessment also considered the potential for bats to be roosting within the rock face to the west of the site and concluded that the rock face displayed few features with greater than negligible potential to support roosting bats. In addition, following an inspection there was no evidence gathered of bats roosting in this rock face.

As such, no further survey effort is required unless the development does not commence within 24 months of the survey date (25th August 2017).

- Birds/Owls

Several of the comments from residents have raised the issue of owls being present and potentially using the rock face for nesting. The ecologist working on behalf of the applicant has confirmed that there was no evidence of owls nesting in the rock face during the relevant inspections.

In relation to bird species, to ensure a cautious approach all clearance of vegetation should take place outside of the bird breeding season (beginning of March to the end of August) unless a suitably qualified person is on site to check any vegetation for the presence of breeding birds. This will be secured via a planning condition should Members be minded to approve the scheme.

- Badgers

The initial Ecological Assessment identifies that there are no records of badger activity within 300 metres of the site and only six records of badgers within one kilometre of the site and these are distributed evenly around the surrounding residential areas.

However, following information provided by local residents and The Sheffield and Rotherham Wildlife Trust about the potential for badger activity within the vicinity of the site further survey work was carried out.

This additional survey did conclude that there was some badger activity within the vicinity of the site in the form of one shallow digging, which did not constitute a sett, and one outlier sett in occasional use. Foraging activity was also identified. It is not appropriate to reveal the exact locations of the protected species activity within this assessment.

The conclusions of the report, which are supported by the City Ecology Team, determine that the closure of the outlier sett is very unlikely to have a significant impact on the survival of badgers with respect to their existing range and population status.

A condition is being proposed, should Members be minded to approve the scheme, that would ensure badgers are suitably protected during the construction phase and this includes creating escape ramps from any trenches/excavations that maybe created.

- Japanese knotweed

Japanese knotweed was found in one locality on the site and a method statement detailing how it will be treated and disposed of will be secured through a planning condition should Members be minded to approve the application.

- Ecology Gains

Much of the area in which the new blocks and hard landscaping are proposed is existing hard surfacing or developed and it therefore offers little in the way of ecology. The main existing area of soft landscaping to the north and east of the site is to be retained and this is welcomed.

Further to this the scheme will introduce features such as green/brown roofs, new native planting, additional soft landscaping areas, bird and bat boxes and log habitat piles.

Subject to condition, the proposals are therefore considered to present suitable credentials from an ecology perspective.

Geology Considerations

Several representations, most notably from the Sheffield Area Geology Trust, have sought comfort that the former quarry face on the western boundary should remain available for viewing and study for geological reasons as the site is listed as a Local Geological Site.

More clarity is also requested with respect to works to the rock face and ideally the rock will either be exposed, or left as it is.

A large section of the main rock face to the west of the site will be obscured from public view by Blocks D, E & F and, as is evident from the adjacent Bluecoats scheme, it is not uncommon for development such as this, on private land, to limit access to such features.

However, the sections obscured by Blocks D, E & F can be viewed from within the semi-public podium level and, in addition, a section of this rock face will remain visible to the general public from within the main public realm.

Formal agreements to carry out studies of the rock face in the future would need to be made with the land owner however, as would be the case at present.

In terms of future works to the rock face, as identified in the Quarry Face and Stability Section above, it is intended to expose more of the rock face by removing sections of the existing vegetation and existing trees in order to facilitate additional stability investigation and to remove risk of destabilisation in the future.

It is anticipated that the installation of protective measures will be necessary going forward and this could include localised rock bolting to particular high risk areas, and the installation of a rock netting system to cover larger exposures. Such intervention will be kept to a minimum, but is essential to ensure the safe redevelopment of this site for what has already been established as an appropriate use within the outline application.

Air Quality

As stated within the committee report associated with the outline application, it is not considered that the proposed use will be unacceptable from an air quality perspective.

Pollutants and particulates are only likely to result from residents vehicular movements and, as identified in the above Highways Section, vehicle movements associated with the development will on average be 17 per hour and that is before the existing use of the site is discounted.

A further consideration in respect of air quality relates to dust and in order to tackle this issue a planning condition is attached to the outline application. This condition will secure agreement of dust suppression measures prior to development commencing and relating to the demolition and construction phase.

Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £30 per square metre.

The funds generated through CIL will be used in connection with strategic infrastructure needs.

RESPONSE TO REPRESENTATIONS

A number of the points raised within the representations received in respect of this application have been addressed in the above assessment. The outstanding points are responded to as follows.

- The information provided shows that a refuse vehicle and fire tender would not be able to enter the site if a vehicle is parked at the now proposed give-way marking.

In response, on the very rare occasion when this may occur, if passing proved to be problematic, it could be resolved by some manoeuvring within the site boundary.

- The access from Chelsea Court will be particularly problematic during periods of freezing weather due to ice/snow on the roads.

In response, this is the case for many highways/access points in icy/snowy conditions across Sheffield owing to its topography. There is no reason why such issues cannot be dealt with by occupiers/a management company in the future.

- In recent years the construction of the apartment blocks at Quarry Head Lodge and Sycamore Court has already caused a considerable increase in wear and tear on the road surfaces. The addition of more dwellings would exacerbate this situation.

In response, this type of issue is a consequence of any development of this nature and future residents would contribute towards such infrastructure through measures such as Council Tax.

- How will the proposed restricted use of the Brincliffe Hill/Psalter Lane junction for emergency vehicles only be enforced?

In response, the final details are secured via a planning condition on the outline approval. The submitted plans do however indicate bollards at the site entrance to Brincliffe Hill, which would be knocked down in the case of an emergency, as they would be collapsible.

- Pedestrian access through the site must be retained during the construction works.

Whilst it is understood why this is desirable for surrounding residents it is not reasonable to insist on public access across private land during the construction phase.

It may be that the applicant does decide to facilitate this, but this would be agreed with residents outside of the planning process.

- How will construction traffic be managed/access the site.

In response, a planning condition is included within the outline application that secures a Construction Access Plan. This plan requires the routing of construction vehicles and areas identified for contractor parking and the manoeuvring of construction vehicles. Such areas will be within the site, which is of a scale that can facilitate this.

- The developer should be required to ensure highways are left in the condition they are found in.

In response, this will be a matter dealt with by the Highway Department and a dilapidation survey was added as a directive to the outline application.

- Brincliffe Hill is narrow with no footpaths and therefore it should not be a pedestrian route into the site.

In response, Brincliffe Hill is already utilised by vehicles and pedestrians, so there is no notable change in this respect. Furthermore, given the nature of Brincliffe Hill, vehicle speeds are relatively low.

- Brincliffe Hill is an unadopted public highway and what measures will be taken to deal with the impact on this highway if vehicles associated with residents begin to use it.

In response, it is not anticipated that the approval of this development will result in any notable increase in vehicles parking on Brincliffe Hill. The upkeep of a road is however a matter for the relevant owners.

- Brincliffe Hill cannot accommodate emergency vehicles as it is too narrow for two way traffic.

In response, Brincliffe Hill is a suitable width to accommodate emergency vehicles, being approximately four metres at its narrowest. This is no different to the scenario experienced on Brincliffe Hill at present.

- Signage at the end of Brincliffe Hill could be introduced to stop people trying to use it as a through route.

In response, signage is already in place making it clear this is not a through route.

- The decision to not have cable television connected and internet by the residents of Brincliffe Hill (so they don't lose the ability to access their homes while it being connected) must be respected.

In response, this is a private matter and not a material planning consideration.

- Visibility from Chelsea Rise is limited.

In response, it is accepted that the sight lines from Chelsea Rise are slightly below the guidelines. However, given that there is no recorded accident history at this junction, along with the limited increase in vehicular movements proposed, it would be unreasonable to refuse the application on this basis.

- Can a formal cycle route be created through the site, or can the current prohibition of cycling between Quarry Lane and Brincliffe Hill be removed?

In response, whilst it is not proportionate to provide a formal cycle route, it will be possible for cyclists to travel through the site. The prohibition issue is not a matter for this planning application.

- The scheme does not include electric vehicle charging points.

In response, a condition will be imposed, should Members be minded to approve the scheme, to secure two charging points within the development.

- The Transport Statement includes several inaccuracies, including the width of the site access from Chelsea Court, which is in fact 5.5 metres. It also underestimates the amount of vehicles using the junction of Chelsea Court/Rise/Road.

In response, there are differences of opinion in this respect. However, the above assessment has clarified points when necessary and assessed the appropriateness of the scheme with respect to highway safety.

- Using the average car ownership for residents of apartments across the city is ambiguous and this does not reflect the demographic of the people who would live in this area. Such people are likely to have above average car ownership.

In response, this is a reasonable point and the above assessment has considered the specific site/application when determining the proposed car parking provision.

- The disruption to residents during the construction works will be significant.

In response, noise and general disturbance is an inevitable consequence of development and is only for a finite period.

Additionally a directive is placed on the outline permission reminding the applicant of the general rules with regard to acceptable hours of work that would create vibration and noise for surrounding residents. Ultimately this is governed under Section 60 of the Control of Pollution Act (1974), which can be enforced by the Environmental Protection Service if required.

- Are there any asbestos/hazardous substance issues with the existing building?

In response, this is not a material consideration with respect to this planning application and would be governed by environmental legislation.

- The developers should consider permanently taking over ownership/maintenance of the quarry walls.

In response, responsibility for the ongoing maintenance of the quarry walls is a matter for the existing and future land owners.

- It is difficult to determine which trees are to be removed.

In response, the submitted Tree Protection Plan makes it clear what trees are to be removed as part of the development.

- An Ecological Management Plan should be conditioned.

In response, the scheme includes several measures to mitigate for the ecological impact of the development and planning conditions securing measures such as the green/brown roofs and landscaping will have retention requirements. As such, given the nature of the scheme, it is felt an Ecological Management Plan is not required in this instance.

- Safety barriers should be provided to prevent vehicles going over the cliff edge and into the residential gardens below.

In response, a planning condition is being proposed to secure measure to guard against this scenario, which could include safety barriers.

- The site was used for military training purposes during World War 1 and the potential for live ammunition needs to be investigated.

In response, the safe redevelopment of the site is the responsibility of the developers/owners. With that said, a directive is being proposed to make the applicant aware of the potential risk.

- The proposed number of units is far in excess of the number proposed within the outline application (36). This represents a 40% increase in unit numbers.

In response, the outline application approved the principle of residential development only, it did not specify numbers.

- The exact amount of residential units was removed from the outline description at the last minute and approval simply given for the principal of residential development. Had residents been made aware of this change then further objections would have resulted during the outline stage of the application.

In response, whilst this has allowed more flexibility at the reserved matters stage, the applicant would have been able to submit a full planning application for the current scheme in any case.

- Continuing to allow large scale development such as this in quiet residential areas will eventually have a detrimental economic impact on the city in general.

In response, there is a counter argument that approving a major development scheme such as this creates investment, jobs and homes for employees.

- It is very likely that future residents will be short term tenants who do not have the same interests in looking after the area than owner occupiers for example.

In response, if the units within the scheme are offered for rent, it is an unreasonable assumption that residents will not have an interest in looking after the area in which they live.

- The proposals are more concerned with developer profit rather than protecting the amenity of surrounding residents.

In response, officers feel the above assessment demonstrates that the proposed scheme does suitably protect surrounding residential amenity.

- The proposals will have a negative impact on the value of surrounding properties.

In response, the impact of development on the value of surrounding property is not a planning consideration.

- Neighbour letters were sent out over the Christmas period and did not allow sufficient opportunity for residents to comment.

In response, the date neighbour letters are sent out relates to when a planning application is made valid and at times this does fall on public holidays.

Any residents who contacted the planning service expressing concern in this respect were offered an extension to the consultation process and it was also made clear that letters would be accepted throughout the application period.

It is also noted that in excess of 70 representations have been received from residents, so clearly this consultation process has been effective.

Further letters were also sent to residents on 24 April 2018 to advertise the new access proposals.

- Not enough residents along Chelsea Court had been sent formal neighbour letters with regard to the proposals.

In response to this issue letters were sent to all residents within Chelsea Court early on in the application process.

- No site notices have been put up.

In response, site notices were put up on lampposts surrounding the site on 14 December 2017. This includes Brincliffe Hill, Chelsea Court and Chelsea Rise. Further site notices were also put in place on 24 April 2018 to advertise the new access proposals.

- Insufficient neighbour consultation took place with respect to the outline application.

In response, this consultation exercise was carried out in accordance with Sheffield's Statement of Community Involvement and included individual letter to residents, site notices and advertisement in the press.

- No public consultation took place ahead of the application being submitted.

In response, whilst it is always desirable for a developer to undertake community engagement ahead of submitting a scheme of this nature, this is not something that can be insisted upon.

- The application site encroaches onto third party land and the appropriate land ownership certificates have not been served.

In response, this matter was investigated during the course of the application and resulted in adjustments to the red line boundary and vehicle access arrangements from Chelsea Court to ensure it does not impact on third party land.

- No mobile phone masts should be erected on the roofs of the proposed blocks until such time that it is conclusively established as being not detrimental to health. They would also be an eyesore.

In response, there are no mobile phone masts being proposed as part of the development. Any future application for such structures, if they come forward and require planning permission, will be considered on their own merits at that time.

- Brincliffe Hill could be a location for voyeurs looking down into the new apartments.

In response, this seems unlikely and would be a matter for the police. It is not a material planning consideration.

- Who is liable for the damage of vehicles if they are parked on privately owned land?

In response, liability for such matters would be dealt with through the appropriate channels, which in this case would be the police and insurance companies. This is not a material planning consideration.

SUMMARY AND RECOMMENDATION

This planning application is for the erection of 52 apartments (31 two bedroom and 21 three bedroom) in six blocks that will range between two and five storeys. Each of the blocks will follow a contemporary approach to design, including the incorporation of flat roofs.

The application has been submitted as reserved matters, following the approval of outline permission for residential development in 2016. This earlier outline consent also approved the principle of vehicle access, this being via Chelsea Court, with only emergency vehicles utilising the Brincliffe Hill/Psalter Lane junction. Matters in relation to appearance, landscaping, layout and scale are therefore being considered at this stage.

The scheme is located within a Housing Area, redevelops a brownfield site and makes a positive contribution to Sheffield's five year housing land supply targets, which are welcome factors.

Given the proximity to the Banner Cross District Shopping Centre the proposed housing destiny is considered appropriate and is policy compliant.

The scale and siting of the new buildings are suitably sympathetic to the context and these blocks incorporate a number of design features to create meaningful articulation and visual interest. This includes incorporating generous amounts of glazing and extensive modelling in the elevations.

When matters such as the sustainable location are accounted for, it has been demonstrated that the impact on the local highway network with regard to issues such as highway safety, capacity and car parking could not be regarded as severe, which is the defined test of acceptability within the National Planning Policy Framework.

Given the separation distances, the proposals would have an acceptable impact upon the amenities of neighbouring occupiers with regard to matters such as privacy, dominance and shadowing, even taking account of the topography of the site and surrounding land.

The proposed blocks would supply 10% of energy from renewable sources, or via a fabric first approach, and include features such as green/brown roofs and electric vehicle charging points, ensuring this is a sustainable form of development.

Future occupiers will be provided with acceptable levels of amenity and the submitted information has demonstrated that the ecology impact can be mitigated, as can the loss of trees. Such mitigation includes new tree planting and the provision of new habitats.

The Rock Face Stability Report has identified that, with mitigation measures such as pinning and netting, the development can be accommodated while ensuring the stability of the rock faces that boarder the site.

As such the proposals are considered to be acceptable and the scheme is recommended for conditional approval.

RECOMMENDATION

Grant Conditionally.

Case Number	17/04889/FUL (Formerly PP-06550210)
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse (As amended by drawings received on the 21 March 2018 and 29 May 2018)
Location	Within The Curtilage Of 109 Hallam Grange Rise Sheffield S10 4BE
Date Received	29/11/2017
Team	West and North
Applicant/Agent	Thread Architects Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development shall be carried out in accordance with the following documents:-

- Site Location plan rev B
- Drawing No. P02 (Site/Block Plan as Proposed);
- Drawing No. P03 Revision A (Plans as Proposed);
- Drawing No. P04 (Sections as Proposed);
- Drawing No. P05 Revision A (Elevations as Proposed - North and West);
- Drawing No. P06 Revision A (Elevations as Proposed -South and East)

received on the 29 November 2017, 21 March 2018 and 29 May 2018 from Thread Architects

Reason: In order to define the permission

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

3. No development shall commence unless the intrusive site investigation works described in the coal mining risk assessment produced by GRM Development Solutions have been carried out as recommended and a report of the findings arising from the intrusive site investigations is submitted to and approved by the Local Planning Authority. Where the investigations indicate that remedial works are required, a scheme of remedial works shall be submitted to and approved by the Local Planning Authority before the development commences and thereafter the remedial works shall be carried out in accordance with the approved details.

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

4. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for the following matters in respect of the development:
 - i. The parking of vehicles of site operatives and visitors
 - ii. Means of access for construction traffic
 - iii. Loading and unloading of plant and materials
 - iv. Storage of plant and materials used in construction
 - v. Wheel washing facilities
 - vi. Hours of operation

Reason: To provide for appropriate facilities during construction, in the interests of highway safety and the general amenity of the area.

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

5. 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. The boundary treatment shall include a 1.8m high privacy screen fence along the shared boundary between the development site and No. 109 Hallam Grange Rise. The fence shall be erected on top of the retaining boundary wall between the two properties' rear gardens. The dwellinghouse shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

Reason: In the interests of residential amenity and prevent unacceptable overlooking between properties.

6. 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.

7. Prior to any work commencing on site, the developer shall appoint a qualified ecologist to undertake a walkover of the site to establish whether the site contains any ecological value that would require mitigating measures prior to site clearance. The development shall then only proceed in accordance with any recommendations suggested by the qualified ecologist.

Reason: In order to mitigate any potential disturbance and loss to wildlife.

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

Reason: In the interests of biodiversity.

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

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

Other Compliance Conditions

10. No doors/windows shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the (variable) shall be constructed

without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of the adjoining properties bearing in mind the restricted size of the curtilage.

12. The dwelling 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.

Attention is Drawn to the Following Directives:

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

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

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:

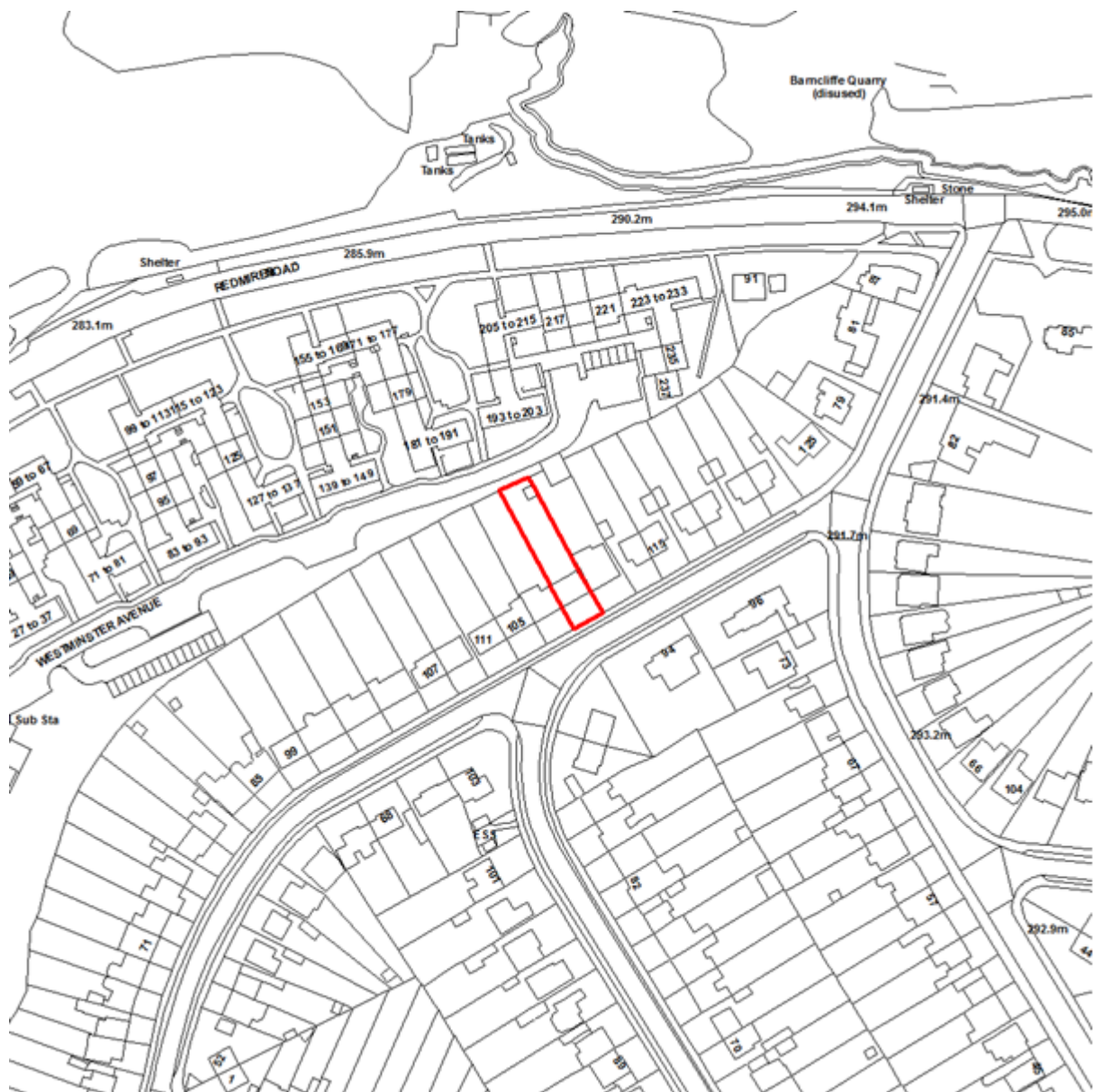
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

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 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.
4. The applicant is advised that some buildings in the vicinity of the application site are adversely affected by the migration of methane gas from mine workings. It is not possible to predict accurately where the methane gas may be emitted. You are therefore advised to take precautionary measures to exclude gas from the building. Detailed advice can be obtained from the Building Control, Development Services.
5. The developer should be aware that the size of the development is such that it would be prudent to investigate the ground conditions on the site before proceeding further. Information and advice on ground conditions is available from Building Control, Howden House, 1 Union Street, Sheffield, S1 2SH. If any coal shaft, adit or other coal working is encountered, no work must be carried out without the authorisation of the Local Planning Authority.
6. 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.

Site Location



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BACKGROUND

The application relates to the lower rear garden of 109 Hallam Grange Rise, a semi-detached dwellinghouse in Lodge Moor. A pre-application enquiry was submitted to the Council in October 2016, under 16/03753/PREAPP to establish whether it would be acceptable in principle to erect a single detached dwellinghouse within the property's rear garden. The application has been submitted in response to officer's advice.

LOCATION AND PROPOSAL

No. 109 Hallam Grange Rise is the eastern property of a pair of two-storey semi-detached dwellinghouses and is situated in a Housing Area as identified on the UDP Proposals Map. The pair of semi-detached properties forms one of a series of similar designed dwellinghouses that make up Hallam Grange Rise, all characterised by long linear rear gardens that back onto Westminster Avenue, a residential cul de sac. The rear garden is fairly overgrown and is enclosed along its side and rear boundaries by semi-mature planting that provide a good level of natural screening from its two adjacent neighbours.

The property's rear garden is separated from Westminster Avenue by a narrow grassed verge that forms part of the adopted highway. Immediately across Westminster Avenue to the north of the site are a series of 2/3 storey residential flat blocks. These flats have a parking court that is situated approximately 40m to the east of the application site. This parking court marks the end of Westminster Avenue. The property to the east (No. 111 Hallam Grange Rise) has an existing parking area to the rear of the property that takes access from Westminster Avenue.

The applicant is seeking full planning permission to erect a single storey contemporary designed dwellinghouse within the lower part of the property's rear garden. The proposed dwellinghouse would be provided with two bedrooms and have off-street parking for one vehicle. Vehicular and pedestrian access would be taken from Westminster Avenue only.

PROCEDURAL ISSUES

The application site includes a small area of land (grass verge between the application site and the back edge of highway) that is owned and maintained by SCC Property Services. To account for this land not being within the ownership of the applicant, the applicant's agent has signed the appropriate land ownership certificate (Certificate B) and served notice onto the relevant department of the Council.

SCC Property Services has stated that before any potential use or development on or over the land takes place, the land will need to be valued in relation to any approved scheme and an agreement would need to be entered into by the applicant, all of which being subject to Council approval as land owner.

RELEVANT PLANNING HISTORY

16/03753/PREAPP – Pre-application advice for the erection of a dwellinghouse – Closed 01/12/17

In relation to extensions and alterations to 109 Hallam Grange Road –

17/01332/FUL - Single-storey rear extension, first-floor side extension, alterations to roof space to form habitable accommodation including rear dormer window, rear raised terraced area, enlargement of the front porch and extension of driveway to create an extra car parking space (Re-submission of 16/02109/FUL) - Granted conditionally

SUMMARY OF REPRESENTATIONS

Twenty (20) objections have been received in response to this application from the residents of neighbouring properties including one from the Treasurer of the Westminster Tenants and Residents Association. A summary of all the comments raised are listed below:-

- Highway and Parking Issues. Westminster Avenue is a quiet residential cul de sac housing mainly elderly retired residents. There is currently hardly any room for residents to park. The end of Westminster Avenue is very narrow and it would cause unnecessary disruption during the course of the development and make the avenue very slippery from mud and debris etc. It is essential that Westminster Avenue is kept clear to ensure emergency services and care workers can gain access to the neighbouring flats; The existing dropped curb has not been used for some considerable time, likely to be over 29 years. There is restricted visibility due to the slight bend in the road. The dwellinghouse would only be provided with one vehicle, meaning that any additional vehicle will be forced to park on the already overcrowded road. The road struggles to cope with existing traffic. Impact on child safety as they play outside;
- Wildlife Issues. The development would impact on natural wildlife in the area. Families of foxes and badgers have been witnessed using the surrounding area to live and bring up there young;
- Noise Issues. The development would result in noise and disturbance to local residents during the construction phase, many are pensioners and disabled;
- Character Issues. The grassed area for the proposed driveway would be destroyed and adds to the rural landscape;
- The development of a Greenfield Site;
- Overdevelopment of the site;
- If planning permission is granted it could set a precedence for other properties along the street to do the same;

PLANNING ASSESSMENT

It is considered that the main issues relevant to this application are as follows:-

- (i) The Principle of Development – Policy and Land Use
- (ii) Highway Issues;
- (iii) Design Issues and the effect on the character and appearance of the surrounding area;
- (iv) Effect on the residential amenity of neighbouring properties.
- (v) Land quality Issues;
- (vi) CIL Issues;
- (vii) Other Issues

These are considered in turn below.

- (i) Principle of Development - Policy and Land Use

The application site is situated in a Housing Area, where housing is the preferred use under Policy H10.

While the development would accord with Policy H10 of the UDP in terms of use, consideration should also be given to the development of a greenfield site, given that the application site currently forms part of the garden curtilage of 109 Hallam Grange Rise. The relevant policy position with regard the use of previously developed land for new housing is Core Strategy Policy CS24. This policy states that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. It goes on to state that the development of greenfield sites may be acceptable on small sites within the existing urban areas and larger villages, where it can be justified on sustainability grounds.

With regard to Core Strategy Policy CS24, the latest figures show that the Council is exceeding its target of achieving 88% of all development on previously developed land. The erection of a single dwellinghouse on this site is therefore unlikely to prejudice or undermine the Council's targets for the development of previously developed land across the city. As the site is located in an established residential area close to good public transport links along Redmires Road the development can be justified on sustainability grounds.

Government guidance is contained in National Planning Policy Framework (NPPF). Paragraph 14 of the NPPF details that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan making and decision taking. For decision taking, this means 'approving development proposals that accord with the development plan without delay'. At Paragraph 49 it goes onto state that 'Housing developments should be considered in the context of the presumption in favour of sustainable development. When an LPA cannot demonstrate a five-year housing supply, NPPF details that relevant policies for the supply of housing should not be considered to be up-to-date.

Presently, the Council can only demonstrate a 4.5 year supply of deliverable housing sites. Based on this and notwithstanding the fact that the development would only make a very small contribution to the supply of housing, the development would nonetheless contribute to the supply of housing, which some weight should be given.

The proposed development would accord with UDP Policy H10 and would not conflict with the Council's objectives of achieving a target of 88% of all developments on previously developed land as set out in Core Strategy Policy CS24. With this in mind and given the advice of NPPF at Paragraphs 14 and 49, it is considered that the principle of erecting a single house on this site should be viewed acceptable.

(ii) Highway Issues

A number of the objections received relate to highway concerns citing that the proposed development could escalate parking problems in the area, and impede emergency services and care workers to gain access to the neighbouring flats. While these concerns are noted, officers do not consider that the erection of a two-bedroomed dwellinghouse would lead to any significant demand for on-street parking that would prejudice highway safety. The proposed development includes one off-street parking space on a hardstanding within the confines of the site with access taken across an existing paved area within the highway

verge. The level of parking provision proposed is considered to be acceptable and would accord with the Council's parking guidelines. In the event that the future occupants would have more than one vehicle, it is considered that there is adequate level of parking along the adjacent street to accommodate the additional vehicle(s) without seriously compromising the existing parking provision in the area.

Although it would be preferable to have two off-street parking spaces, the Council's Highways Section has raised no significant objections to the development subject to the imposition of conditions to include a construction methodology statement so that the LPA can suitably control the method of construction in order to prevent any significant disruption to the free flow of traffic along Westminster Avenue that would cause disamenity to neighbouring properties during the construction phase. A further condition is also recommended that the dwellinghouse cannot be occupied until the parking space has been provided and thereafter retained.

From a highway perspective, the development is considered to be acceptable. Officers do not consider it reasonable to insist that the scheme be amended to include a second off-street parking space or that the scheme would generate significant demand for on-street parking that would compromise existing parking provision.

(iii) Design Issues and the effect on the character and appearance of the surrounding area

UDP Policy H14 relates to conditions on development in Housing Areas. It details at Part (a) that new buildings and extensions are well designed and would be in scale and character with neighbouring buildings.

UDP Policy BE5 seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions. The principles that should be followed include encouraging original architecture where this does not detract from the scale, form and style of surrounding buildings, the use of special architectural treatment be given to corner sites and that designs should take advantage of the site's natural features.

Core Strategy Policy CS74 sets out the design principles that would be expected in all new developments. It details that high quality development respect and take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods. At Part (c) it includes the townscape character of neighbourhoods with their associated scale, layout and built form, building styles and materials.

The proposed dwellinghouse would be erected within part of the host property's rear garden that backs onto Westminster Avenue. The proposed dwellinghouse would be single storey in height and be of contemporary design that would incorporate both flat and pitched green roofs. The accommodation would provide off-street parking for one vehicle, a ground floor kitchen, dining/living space and two bedrooms. The proposed dwellinghouse would be foremost 'L' shaped with an overall length of 14.75m and width of 10.5m that would extend across the full width of the site, building up to the side boundaries. To the rear of the proposed dwellinghouse would be an enclosed walled garden.

The application was accompanied by a Design and Access Statement. This statement details that the proposal has been developed in line with the pre-application advice given by officers with the proposed dwellinghouse considered to satisfactorily address concerns

raised that a house in this location could negatively affect the existing urban grain of the houses on Hallam Grange Rise that comprise long uninterrupted gardens.

The D&A Statement details that the proposed dwellinghouse has been kept to single storey to reduce its visual impact on Westminster Avenue and to minimise its visual impact from neighbouring properties. In terms of the design and massing, the proposed dwellinghouse is low-lying with the proposed floor level being built at the level of the site's existing ground level at its site entrance and would be cut back into the slope of the site to create a partially sunken dwelling. The existing site entrance would be widened to create a small paved enclosed courtyard for the off-street parking space and provide pedestrian access into the dwelling. From here, the proposed dwellinghouse would incorporate a flat roofed kitchen and utility wing, which would open up into a pitched (lean-to) roof living and dining space. To the rear of the courtyard would be a flat roofed section that would provide two bedrooms and bathroom. The proposed materials would be limited to red facing brickwork (front and side elevations) that would wrap around the back of the sunken rear garden, and timber cladding (rear elevation facing the garden and sliding gate). The dwellinghouse would incorporate a substantial green vegetated roof.

At pre-application stage, officers were conscious that any proposal to erect a dwellinghouse within the rear garden of No. 109 could have a damaging impact on the character and appearance of Westminster Avenue, being the first dwelling that would be built off a rear garden onto this road. Officers advised the applicant's agent that the dwellinghouse would have to be single storey in height and would have to be carefully designed that would respect the specific site context and assimilated seamlessly into the site without bringing attention to the built form. It is considered that the applicant has successfully achieved this with officers considering that the dwellinghouse is of acceptable design quality that would not detract from the character of the surrounding area. The proposed dwellinghouse's low profile with green roof would help to 'lose' the building within the confines of the site's rear garden. From Westminster Avenue, it is considered that only glimpses of the dwellinghouse would be obtained given the low profile form of the building and the mature planting along the southern side of Westminster Avenue. Moreover, it is considered that the dwellinghouse would read less as a standalone an isolated dwellinghouse along Westminster Avenue, but instead more as an ancillary garage/outbuilding to the host property. The applicant has also agreed to amend the scheme on the advice of officers with the front elevation now being faced in red brick as opposed to timber cladding and incorporates a window, which was requested in order to achieve more robustness to the design.

From a design perspective, it is considered that the proposal is acceptable. Subject to the imposition of conditions that should include the full schedule of materials to be submitted for approval and details of the green roof, it is considered that the proposal to erect a contemporary dwellinghouse within the rear garden would be in general accordance with development plan policies contained in the UDP and Core Strategy.

(iv) Effect on the residential amenity of neighbouring properties.

It is considered that the only properties likely to be affected by the development are those located either side of the property, namely 107 and 111 Hallam Grange Rise, and the host property (No. 109). All other properties are considered to be adequately distanced from the proposed dwellinghouse that any effect on their residential amenity from overlooking, overshadowing and loss outlook is likely to be minimal.

In terms of Nos. 107 and 111, while it is acknowledged that the proposed dwellinghouse would be built up against part of the rear garden boundaries of both properties, this would be at the lower sections of the two gardens and therefore some distance from the main garden areas of the two properties. Moreover, the proposed dwellinghouse would have no windows within its side elevations to prevent any overlooking onto the side gardens. This together with the fact that the proposed dwellinghouse would be single storey in height with its side walls being at a height of 3.5m-3.9m should mean that from these two properties', the building appears more akin to an outbuilding/garage rather than a dwellinghouse and respective of the site's domestic setting. It is noted that the dwellinghouse would have a series of high level windows that would provide additional light to the living/dining room. However, the height of these windows from the finished floor level (approximately 3m) and their distance from the side boundary (over 5m) should prevent any overlooking onto the neighbouring property's rear garden.

In terms of No. 109, the host property, it has been calculated that a distance of approximately 17m would be maintained between the two properties respective rear elevations. While this distance is below the distance of 21m recommended in SPG Designing House Extensions to prevent problems of overlooking, it is not considered that the occupants of this property would be unduly harmed by the proposed development from any significantly loss of privacy that would be harmful to its residential amenity. In coming to this view, officers have had regard to the fact that the proposed dwellinghouse would be single storey in height only as well as the site's lower ground levels meaning that views from the existing house's first floor bedrooms would be mainly taken over the top of the proposed house and not into the property's ground floor main rooms. It is also considered that the existing house would not be subject to any significant loss of privacy from the proposed ground floor windows and its newly formed rear garden, which officers consider could be adequately addressed by the erection of a 1.8m high screen fence between the two properties' rear boundaries. It is considered that the erection of this screen fence would ensure adequate levels of privacy are maintained for both properties. A condition will be imposed to secure the provision of this screen fence.

Based on the aforementioned, it is considered that UDP Policy H14 (c), which seeks to protect the amenity of neighbouring properties' amenity from new development is considered to be met.

(v) Land quality Issues

The application site lies within a Coal Authority Development High Risk Area. The Coal Authority has indicated that the site is likely to have been subject to historic unrecorded underground shallow coal mining. Based on a review of the applicant's Coal Mining Risk Assessment (January 2018, prepared by GRM Development Solutions), the Coal Authority has stated that they agree with the recommendations of the report to include intrusive site investigation and recommend that a condition be attached that requires these works to be carried out prior to commencement of the development. A directive will also be added to the consent making the developer/owner aware of potential land contamination/ground gas associated with historic coal mining.

(vi) Community Infrastructure Levy

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development. Mostly CIL replaces some previous payments negotiated individually as planning obligations, such as contributions towards the enhancement and provision of open space (UDP Policy H16) and towards education provision (Core Strategy Policy CS43).

The application site lies in an area where CIL is liable with a charge rate of £80 per square metre. The applicant has signed CIL Form 1: Assumption of Liability.

(vii) Other Issues

Some of the comments received relate to the affect the development would have on the wildlife in the area. While these comments are noted, there is no evidence to suggest that the garden is home to any protected species. It is however recommended that a condition be attached that requires a walkover by a qualified ecologist prior to work commencing and for the development to proceed in accordance with any recommendations of the ecologists to mitigate any potential disturbance to wildlife.

It is considered necessary that the dwellinghouse's PD rights are removed in order to control future development on site. Should members be minded to grant planning permission, it is recommended that a condition be attached that removes the property's 'PD' rights (Classes A to H inclusive of the GDPO 2015) to make alterations and extensions to the property.

RESPONSE TO REPRESENTATIONS

SUMMARY AND RECOMMENDATION

The applicant is seeking full planning permission to erect a single storey contemporary designed dwellinghouse within the lower part of the rear garden of 109 Hallam Grange Rise, a semi-detached dwellinghouse in Lodge Moor. The proposed dwellinghouse would be provided with two bedrooms and have off-street parking for one vehicle. Vehicular and pedestrian access would be taken from Westminster Avenue.

The principle of erecting a single storey contemporary designed dwellinghouse within part of the property's rear garden is accepted under Policy H14 of the UDP and Policy CS24 of the Core Strategy and would not prejudice or undermine the Council's targets for the development of previously developed land across the city. Following revisions to the design of the house that have included replacing the timber cladding with brick and the addition of a window (front elevation), officers are satisfied that the development represents an appropriate form of development and would not result in any serious harm to the character of the surrounding area. The proposed dwellinghouse would be afforded with a 54 square metre garden that would be commensurate to the size of the property and while the development would involve the sub-division of the garden of No. 109, this property would still continue to benefit from an appropriately sized rear garden area.

It is considered that the proposal would not impact on highway safety or result in the residential amenity of neighbouring properties being unduly harmed.

For the reasons given in the report and having regard to all other matters raised, it is considered that the development accords with UDP Policies H14 (a) BE5 and BE16 and Core Strategy CS24 and CS74 and is recommended for approval subject to the conditions listed.

Case Number	17/04669/FUL (Formerly PP-06524339)
Application Type	Full Planning Application
Proposal	Erection of 9no dwellings including associated parking and formation of an access road
Location	Land To The East Of The Junction With School Street Station Road Mosborough Sheffield S20 5AD
Date Received	14/11/2017
Team	City Centre and East
Applicant/Agent	CBP Architects
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

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

Site Location plan - 17071-A-2002 Rev P02
Site layout plan and levels - 17071-A-2001 Rev P05
House Type A - 17071-A-0001 Rev P06
House Type B - 17071-A-0002 Rev P05
House Type C & D - 17071-A-0003 Rev P06
House Type E 17071-A-0005 Rev P08
House Type F - 17071-A-0006 Rev P06
House Type G - 17071-A-0007 Rev P02
Ecological Impact Assessment dated February 2018

Reason: In order to define the permission.

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

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

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

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

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

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

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

6. The demolition of the Dutch Barn (B1 on Drawing 1 of the Ecological Impact Assessment dated February 2018) shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
 - a) A licence issued by Natural England, pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
 - b) A statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: In the interests of protected species.

7. One month before development commences and again immediately prior to works commencing surveys of the development site shall be carried out to identify if any protected species have created any new habitats, the results of which shall be submitted to the Local Planning Authority.

No development shall commence until such surveys have been submitted to and approved in writing by the Local Planning Authority. If new habitats are discovered at any time during demolition or construction works at the site, then works must stop until the appropriate licences have been obtained from Natural England.

Reason: In the interests of protected species

8. No work on site shall commence until a Woodland and Ecology Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must include :

- a) Improvements to woodland area to the north of the site, including details of native planting to encourage foraging
- b) Short, medium and long term aims and objectives
- c) Management responsibilities
- d) An annual work programme and maintenance schedule
- e) Details and location of bat and bird boxes
- f) Details of lighting
- g) Details of removal of Japanese Knotweed
- h) Details and locations of hedgehog access points

The approved Woodland and Ecology Management Plan shall be implemented at all times thereafter and any amendments shall first receive the written agreement of the Local Planning Authority.

Reason: In the interests of the amenities of the locality

9. No work on site shall commence until the application site has been fenced off as recommended by the Ecological Impact Assessment dated February 2018. This fencing shall be retained until the development has been completed.

Reason: In the interests of protected species

10. No development shall commence until full details of measures to protect the existing trees, shrubs or hedges 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

hedges 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 shrubs or hedges 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

11. No development shall commence until full details of the fencing surrounding the brick kilns, as recommended in the Ecological Impact Assessment dated February 2018 has been submitted to and approved in writing by the Local Planning Authority and the fencing erected in accordance with the approved details. The development shall thereafter be retained until the development has been completed. .

Reason: In the interests of protected species.

12. 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.

13. No development, including any demolition and groundworks, shall take place until a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation has been submitted to and 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 postinvestigation works.

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

14. No development shall commence unless and until the intrusive site investigation works described in the coal mining risk assessment produced by GRM Development Solutions, dated 7th December 2016, have been carried out as recommended. The exact form of any intrusive site investigation including the number, location and depth of boreholes must be agreed with the Coal Authority's Permitting Team.

A report of the findings arising from the intrusive site investigations shall be submitted to and approved in writing by the Local Planning Authority. Where the investigations indicate that remedial works are required, no development shall commence unless and until a scheme of remedial works has been submitted to and approved by the Local Planning Authority and the approved remedial works have been carried out in accordance with the approved details.

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

15. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. Such works shall be achieved by sustainable drainage methods and should the design not include sustainable methods, evidence shall be provided to show why sustainable drainage methods are not feasible for this site. Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

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.

16. Unless shown to the satisfaction of the Local Planning Authority not to be feasible and viable, no development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, - connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied,

and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

17. No development shall commence until the environmental improvements to 'The Brow' as recommended by the Ecological Impact Assessment dated February 2018

a) have been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such environmental improvement works will be carried out. The development shall not be occupied until the approved environmental improvements have been carried out.

Reason: In the interests of biodiversity

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

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

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

19. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before the part of the development in which the materials are proposed to be used 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.

20. A comprehensive and detailed hard and soft landscape scheme for the site, which shall include 3 No. replacement trees to the woodland area to the north of the site and enhancement works as recommended by the Ecological Impact Assessment dated February 2018, 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 landscape and enhancement 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 and all works of enhancement 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. Unless further approval has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved landscape works.

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

21. Prior to the removal/ heavy pruning of trees shown to have moderate potential for roosting bats (drawing 1 of Ecological Impact Assessment dated Feb 2018), the trees concerned shall be subject to two dusk/dawn bat detector surveys which must be carried out between May to August inclusive. The surveys shall be submitted to and approved in writing by the Local Planning Authority prior to the works of removal/pruning being undertaken.

Reason: In the interests of protected species.

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

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

23. The dwellings shall not be used unless that part of the road providing access thereto has been provided in accordance with the approved plans.

Reason: In the interest of highway safety

24. The dwellings 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.

25. The development shall not be occupied unless the turning head for vehicles has been provided within the site in accordance with the approved site plan and thereafter such turning space shall be retained.

Reason: In the interest of the safety of road users

26. 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 within an alternative timeframe to be agreed in writing by the Local Planning Authority. In any event the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

27. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 5 litres per second. Before the use of the development is commenced, a validation test to demonstrate that the necessary equipment has been installed and that the above flow rate has been achieved shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority.

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

Other Compliance Conditions

28. Any proposed vegetation clearance must only take place outside of the bird breeding season (March to August inclusive), unless a breeding bird survey, is carried out by a suitably qualified ecologist and approved in writing by the Local Planning Authority. The vegetation clearance shall thereafter be carried out in accordance with the approved survey

Reason: In the interests of local wildlife

Attention is Drawn to the Following Directives:

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

2. The applicant is advised that the 'alternative timeframe' referred to in the conditions must be applied for in writing, by letter, to the original case officer and must be approved in writing by that case officer.
3. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

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

If you require any further information please contact:

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

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

4. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received 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

5. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you

must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

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.

6. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
7. The 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.
8. 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.

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

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

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

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

10. Dependent upon the nature of the highway works being undertaken, you may be required to pay a commuted sum to cover the future maintenance of new and/or improved highway infrastructure.

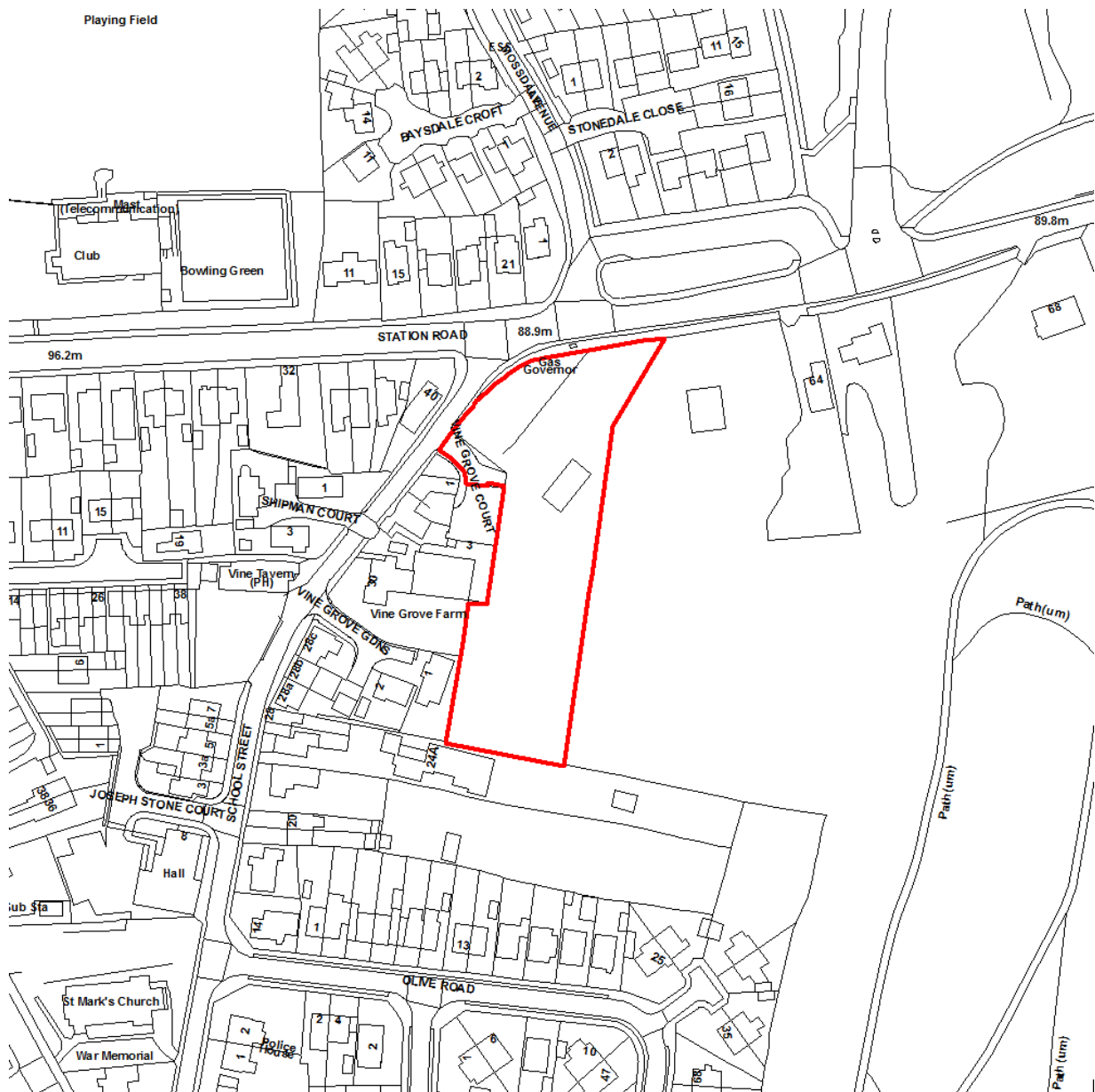
The applicant is advised to liaise with Highways Maintenance Division early on to determine the approximate cost. In the first instance contact should be made with the S278 Officer:

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

11. 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.
12. 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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LOCATION AND PROPOSAL

The application relates to a parcel of land which runs from the corner of Station Road and School Street behind houses at Vine Grove Court and School Street. The land comprises part of the former Vine Grove Farm land holding, which has previously undergone some residential development.

The site is largely covered by native deciduous woodland, a number of self-set trees and areas of dense scrub. A number of trees within and adjacent to the site are

subject to Tree Preservation Orders. An open sided barn is located within the site and is proposed to be removed as part of the development.

The surrounding area is predominantly residential in nature and is characterised by dwellings of varied styles, sizes and ages. The housing immediately adjacent to the site on Vine Grove Court and School Street is constructed in a traditional style, reflecting the historic nature of the area.

The site is located in a Housing Area as designated in the adopted Sheffield Unitary Development Plan. It also forms part of the Green Network and is a Local Wildlife Site and there are known to be protected species within the locality.

Full planning permission is sought for the erection of nine dwellings on the land.

RELEVANT PLANNING HISTORY

97/00362/OUT & 00/00316/OUT: Residential development for 15 dwellings on a larger site extending to the east of the current application site. These applications were refused for various reasons, including the detrimental impact on the Green Link and Network; protected species and nature conservation; and the loss of mature trees and landscaping protected by a Tree Preservation Order.

03/04063/OUT: Erection of 5 dwellings. This application was refused due to the impact on the green and open character of the site; protected species and development of a greenfield site being contrary to policy.

09/03921/FUL: Erection of 5 dwellings Application approved

The key difference between the 2003 and 2009 application related to policy changes in the Core Strategy which allowed for greater flexibility in the development of small greenfield sites.

This permission was renewed in 2012 through application 12/03462/FULR.

17/00516/OUT: Erection of 7 dwellings approved in April 2017. This application related to a larger site area, including additional land to the south of the site located behind properties on Vine Grove Gardens and 30 School Street. The vehicular access into the site was approved as part of this permission.

SUMMARY OF REPRESENTATIONS

Four letters have been received from local residents and the Mosborough Village Action Group which raise concerns that:

- Traffic frequently enters School Street from Station Road at speed. Cars are regularly parked opposite the site entrance as well as all the way down School Street, especially at weekends due to the various sporting events held at the Mosborough Miners Welfare.

- Pavements in the area are narrow. An increase in traffic turning into and out of the proposed site would increase the chance of bad accidents, both vehicular and pedestrian.
- The use of the vehicular access and queueing of traffic on School Street will cause unreasonable levels of pollution in close proximity to windows of neighbouring property. The development should access directly onto Station Road.
- The plans are unclear on the finished levels of the dwellings in relation to the existing ground. The siting and scale of plot 9 will be overbearing to neighbours and cause overshadowing if it is not dug into the existing ground and will obscure the existing woodland view. The tree shown as within the garden of 30 School Street does not exist and applicant's statement that the tree provides a natural visual barrier to neighbouring property is inaccurate.
- The existing woodland is home to a variety of wildlife and protected species, all of which would be adversely affected by the clearing of woodland and erection of dwellings.
- The old Westfield School site is only 300 yards away from the application site and offers a variety of dwellings.
- Since the approval of the outline application for 7 dwellings last year there has been machinery on the site carrying out site clearance which is unacceptable.

Three letters in support of the application have been received which make comment that:

- The traffic on the road is far less than in previous years when School Street was a through route with a school and busy pub. Whilst traffic has increased significantly everywhere else in the village, this road has become quieter and can easily afford 9 new homes.
- At the present time this disused site is only of benefit to the few properties which immediately border it and not to the community in general. This area of neglected land which is viewed by the wider community at the junction of School Street and Station Road has become an eyesore due to the amount of litter which has built up over the years and is regularly the site of anti-social behaviour. Any development which improves the situation can only be a bonus to the whole village.
- The principle of development is not in question as 7 dwellings have already been approved. It is the design and quality of the development which is more of an issue so that it fits in with the character of the current housing/barn conversions that have been developed on Vine Grove Court and other property on School Street complimenting the village.
- This is the perfect spot to build new homes and the plans look of high standard housing that will promote Mosborough Village.

PLANNING ASSESSMENT

The National Planning Policy Framework (NPPF) provides the framework for the planning policy and development within England. The overarching principle is to ensure that sustainable development occurs and the local policies cited in this report are all considered to be in accordance with the relevant paragraphs of the NPPF.

Land Use Policy Issues

The site is located within a Housing Area as defined in the adopted Sheffield Unitary Development Plan. UDP Policy H10 sets out the preferred, acceptable and unacceptable uses in these areas and defines housing (Use Class C3) as the preferred use.

Core Strategy Policy CS23 of Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/21 the main focus will be on suitable, sustainably located sites within or adjoining the main urban area of Sheffield.

Core Strategy Policy CS24 seeks to maximise the use of brownfield sites, and states that no more than 12% of dwelling completions between 2004/05 and 2025/26 should be on greenfield sites. Given that the site is only small it will not be harmful to achieving the target set out in CS24. Furthermore, the site is a logical extension to existing built form and is in a sustainable location close to local amenities and good public transport links and so satisfies policy CS24(b).

Core Strategy Policy CS47 relates to the safeguarding of open Space. Despite its designation within a housing policy area the application site has remained undeveloped and is essentially a greenfield site with no public access.

An Open Space Assessment was carried out in connection with the previous application for 7 dwellings in 2017 which showed that there was sufficient provision in the local area of existing open space to serve the needs of people living and working in the area. The development of the site would not deny local people access to a well-used open space and in this respect the proposal does not conflict with policy CS47

Paragraph 49 of the NPPF stipulates that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

Based upon the most current information available, a deliverable supply of housing land over the coming 5 years cannot be demonstrated. The Local Planning Authority has identified a 4.5 year of supply, which is a shortfall of 1,185 dwellings, as detailed in the SHLAA Interim Position Paper 2017. The issue of a shortage in housing land availability is a material consideration which supports the principle of residential

development at this site and the proposal would provide a helpful contribution to the local supply of housing land, in a sustainable location.

The principle of redeveloping the application site for residential purposes has previously been established by the earlier grant of planning approval in 2017 and there has been no material change in land use policy since that decision.

Density of Development

Core Strategy Policy CS26 'Efficient Use of Housing Land and Accessibility' sets appropriate density levels for development, to ensure the efficient use of land. Within urban areas, such as the application site, it is anticipated that densities would be between 30 to 50 dwellings per hectare. Densities outside these ranges are acceptable where they achieve good design, reflect the character of an area or protect a sensitive area.

The density of the built form will be less than 17 dwellings per hectare. Although below the recommended density, it is recognised that there are various sensitive issues on this site and a reduced scale of development is considered to be an appropriate way forward to ensure the various ecological issues are suitably managed.

Design

UDP Policy H14 "Conditions on Development in Housing Areas" requires that new buildings are well designed and in scale and character with neighbouring buildings. Policy BE5 "Building Design" reinforces this policy and states that new buildings should complement the scale form and architectural style of surrounding buildings. Paragraph 56 of the NPPF advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people and advises in paragraph 60 that planning decisions should seek to promote or reinforce local distinctiveness and not impose architectural styles or particular tastes.

The application proposes 9 large dwellings (4 semi-detached and 5 detached dwellings) which are simple and traditional in general form being built in stone with slate roofs to complement the appearance of the local area. The dwellings vary in layout and appearance to take account of the level differences throughout the site and include two split level dwellings to the southern part of the site. The dwellings are sited to avoid damage to the protected trees within the site. The new dwellings are positioned to the east and south of the shared access road which runs along the western boundary of the site behind 3 Vine Grove Court, this property being a converted two storey stone barn. A more modern housing development comprising brick built detached dwellings abuts the south west boundary of the site. The overall design and appearance of the new dwellings is considered to reflect the established urban grain of this part of Mosborough village.

It is also noted that owing to the position of the site to the rear of existing dwellings and set back from the Station Road frontage behind a dense woodland area, the new development will not be overly visible in any established street scenes.

Amenity

UDP Policy H14 states that development will be permitted provided that the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood. Paragraph 17 of the NPPF seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. These are further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice detailed guidelines and principles for new build structures and their relationship to existing houses.

The rear elevations of both 3 Vine Grove Court and 1 Vine Grove Gardens and the garden of 30 School Street abut the west boundary of the site and the blank side elevation of 24A School Street abuts the southern boundary. The application site varies in levels and rises towards the south of the site. The submitted plans confirm that land levels will be lowered to reduce the potential impact on neighbouring dwellings and to ensure acceptable in site gradients.

No 3 Vine Grove Court is positioned next to the proposed access road. There are no main primary windows in the rear elevation of this property. The access road will be at its closet 3m from the rear elevation of this neighbouring property. Vehicles using the access road may result in increased noise to occupiers, however the number of vehicles using this part of the access road will be limited and so it is not considered that unacceptable noise/disturbance will occur.

The proposed dwellings have been sited to respect separation distances with adjoining residential properties and raise no privacy or overbearing issues. It is noted that the dwelling on plot 9 which has been specifically mentioned in the representations has been substantially reduced in height and footprint since first submission, overcoming neighbours' concerns.

All new dwellings provide appropriate outlook and amenity space for future residents.

In view of the above the proposal raises no amenity concerns in respect of existing or future residents and in this respect the development is considered to comply with the requirements of policy H14.

Access/Highways

UDP Policy H14 requires development to provide safe access to the highway network and appropriate off street parking and to not endanger pedestrians

Paragraph 17 of the NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling, focussing significant development in locations which are or can be made sustainable.

Paragraph 32 requires that safe and suitable access to a site can be achieved for all people, and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of developments are severe.

The access into the site from School Street was previously approved as part of the outline planning approval 17/00516/OUT. The first part of the access which forms a shared surface serving more than 5 dwellings will be built to adoptable standards with the remaining part forming a private drive giving access to the dwellings located at the southern part of the site. Due to the distance from the adopted carriage way the private drive will contain a turning head suitable for a fire appliance.

Each dwelling includes at least two off road parking spaces including a garage ensuring that the development will not increase on-street parking in the area.

A number of the objections received relate to concerns over the safety of the existing access. It is noted that the access with School Street is to remain as existing and has good visibility. The increase in vehicles using the access will be modest in comparison to the amount of traffic on the surrounding highways network. The Council's Highways Officer has not raised any concerns regarding the safety of the access and in this respect the proposal is considered to comply with policy H14.

Ecology

Core Strategy Policy CS47 (b) requires the retention of open space of high quality, heritage, landscape or ecological value. These requirements are echoed in UDP policy GE11 which requires the protection and enhancement of the natural environment and nature conservation.

UDP Policy GE13 "Areas of Natural History Interest" states that where development would decrease the nature conservation value of a local nature site, that decrease must be kept to a minimum and compensated for by the creation or enhancement of wildlife habitats elsewhere within the site or local area.

The site forms part of the Vine Grove Farm Site of Importance for Nature Conservation one of 257 Local Wildlife Sites within the City. There are concerns that the increase in development on the site will impact on protected species which utilise the land as a foraging area.

Paragraph 109 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 indicates that if significant harm resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused.

The application proposes an intensification of development on the site from that approved under the outline application in 2017. The additional two dwellings will reduce the area of retained undeveloped land which is used by protected species which utilise the site for foraging.

An Ecological Impact Assessment has been submitted in support of the application. This has been prepared in consultation with the City Council biodiversity officer and includes a scheme of ecological mitigation and both on site and off site ecological enhancements which would be delivered by the scheme should permission be granted. This includes additional habitat surveys prior to the development commencing, protection of known bat roosts, the provision of bat boxes, hedgehog access points and substantial landscaping including the enhancement of existing foraging grounds on adjoining land within the applicants ownership. In addition the EIA proposes to carry out a wildlife scrape on neighbouring council owned land (known locally as The Brow) to provide opportunities for a range of wildlife and help towards net biodiversity gain. All these works can be secured by planning condition.

The Council's biodiversity officer has confirmed that with the range of ecological mitigation and enhancement proposals that the development will enhance biodiversity across the site and within the local area. In this respect the proposal is considered to comply with UDP policies GE11 and GE13, Core Strategy Policy CS47.

Trees

UDP Policy GE15 requires development to retain mature trees and not damage existing trees and ancient woodlands.

The site is largely covered by native deciduous woodland, mainly ash and sycamore trees many of which are self-set trees and areas of dense scrub. A number of trees within and adjacent to the site are subject to Tree Preservation Orders. A tree report was submitted with the application which confirms that the trees within the site have been neglected for a number of years and would benefit from a management plan

The majority of the protected trees are within the woodland group which fronts onto Station Road. Of these, three trees will be removed, necessitated by the location of the access road. This was agreed in principle by the outline planning approval in 2017.

Within the centre of the site there is a mature ash tree which is protected, the majority of the other self-set trees within the remainder of the site are to be removed. Trees which fall within gardens of the proposed dwellings will, where possible, be retained. The layout of the southern part of the site ensures that there will be no impact on the protected ash tree.

A woodland management plan would be conditioned as part of any subsequent approval to ensure that the retained trees are appropriately maintained. In addition a condition requiring a comprehensive landscaping plan, including replacement trees within the woodland group adjacent to Station Road will be added to any subsequent approval.

Flooding

Core Strategy Policy CS67 Flood Risk Management requires that all developments limit surface water run-off and use sustainable drainage systems where feasible and practical. Conditions will be added to any subsequent approval to ensure compliance with the policy.

Climate Change

Core Strategy policy CS 64 Climate change, Resources and Sustainable design of developments requires all new buildings to be energy efficient and to use resources sustainably. This will be secured through any subsequent Building Regulations submission.

Core Strategy Policy CS 65 Renewable Energy and Carbon Reduction requires new developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy. A suitable condition will be added to any subsequent approval.

Archaeology

An archaeological desk based assessment has been submitted with the application. This is the same report that was submitted with the previous application.

Consequently the conclusions are the same, that there is the potential for items of archaeological interest to be found on the site; a condition is recommended to secure further investigations.

Land Contamination

Environmental Health have advised that the site may have been contaminated by its former use and have recommended a Phase I Preliminary Risk Assessment be carried out to establish that any contamination is identified and dealt with as appropriate. Conditions will be added to any subsequent approval.

Coal Mining

The site lies within a Coal Mining High Risk Area and so is supported by a Coal Mining Risk Assessment. The Coal Authority has commented and concurs with the results of the risk assessment. The coal mining legacy of the site potentially poses a risk to the proposed development and intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that a condition requiring the above investigation is attached to any approval.

Other Issues

For the purposes of the Community Infrastructure Levy, the development is located within Zone 3 where the CIL charge is £30 per square metre.

The development is under the threshold for an affordable housing contribution.

SUMMARY AND RECOMMENDATION

The principle of residential development on the site has been established by the previous grant of planning approval in 2017 and there have been no material change in circumstances since that decision.

The application seeks approval for 9 dwellings on the land which has been neglected for many years. The site, which abuts existing residential development, is sensitive in nature containing protected trees and there are known to be protected species in the area. The layout has however been designed to reduce its impact on the protected trees and adjoining residential property. Furthermore although the site forms part of a green corridor and a local wildlife site, it is considered that with appropriate mitigation and enhancement, the development will not have an adverse impact in ecological terms.

The dwellings which have been designed to complement the surrounding area are simple in form and will be finished in good quality materials reflecting the general character and appearance of the surrounding area.

In addition the development is not considered to raise any highway safety concerns utilising an existing vehicular access onto School Street.

The scheme complies with relevant policies and nation guidance and is recommended for approval subject to the listed conditions.

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Case Number	17/04664/FUL (Formerly PP-06474789)
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse (Amended Plans received 28th February 2018)
Location	Curtilage Of 26 Rangeley Road Sheffield S6 5DW
Date Received	14/11/2017
Team	West and North
Applicant/Agent	Thread Architects Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

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

Drawing 093 P00 Rev A Site Plans
Drawing 093 P01 Rev A Site Layout / Roof Plan
Drawing 093 P02 Rev A Ground Floor Plan
Drawing 093 P03 Rev A First and Second Floor Plans
Drawing 093 P04 Rev A Front Elevation in Context of Streetscene
Drawing 093 P05 Rev A Elevations
Drawing 093 P06 Rev A Elevations showing neighbouring properties

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. 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.

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

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

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

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

Other Compliance Conditions

7. The bathroom and staircase windows on the elevation of the proposed dwellinghouse facing east towards No.18 Rangeley Road shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

8. The flat roof area of the dwellinghouse hereby permitted 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

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no enlargement, improvement or other alteration or extension of the dwellinghouse which would otherwise be permitted by Class A, Class B or Class C to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the proximity of habitable room windows in the side of the neighbouring dwellinghouse.

Attention is Drawn to the Following Directives:

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

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

2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received 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

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

The notice should be sent to:-

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.

4. 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.
5. 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.

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 here:

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

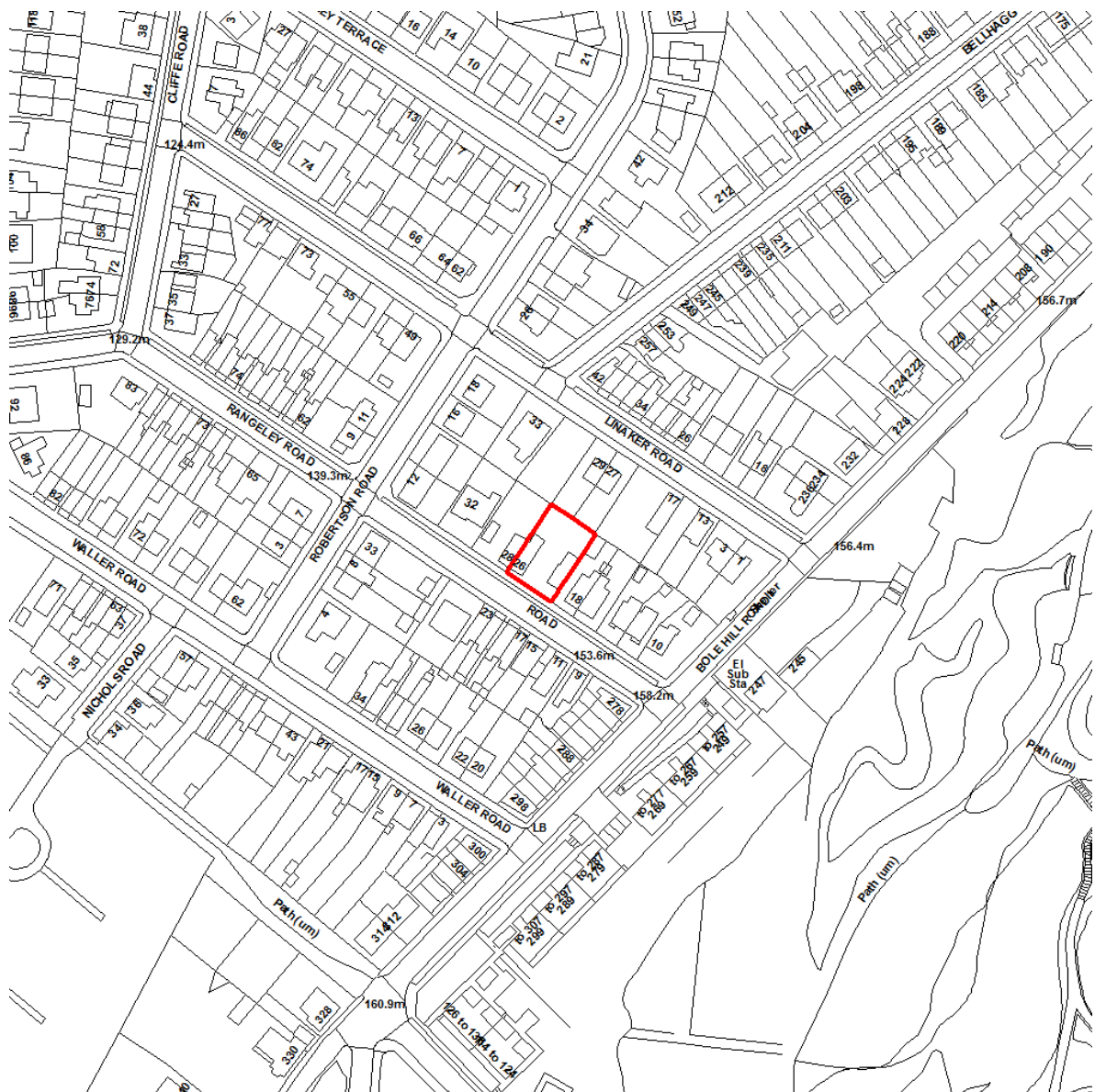
For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

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.

7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
8. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
9. 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.
10. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
11. The applicant 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. 0800 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 the Environmental

Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel.
0114 2734651.

Site Location



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LOCATION AND PROPOSAL

The application relates to land to the eastern side of 26 Rangeley Road and is currently occupied by a single garage. Rangeley Road slopes steeply up to the east, such that the neighbouring property (No.18) is at a higher level.

Planning permission is sought for the erection of a 3 bedroomed dwellinghouse. This would provide living accommodation over 3 floors (the upper floor being within the roof space). The existing driveway would be utilised for the new property and a new access created onto Rangeley Road adjacent to No.26 to provide parking for the host property.

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area.

RELEVANT PLANNING HISTORY

In 2011 outline planning permission was refused for the erection of a dwellinghouse on this site (application 11/00769/OUT refers) and later an application for a bungalow was also refused (application 11/02767/OUT refers). These applications were both in outline with all matters reserved.

The applications were both refused as neighbouring properties to the development site (both No.26 and No.18) had habitable room windows on the side elevation that would be directly affected by the proposed development.

REPRESENTATIONS

9 representations have been received objecting to the proposed development. This includes representations from Cllr Neale Gibson, Cllr Ben Curran and Cllr Olivia Blake. Councillors raise concerns of overlooking and loss of light as well as parking provision and offer support to the objections of local residents. It is also noted that Councillors do not consider that the development addresses previous reasons for refusal.

Paul Bloomfield MP has also asked that due consideration be given to local objections in light of the previous refusals.

Representations from local residents raise the following issues:

- Few properties along Rangeley Road have off-street parking and so most people park on street. The development would increase demand for on-street parking, causing damage to verges.
- The development would be harmful to the character and appearance of the area, removing a scenic space between two period properties.
- The development would remove views of the Rivelin Valley. This would be contrary to Core Strategy Policy CS74.
- The development would result in loss of light and outlook to No.18 Rangeley Road, this property having main habitable room windows on the side elevation overlooking the site (both at ground floor and upper floor levels). The development would be within 4m of these windows. As part of this representation a report from a charter surveyor has been submitted which concludes that, should the development go ahead, 'light levels in the corresponding rooms and areas will subsequently fall below adequate levels of natural light'.
- If allowed the occupiers of neighbouring property would have to turn on electric lights for longer, thereby increasing electricity and heating bills.

- No.26 Rangeley Road could become a House in Multiple Occupation; thereby further increasing parking pressures.
- Prolonged building work will create noise, dust and disruption to residents and may restrict access to neighbouring property.
- The proposed driveway for No.26 would involve excavations which may affect foundations.
- The development would result in overlooking to neighbouring dwellings and the proposed green roof area, when accessed would result in overlooking to neighbouring properties and gardens.

Amended plans were received on 28th February 2018, as well as a light survey which was commissioned by the applicant and carried out by Smith Marston chartered surveyors. Neighbours were re-consulted and a further 7 responses were received.

This included a representation from Paul Bloomfield MP, Cllr Neale Gibson, Cllr Olivia Blake and 4 neighbours and re-iterated previous concerns.

In addition to these representations the occupier of No.18 has submitted a light survey, carried out by Wright Chartered Surveyors, and a solicitor's letter which sets out that the development would result in unacceptable loss of light to No.18 Rangeley Road.

PLANNING ASSESSMENT

The site is currently within the ownership of No.26 Rangeley Road and forms garden land with a garage on part of the site.

The proposed dwellinghouse would be two storeys in height with additional living space provided within the roof. Off-street parking for a minimum of one car would be provided to the front/side of the new property (on a driveway) and a new driveway for No.26 would be created along the side of this property.

The site is identified on the Sheffield Unitary Development Plan (UDP) Proposals Map as being within a Housing Area.

UDP Policy H10 sets out that in principle housing is the preferred use, subject to compliance with other Development Plan Policies.

Policy H14 sets out that within Housing Areas new development will be permitted provided new buildings would be in scale and character with the site and the site would not be overdeveloped or deprive residents of light, privacy or security and it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

Core Strategy CS26 sets out appropriate density ranges, to protect character and support the development of sustainable, balanced communities. For this location an appropriate range would be 30 – 50 dwellings per hectare.

The density of the proposed development would equate to around 49 dwellings per hectare and the plans show that the proposed property would have a plot size commensurate with that of neighbouring properties. In terms of density the development would accord with policy CS26.

Impact upon Street Scene

Rangeley Road is steeply sloping and has a mixture of property styles, building materials and ages. The site is currently occupied by a detached garage and garden land to the side of No.26.

The proposed dwellinghouse would have a coursed natural stone finish to the front elevation and brick to the sides and rear (which is similar to other properties in the area). The development would follow the building line along the street, lining through with No.26 and slightly in front of No.18.

In terms of height the proposed development would be of a similar scale to neighbouring properties and would be at a similar level to No.26 and set down from No.18.

Windows would be of a similar style and alignment to windows on neighbouring properties and would pick up on architectural details such as stone heads and cills to windows and eaves detailing.

The street scene is quite varied with properties of varying ages and building styles. It is considered that the proposed development would not have an adverse impact upon the character and appearance of the area and would be in keeping with the street scene. A refusal of the application on the grounds of the impact the development would have upon the character and appearance of the area cannot be justified.

Effect Upon Neighbours

The proposed development would be positioned between No.26 and 18 Rangeley Road. Both of these properties have main habitable room windows which face onto the site. In the case of No.26, this property is within the ownership of the applicant and, if needed additional windows could be inserted into the rear elevation or alterations made to No.26 to ensure that occupiers of this property are afforded adequate living conditions in terms of light and outlook. The applicant has confirmed that the windows which would be affected in their property are secondary windows (kitchen and dining room). The property has an open plan layout and so these rooms also receive a lot of light from windows on the rear.

With regard to No.18 Rangeley Road, this property is at a higher level but does have main habitable room windows on the side elevation. These serve a dining

room on the ground floor and a bedroom on the first floor and are the sole windows for these rooms.

The applicant has tried to minimise overshadowing and loss of light to these windows, through the setting back of the upper floor to the rear and by pulling the proposed dwellinghouse as far as possible from the boundary. The applicant has also commissioned a light survey which demonstrates that the rooms would not be so badly deprived of light to warrant a refusal of the application.

The light survey commissioned by the applicant, carried out by Smith Marston was based on various tests which are set out in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practise'. That report concluded that all relevant neighbouring windows pass the BRE diffuse daylight and direct sunlight tests.

The survey commissioned by the neighbour, carried out by Wright Chartered Surveyors sets out that the development would result in a loss of light and advises the occupier of No.18 Rangeley Road to consider making a claim for compensation. The 'right to light' is a separate legal matter rather than a planning issue.

The applicants light survey showed that of the habitable rooms the dining room, being on the ground floor would be the most affected, however only a small portion of the room would be poorly lit as a result of the proposed development.

The survey commissioned by the neighbour demonstrated that the dining room would receive around 61% of the light from which it benefits at present.

The survey carried out by the applicant showed that the bedroom would not be poorly lit as a result of the development. The occupier of No.18 has not supplied data on the loss of light to the bedroom as it was not surveyed by Wright Chartered Surveyors. The hall, landing and staircase are not classed as habitable rooms.

It is considered that, on balance the development would not result in a loss of light that would be significant enough to warrant a refusal of the application. The occupier of No.18 would still benefit from adequate levels of light to their dining room and bedroom on the side elevation.

It is acknowledged that the development would restrict the outlook from the affected windows, at present the occupier of No.18 has far reaching views across the valley, however the right to a view is not a planning consideration. Due to the set-back nature of the upper floors of the proposed property windows in the side of No.18 would still be afforded a view over the flat roofed element of the new dwellinghouse and it is considered that, on balance the outlook from windows on the side of No.18 would be adequate. It is considered that a refusal of the application on the basis of overshadowing, loss of light and loss of outlook cannot be justified. The proposed development would accord with UDP Policy H14.

To ensure that the proposed dwellinghouse could not be extended under 'permitted development', to bring the upper floor of the new property closer to No.18

Rangeley Road, it is suggested that (should planning permission be granted) permitted development rights be removed. This would be secured by planning condition.

Main windows on the proposed dwellinghouse would face onto the street or towards properties to the rear on Linaker Road with a distance of around 25m between the upper floors of these properties. It is considered that the development would not give rise to unacceptable levels of overlooking to neighbouring properties to the rear.

Windows on the side elevation facing No.18 would be to the staircase and a bathroom and so could be obscure glazed to prevent overlooking in this direction. To the other side elevation (facing No.26) a secondary high level window is proposed. No.26 would be at a slightly lower level and as such overlooking in this direction would not occur either.

Across the street a separation distance of around 15m would be provided. This is commensurate with existing separation distances across the street and so it is considered that a refusal of the application on the grounds of overlooking across the street cannot be substantiated.

To the rear of the proposed property a flat roofed single-storey projection is proposed. The roof is not intended as a raised terrace for sitting out purposes and the plans do not show any access to this roof (in the form of a door). The applicant has indicated that occasional access may be required for maintenance purposes and, if the application were to be supported this would be made a condition of any consent.

It is considered that, on balance the development would not be detrimental to the living conditions of occupiers of neighbouring property and the application complies with UDP Policy H14.

Highways

The proposed dwelling house would have ample parking space to the side / front to park at least two cars clear of the highway and No.26 would also have a driveway to the side, which could accommodate a couple of cars.

The development would raise no highway safety concerns.

CIL

The Council has adopted a CIL (further details are available on the Council's website). The development falls within an area where the CIL charge is currently £30 per square metre; however the applicant has indicated that they will be claiming self-build relief.

RESPONSE TO REPRESENTATIONS

Issues of parking and highway safety, overlooking and overshadowing have been considered above.

Issues of loss of view, stability of foundations and noise and disturbance / access during building works are not planning considerations.

The applicant has not indicated that the proposed dwellinghouse would be occupied as a House in Multiple Occupation. If this were to be the case planning permission would be required and the merits of this would be assessed then. This is not considered to be a valid reason to withhold planning permission.

RECOMMENDATION

It is considered that the proposal development would not be harmful to the character and appearance of the area, and the proposal would not result in an overdevelopment of the site, being of an appropriate density. Both the new property and No.26 would have sufficient parking and the development raises no highway safety concerns.

The development would not give rise to unacceptable levels of overlooking to neighbouring property to the front, side or rear.

Careful consideration has been given as to whether the development would result in unreasonable levels of overshadowing and loss of light to neighbouring property, in particular No.18 Rangeley Road which has main habitable room windows on the side elevation which are the only source of light to these rooms. It is considered that on balance the applicant has demonstrated that the proposed dwellinghouse would not result in unacceptable levels of overshadowing or loss of light. The view from the affected windows would be restricted; however there would still be adequate outlook from No.18.

It is considered that the development would comply with UDP Policy H10 and H14 as well as Core Strategy Policy CS26 and the National Planning Policy Framework.

It is recommended that the application be granted with conditions.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 12 June 2018

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Marie Robinson 0114 2734218

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
12 JUNE 2018

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) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for application to allow erection of single-storey side/rear extension, alterations to front boundary fence and demolition of existing garage/siting of garden shed at rear of dwellinghouse at 564 Prince Of Wales Road Sheffield S9 4ER (Case No 18/00361/FUL)
(ii) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for application to allow first-floor rear extension at Flat 3 3 Tenterden Road Sheffield S5 6AJ (Case No 18/00298/FUL)
(iii) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for application to allow the siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) at the pavement outside 11 Fargate Sheffield S1 2HE (Case No 17/03092/TEL)
(iv) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for application to allow the siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) at the pavement outside 51 Furnival Gate Sheffield S1 4HW (Case No 17/03094/TEL)
(v) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for application to allow the siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) adjacent to 51 The Moor Sheffield S1 4PF (Case No 17/03096/TEL)
(vi) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for application to allow the siting of solar powered telephone kiosk (Application for

determination if approval required for siting and appearance) adjacent to 6 Paternoster Row Sheffield S1 2BR (Case No 17/03098/TEL)

(vii) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for application to allow erection of a double-sided illuminated digital display at Park House Old Nunnery Station Bernard Road Sheffield S2 5BQ (Case No 17/04435/HOARD)

3.0 APPEALS DECISIONS - DISMISSED

(i) To report an appeal against the delegated decision of the Council to refuse planning consent for demolition of existing buildings and erection of 3 storey block comprising 12x dwellings with associated vehicular access, car and cycle parking 62, 64 And 66 High Street Ecclesfield Sheffield S35 9XD (Case No 16/03410/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be:

- i) The effect of the proposal on the Ecclesfield local shopping centre
- ii) The effect of the development on the character and appearance of the area,
- iii) Whether living conditions within the proposed flats would be satisfactory,
- iv) Whether adequate provision would be made for car parking and pedestrians within the site, and
- v) The effect of the proposed development on the living conditions of occupants of adjoining properties

The Inspector considered, in relation to point i) above, that the character of the centre is one of the provision of goods and services. The removal of commercial units and replacing them with residential uses would have a harmful effect on the character and viability of the centre and so would be contrary to UDP Policy S10(a) and the NPPF

With regard to the character and appearance of the area, the Inspector felt that, due to the width and height of the building, the mass and uniformity of the roof and the bulk at the third floor and above, the proposed development would have an over-dominant, obtrusive and discordant appearance in the street scene, particularly as viewed relative to the adjacent two storey houses, contrary to UDP Policy BE5 and Core Strategy Policy CS74.

In respect of point iii), the proposed amenity space was considered by the Inspector to be an awkward shape with two parking spaces projecting into it and so was considered unsatisfactory. Outlook for occupants was considered acceptable. However, the ground floor flats would have patio doors close to

the footway on High Street close to a bus stop. These flats would be extensively overlooked and so would not provide sufficient privacy for occupants of these flats. This is contrary to UDP Policies BE5 and H5 In terms of parking and access as identified under item iv) above, the Inspector concluded that sufficient parking would be provided and safe passage for pedestrians could be provided so there would be no conflict with UDP Policies BE5 and H5.

The final issue of concern was the impact on the living conditions of occupants of the adjoining properties. In this respect, the Inspector considered that the distance to some adjoining properties would prevent overlooking whilst other elements of overlooking could be designed out. It was felt, however, that the proposed building would over-dominate the rear garden of 2 Picking Lane creating a gloomy feeling and poor outlook from the garden which would be harmful to their living conditions. It would not have such a harmful effect on other adjoining properties.

As the development would be harmful to the living conditions of the occupiers of 2 Picking Lane, the development was in conflict with UDP Policies Be5 and H5

There were no other matters considered that outweighed the harm caused and so the appeal was dismissed.

Award of Costs request

Members should also note that an application for costs against the Council was also dismissed.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection of a store room linking to existing shop including new external walls Walsh Premier Store 81 - 89 Galsworthy Road Sheffield S5 8QY (Case No 17/03147/FUL) has been allowed.

Officer Comment:-

The main issues were the impact on the adjoining resident and on the host property in respect of the development of amenity space for commercial storage.

The Inspector considered that the new external wall and roof would not add a significant amount of height and views from the neighbouring property would be minimal/ There would be no significant loss of light or impact on outlook for the neighbouring property.

There is living accommodation above the shop and the yard is the only external space available However, The Inspector considered that the space did not appear to be beneficial as amenity space for residents and so was not considered to overdevelop the site.

(ii) To report an appeal against the delegated decision of the City Council to refuse planning permission for installation of telecommunications equipment including 12.5m column, 2 transmission dishes, 2 equipment cabinets and ancillary development (Application for determination if approval required for siting and appearance) at site of Grass Verge At Bus Terminus Totley Brook Road Sheffield S17 3QS (Case No 17/01410/TEL) has been allowed.

Officer Comment:-

The Inspector identified the main issue as the effect of the siting, scale and appearance of the proposed installation on the character and appearance of the area.

He noted the site was a grassed traffic island within a local bus terminus that is set within a residential suburb.

He was satisfied there was a need for the facility within this area and that the improvement to network coverage weighs strongly in favour of this location.

The Council's concerns about clutter of street furniture were noted and the Inspector did not disagree that the equipment would add to visual clutter, and that the column would be prominent. He was not however convinced that in the context of other tall elements of street furniture, and a tall belt of trees that it would be unacceptably obtrusive or harmful.

Given the weight given to the demonstrated need for coverage improvement in this area and his conclusions on the visual harm, he allowed the appeal. In doing so he dismissed concerns expressed by local residents around the potential for anti- social behaviour, vandalism, and impact on human health.

5.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

12 June 2018