

Planning and Highways Committee

Tuesday 4 September 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
4 SEPTEMBER 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 - 8)
Minutes of the meeting of the Committee held on 14 August 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** (Pages 9 - 10)
Report of the Director of City Growth
- 7.1 I Grunweg Ltd, Silversteel House, 29-49 Rockingham Street, Sheffield S1 4EA (Case No. 18/02170/FUL)** (Pages 11 - 32)
- 7.2 250 Thompson Hill, Sheffield, S35 4JW (Case No. 17/05154/FUL)** (Pages 33 - 50)
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 51 - 58)
Report of the Director of City Growth
- 9. Date of Next Meeting**
The next meeting of the Committee will be held on 25 September 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 14 August 2018

PRESENT: Councillors Dianne Hurst (Chair), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Alan Law, 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 had been received from Councillor Andrew Sangar and no substitute member was appointed. Councillor Michelle Cook was in attendance at the meeting from minute number 7.

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 Robert Murphy declared personal interests in an application for planning permission for the demolition of buildings and erection of 8/9 storey building to form 220 bed (73 studios and 147 in clusters) student accommodation with ancillary management facilities and landscaping works at Bailey Street Garage, 39 Bailey Street, Sheffield, S1 4EH (Case No. 18/01530/FUL) and in an application for planning permission for the demolition of existing building and erection of a mixed use development up to 15 storeys and including 284 dwellings (comprising of 133 2x bedroom apartments and 12 studios) (Use Class C3) and commercial units (Use Class A1, A2, A3, A4, or B1) with associated works, parking and landscaping at land bounded by Upper Allen Street, Daisy Walk, Netherthorpe Road and Well Meadow Drive, Sheffield, S3 7GW (Case No. 18/00242/FUL) as he was a local Ward Member. Councillor Murphy stated he had not predetermined his views on the applications and would participate in the determination of both applications.

3.2 Councillor Chris Rosling-Josephs declared a personal interest in an application for planning permission for the erection of a single-storey rear extension to dental practice at 99 High Street, Mosborough (Case No. 18/01806/FUL) as he lived nearby. Councillor Rosling-Josephs stated that he did not attend this particular dental practice and he had not predetermined his views on the application and would participate in its determination.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 24 July 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. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

- 6.0.1 **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.

6.1. LAND BETWEEN 94 AND 98 WHEEL LANE, GRENSIDE, SHEFFIELD, S35 8RN (CASE NO. 18/02229/FUL)

- 6.1.1 It was reported that this application had been deferred and would be considered at a future meeting due to the applicant being required to clarify more details regarding the application.

6.2. BRODIE UK, 185 MIDDLEWOOD ROAD, SHEFFIELD, S6 4HD (CASE NO. 18/01813/FUL)

- 6.2.1 Following consideration of representations at the meeting from the applicant in support of the application and an amendment to condition 11 as outlined in a supplementary circulated at the meeting, an application for planning permission for the use of ground floor retail unit (Use Class A1) as a bar (Use Class A4) including alterations to shop front, at Brodie UK, 185 Middlewood Road, Sheffield, S6 4HD (Case No. 18/01813/FUL), be granted conditionally for the reasons detailed in the report now submitted.

6.3. P M RUSHWORTH DENTAL PRACTICE, 99 HIGH STREET, MOSBOROUGH SHEFFIELD, S20 5AF (CASE NO. 18/01806/FUL)

- 6.3.1 Subject to an amendment to condition 2, and following consideration of an additional representation, all as outlined in a supplementary report circulated at the meeting, an application for planning permission for the erection of a single-storey rear extension to the Dental Practice at 99 High Street, Mosborough, Sheffield, S20 5AF (Case No. 18/01806/FUL), be granted, conditionally, for the reasons detailed in the report now submitted.

6.4. MEPS (INTERNATIONAL) LTD, 263 GLOSSOP ROAD, SHEFFIELD, S10 2GZ (CASE NO. 18/01784/LBC)

- 6.4.1 Following consideration of representations at the meeting, from an objector

speaking against the application and also from the applicant and applicant's architect speaking in support of the application, and also considering clarification of Heritage Duty, as outlined in a supplementary report circulated at the meeting, an application for listed building consent, for internal alterations and erection of a three-storey side extension to the building including alterations to site boundary treatment and widening of access gate, at Meps (International) Ltd, 263 Glossop Road, Sheffield, S10 2GZ (Case No. 18/01784/LBC), be granted conditionally, for the reasons detailed in the report now submitted.

6.5. MEPS (INTERNATIONAL) LTD, 263 GLOSSOP ROAD, SHEFFIELD, S10 2GZ (CASE NO. 18/01783/FUL)

6.5.1 Following consideration of representations at the meeting, from an objector speaking against the application and also from the applicant and applicant's architect speaking in support of the application, and also considering clarification of Heritage Duty, as outlined in a supplementary report circulated at the meeting, an application for planning permission, for internal alterations and erection of a three-storey side extension to the building including alterations to site boundary treatment and widening of access gate, at Meps (International) Ltd, 263 Glossop Road, Sheffield, S10 2GZ (Case No. 18/017823/FUL), be granted conditionally, for the reasons detailed in the report now submitted.

6.6. BAILEY STREET GARAGE, 39 BAILEY STREET, SHEFFIELD S1 4EH (CASE NO. 18/01530/FUL)

6.6.1 Following consideration of an additional representation, as outlined in a supplementary report circulated at the meeting, an application for the demolition of buildings and erection of 8/9 storey building to form 220 bed (73 studios and 147 in clusters) student accommodation with ancillary management facilities and landscaping works, at Bailey Street Garage, 39 Bailey Street, Sheffield, S1 4EH (Case No. 18/01530/FUL), be granted conditionally, for the reasons detailed in the report now submitted.

6.7. HSBC, 79 HOYLE STREET, SHEFFIELD, S3 7EW (CASE NO. 18/01077/FUL)

6.7.1 Subject to the removal of condition 4 and directive 2 and the insertion of additional conditions and amendments to condition 5, and following consideration of an additional representation, all as outlined in a supplementary report circulated at the meeting, and following consideration of representations at the meeting from the applicant's architect speaking in support of the application, an application for planning permission for the demolition of the existing building/associated structures (excluding the Cementation Furnace) and erection of a mixed use development comprising 247 residential units (Use Class C3), 658 student bed spaces (Use Class Sui Generis), commercial uses (Use Classes B1a, A1, A2, A3, D1 and D2) with associated access, parking, servicing and landscaping works, at HSBC, 79 Hoyle Street, Sheffield, S3 7EW (Case No. 18/01077/FUL), be granted, conditionally, subject to legal agreement, for the reasons detailed in the report now submitted.

6.7.2 Authority be granted to the Chief Planning Officer to make any minor non-material

changes to the exact wording of the listed conditions before the planning permission is issued.

6.8. LAND BOUNDED BY UPPER ALLEN STREET, DAISY WALK, NETHERTHORPE ROAD AND WELL MEADOW DRIVE, SHEFFIELD, S3 7GW (CASE NO. 18/00242/FUL)

6.8.1 Subject to amendments to condition 4, as outlined in a supplementary report circulated at the meeting, and following consideration of representations at the meeting from the applicant's agent speaking in support of the application, an application for planning permission for the demolition of existing buildings and erection of a mixed use development up to 15 storeys and including 284 dwellings (comprising of 133 2x bedroom apartments, 139 1x bedroom apartments and 12 studios) (Use Class C3) and commercial units (Use Class A1, A2, A3, A4 and B1) with associated works, parking and landscaping at land bounded by Upper Allen Street, Daisy Walk, Netherthorpe Road and Well Meadow Drive, Sheffield, S3 7GW (Case No. 18/00242/FUL), be granted, subject to Legal Agreement, for the reasons detailed in the report now submitted.

6.9. SHEFFIELD DRAGONS COLLEGE OF MARTIAL ARTS, 36 - 38 MARKET SQUARE, SHEFFIELD, S13 7JX (CASE NO. 17/04388/FUL)

6.9.1 Subject to an amendment to condition 23 and following consideration of an additional representation, both as outlined in a supplementary report circulated at the meeting and following consideration of a representation at the meeting from an objector speaking against the application, an application for planning permission for the demolition of existing buildings and erection of a four-storey building comprising 27 no. apartments (Use Class C3) and 3 no. retail units (Use Class A1) with ancillary parking at Sheffield Dragons College of Martial Arts, 36-38 Market Square, Sheffield, S13 7JX (Case No. 17/04388/FUL), be granted conditionally, for the reasons detailed in the report now submitted.

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

7.1 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.

8. DATE OF NEXT MEETING

8.1 It was noted that the next meeting of the Committee will be held at 2.00pm on Tuesday 4 September 2018 at the Town Hall.



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 04/09/2018

Subject: Applications under various acts/regulations

Author of Report: Dinah Hope and Bob Turner 273 4374/ 4183

Summary:

Reasons for Recommendations

(Reports should include a statement of the reasons for the decisions proposed)

Recommendations:

Background Papers:

Under the heading "Representations" a Brief Summary of Representations received up to a week before the Committee date is given (later representations will be reported verbally). The main points only are given for ease of reference. The full letters are on the application file, which is available to members and the public and will be at the meeting.

Category of Report: OPEN

Application No.	Location	Page No.
18/02170/FUL (Formerly PP-07006780)	I Grunweg Ltd Silversteel House 29-49 Rockingham Street Sheffield S1 4EA	
17/05154/FUL (Formerly PP-06619830)	250 Thompson Hill Sheffield S35 4JW	

Case Number	18/02170/FUL (Formerly PP-07006780)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings, including retention of facade on Bailey Lane, and erection of multi-storey mixed use development incorporating flexible commercial uses at ground floor level (use classes A1, A2, A3, A4 and D1), student accommodation comprising of 73 studio apartments and 88 cluster apartments (providing 618 bedspaces) and private residential accommodation comprising of 39 x 1 bedroom apartments and 32 x 2 bedroom apartments, with associated facilities and landscaping.
Location	I Grunweg Ltd Silversteel House 29-49 Rockingham Street Sheffield S1 4EA
Date Received	05/06/2018
Team	City Centre and East
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the drawings listed in the Drawing Issue Sheets 1 & 2 - Grunwergs 2, Rockingham St, Sheffield (Job No: 17/02) prepared by Kelsey Design Associates and received on 22/8/2018.

Reason: In order to define the permission.

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

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

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

4. 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.

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.

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

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

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

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

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

8. 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.

9. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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.

10. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

- i. been carried out; or

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

Highway Improvements:

Footways adjacent to the frontage of the site along Rockingham Street, Bailey Lane and Boden Lane shall be reconstructed to comply with the Sheffield Urban Design Compendium or as directed by the Local Planning Authority.

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

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

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

12. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be

obtained from decentralised and renewable or low carbon energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

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

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

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

14. 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.

15. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

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

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

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

Windows and window reveals
Doors and door surrounds
Eaves and parapets
External wall construction
Brickwork detailing
Rainwater goods

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

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

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

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

19. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

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

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);

Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);

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

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

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

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

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

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

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

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

- a) Drawings showing the location of the fume extraction equipment, terminating and including a low resistance cowl.
- b) Acoustic emissions data.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the system's required cleaning and maintenance schedule.
- e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building.

The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

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

22. 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.

23. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

24. The development shall not be used unless the cycle parking accommodation for 254 cycles as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

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

25. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the designated Permit Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

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

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

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

27. Before the development is occupied, the mitigation measures recommended in the Daytime Building Inspection, Site Walkover and Dusk Emergence Survey (May 2018) shall be implemented in accordance with details to be submitted to and approved by the local planning authority.

Reason: In the interests of biodiversity.

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

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

Other Compliance Conditions

29. Notwithstanding the detail shown on the approved drawing, the sales area within the approved flexible use commercial unit shall not exceed 280 sq metres where a Class A1 use is implemented.

Reason: In order to protect the vitality and viability of the city centre, in accordance with the National Planning Policy Framework (NPPF).

30. The commercial units (Classes A1, A2, A3, A4 and D1) shall only be used between 0800 hours and 2300 hours Monday to Saturday and between 0900 hours and 2200 hours on Sundays and Public Holidays.

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

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

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

32. The development shall be implemented in accordance with the submitted Transport Statement (2331-01-TS01b: Axis, May 2018).

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

33. No doors shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

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. 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.

5. 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

6. The construction of the development may lead to the temporary loss of on-street parking bays. In such circumstances you may be required to fund the installation of replacement parking bays including any associated Traffic Regulation Order, to offset the temporary loss of parking in the vicinity of the development.
7. 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

8. 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.
9. 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.
10. 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:

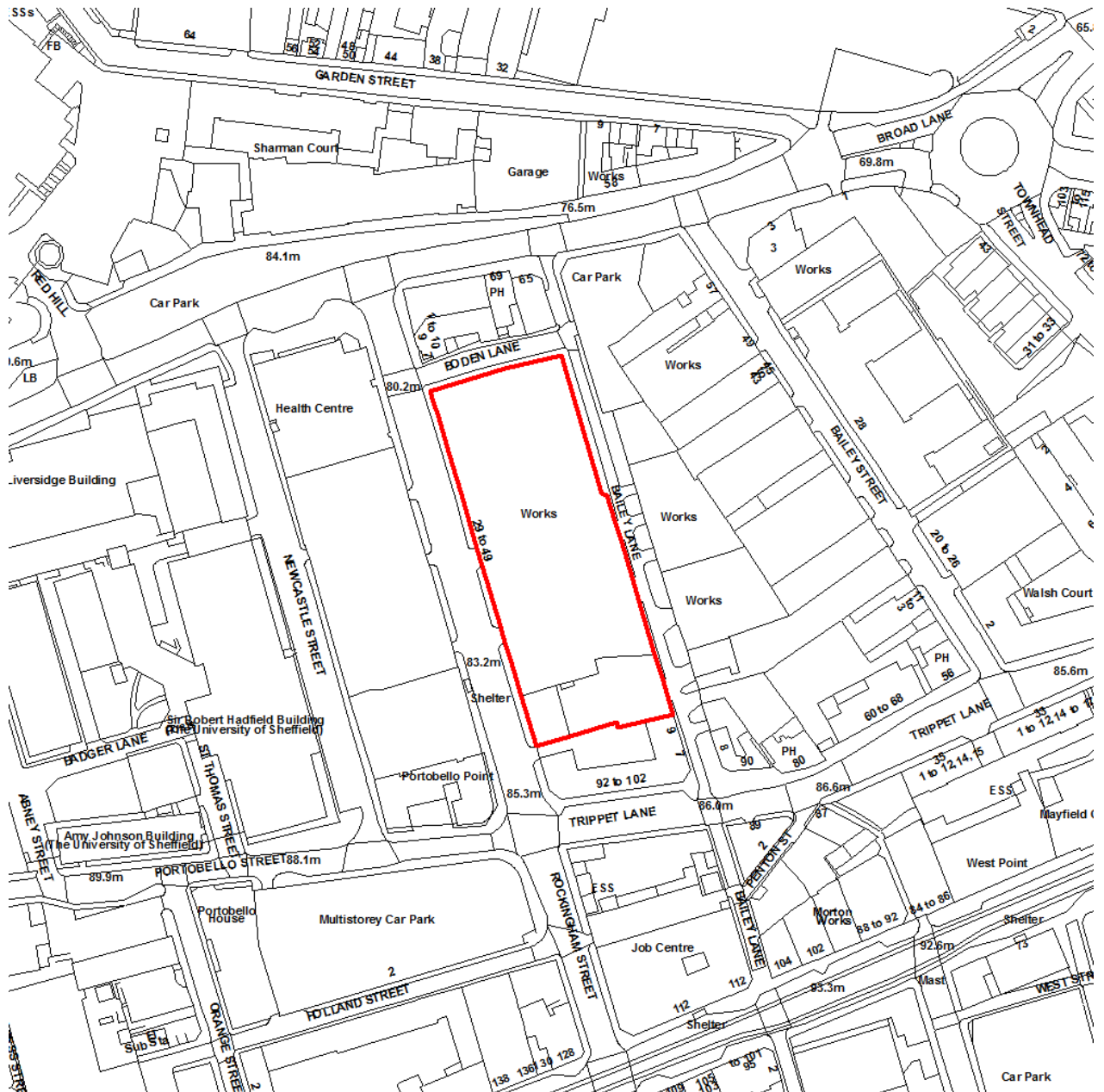
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

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.
11. 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.

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

Site Location



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LOCATION AND PROPOSAL

The application site comprises of a large rectangular plot bound by Rockingham Street to the west, Bailey Lane to the east and Boden Lane to the north. To the south the site is separated from Trippet Lane by a development of 2 to 3 storey town houses with a courtyard to the rear, in use as student accommodation.

A 7 to 9 storey development of student accommodation, with ground floor commercial uses, is currently being constructed on the site to the west of

Rockingham Street. The block to the north, between Boden Lane and Broad Lane, is occupied by a 3 storey residential building accommodating the Sheffield Window Centre at ground floor level, Fagan's public house and a 1 and 2 storey windscreen repair workshop. The industrial buildings on the eastern side of Bailey Lane are occupied by Flame Hardeners Ltd, a company specialising in the heat treatment of metals using flame hardening and induction hardening techniques.

The site, which rises from north to south and lies within a Fringe Industry and Business Area and the St George's Quarter as defined in the Unitary Development Plan (UDP) and Core Strategy respectively, is currently occupied by a series of 1 and 2 storey buildings occupied by Grunweg Ltd, suppliers of houseware and catering products.

The existing buildings, used for a combination of warehousing, distribution and office space, are mainly modern and all are clad in red brick. The warehouse element occupies the majority of the Rockingham Street frontage while the offices are accessed from Bailey Lane where there is an older element of the complex dating from the late 19th Century which features a decorative statue of Stanch the Dog over the entranceway.

Planning permission is sought, as amended, for the demolition of the existing buildings, including the retention of the historic facade on Bailey Lane, and the erection of a multi-storey mixed use development incorporating flexible commercial uses at ground floor level (use classes A1, A2, A3, A4 and D1), student accommodation comprising of 73 studio apartments and 88 cluster apartments (providing 618 bedspaces) and private residential accommodation comprising of 39 x 1 bedroom apartments and 32 x 2 bedroom apartments, with associated facilities and landscaping.

RELEVANT PLANNING HISTORY

The application site has been occupied by Grunweg Ltd for many years and there has been no development activity on site since the 1990s.

The applicant for the current application received planning permission for a large mixed use development on the opposite side of Rockingham Street in late 2016 (see below). This scheme is nearing completion.

16/03503/FUL	Planning permission was granted for the erection of a mixed use development of student accommodation, comprising 69 studio apartments, 17 one bedroom apartments and 85 cluster flats providing a total of 543 bedspaces, and 2 commercial units (Use Class A1 (with no more than 250sqm retail floorspace per unit), A2, A3, A4, A5, B1 & D1) and associated works in November 2016.
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SUMMARY OF REPRESENTATIONS

The application was advertised by press notice, site notice and by neighbour notification letters.

Two representations were received.

The first, from Flame Hardeners, raised concerns about noise (specifically the noise of their operations and the potential impact on future occupants of the proposed development) and maintaining vehicular access to their site. They also pointed out that they have a liquid oxygen storage facility, an acetylene storage facility (36 cylinders) and a water evaporative cooling tower in close proximity to the site.

The second representation, from the landlords of Fagan's public house, stated that they have no objections but requested that the development be properly sound proofed and that access to the rear of their property be maintained for deliveries and as a fire escape route.

PLANNING ASSESSMENT

Land Use

The site lies in a Fringe Industry and Business Area as defined in the UDP. Policy IB6 of the UDP (Development in Fringe Industry and Business Areas) relates to development in such areas and advises that business (B1), general industry (B2) and warehouse uses (B8) are the preferred uses of land but that housing is also considered to be acceptable in principle.

Policy IB9 (Conditions on Development in Industry and Business Areas) expects the preferred uses of land to remain dominant. However, general industry and warehouse uses are no longer preferred in this location, the UDP having been superseded by the more up to date Core Strategy. Policy CS17 (g) of the Core Strategy (City Centre Quarters) now promotes a mix of uses in the area; specifically supporting a mix of uses with an academic focus for the neighbouring University of Sheffield, as well as complimentary retail and business uses.

While the proposed development does not specifically help to deliver this policy aim, a small amount of employment uses are proposed and the student accommodation is well located to access the University. Moreover, the existing warehouse use is no longer considered to be appropriate (it is understood that the occupants are relocating to another site in the city).

The revised National Planning Policy Framework (NPPF) expects local planning authorities to apply a sequential test to main town centre uses not in an existing centre, stating that 'main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available... should out of centre sites be considered.'

The application site lies less than 70 metres north of the Central Shopping Area (CSA), with no retail units between, and there are no vacant units on nearby West Street which lies within the CSA. Furthermore, the proposed A1 unit will be small in scale (shown as circa 90sq.m on the submitted plans though could be subject to change) and is likely to serve the requirements of existing and proposed local residents – a role that vacant units in the CSA would not fulfil. It is

therefore considered unlikely that a small A1 unit in this location would have an adverse effect on the vitality and viability of the city centre, and as such is acceptable in principle. However, a condition is proposed limiting the sales area within the approved flexible use commercial to no more than 280 square metres where a Class A1 use is implemented.

Core Strategy policy CS41 (a) (Creating Mixed Communities) aims to promote the creation of mixed communities by providing for a broad range of smaller households in the City Centre. Part (b) encourages the provision of new, purpose built student accommodation as part of a mix of housing development, with a mix of tenures and sizes of unit on larger sites, while part (d) seeks to limit purpose built student housing and Houses in Multiple Occupation (HMOs) to 20% within 200 metres of an application site, where communities are already imbalanced by a concentration of such uses.

In this instance, no more than half of the proposed homes would consist of a single house type and so the development is considered to comply with part (a) of policy CS41. Moreover, the scheme provides a mix of both private housing and purpose built student accommodation and therefore satisfies the aims of part (c).

The current concentration of shared accommodation within 200 metres of the application site is 17.7%. If the application is approved, the concentration of shared housing would increase to 19.0%, which remains within the 20% threshold. The proposals are therefore currently compliant with part (d) of policy CS41.

Design and Conservation

The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 124).

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

The south eastern corner of the application site is bound by the City Centre Conservation Area. Policy BE16 (Development in Conservation Areas) advises that development in conservation areas should preserve or enhance the character or appearance of the area, and that the same principle applies when considering proposals which would affect the setting of a conservation area or significant views into, or out of, the area.

Like the neighbouring development to the west, the application site is considerable in size and, throughout the application process, there has been a great deal of work involved in addressing the massing and breaking down the proposed blocks into a series of distinct elements in an attempt to form contextually responsive streetscapes.

The proposals, as amended, comprise of a perimeter development, built up to the back edges of Rockingham Street, Boden Lane and Bailey Lane, with a 17 storey tower as a centrepiece which forms two distinct internal courtyards – a larger courtyard serving the proposed student accommodation and smaller one intended for the private residential accommodation. The forecourt to the tower creates a break within the Rockingham Street frontage which provides access into the courtyards and through to Bailey Lane. The position of the forecourt mirrors the position of the pedestrian link which is provided through the site on the opposite side of Rockingham Street. Active uses are provided along Rockingham Street in order to provide some animation to the street.

On Rockingham Street, a wide road which rises from Broad Lane to the north, towards West Street to the south, the development rises from 8 to 10 storeys, to reflect the rising topography. This is consistent with the scale of the development to the west and provides an appropriate scale of enclosure to the street given the generous width of the highway.

On Bailey Lane, which lies on the periphery of the City Centre Conservation Area, the scale of development is necessarily reduced to between 4 and 7 storeys, with the smaller scale development located at the southern end of the street closest to the heritage asset. Whilst this works against the topography, it does reflect the taller scale of buildings on Broad Lane to the north and the greater intimacy of buildings in the conservation area to the south. The Bailey Lane frontage also retains the elevation of the existing nineteenth century building, including the statue of Stanch the Dog, a well-known local landmark.

The site's long elevations to Rockingham Street and Bailey Lane have been broken down into a series of vertical facades, with Rockingham Street dominated by red, brown and grey brick tones and elements of silver grey and copper coloured aluminium cladding to provide some relief. Slightly greater variety is proposed along Bailey Lane, with the introduction of black and light grey brickwork and a pop of colour in the form of glazed brickwork panels.

Additional detailing and modelling to all facades is achieved through a range of devices including projecting and recessed brickwork panels, varied window reveal depths and feature panels in a variety of finishes and sizes.

Whilst the proposals will form a coherent whole which responds positively to the local topography, it is considered that the design approach incorporates sufficient variety in order to successfully break down the development into a series of smaller, distinct elements to form interesting and contextually responsive streetscapes which will enhance the character and appearance of the street scene and the setting of the nearby conservation area.

Residential Amenity

Policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) states that new development and changes of use will be permitted provided that they do not cause residents to suffer from unacceptable living conditions.

The central courtyard measures approximately 16 metres in width. This level of separation falls short of the standard 21 metre privacy distance but in urban settings such as this, where denser, back edge of footway development is the norm and residents do not expect the same levels of privacy, it is considered to be acceptable.

The submitted noise report indicates that the dominant noise source in the vicinity of the application site is traffic on Broad Lane. Noise could also be heard emanating from the Oxygen and Water tanks within the site of Flame Hardeners Limited on the eastern side of Bailey Lane. It is understood that the Oxygen and Water tanks operate between 0600 hours and 1600 hours (and the noise assessment assumed that they do not operate between 2300 hours and 0600 hours).

The noise from both these sources is such that the recommended internal noise limits for the residential properties cannot be achieved utilising an open window ventilation strategy. However, the report concludes that an acceptable living environment can be provided for future residents subject to the provision of acoustic double glazing and acoustically treated ventilation.

Transport and Highways

The existing industrial unit has a car park for up to 28 vehicles and the potential to generate over 100 vehicular movements a day. There is no car parking within the proposed development, other than three accessible off-street parking spaces, and so the development will remain car free. The applicant will be required by condition to ensure that future occupiers are aware that they will not be eligible for resident parking permits within the designated Permit Parking Zone. However, as on street parking adjacent the site is controlled by parking restrictions and pay and display parking spaces, it is very unlikely that any demand for parking space by residents will be displaced onto the local highway network.

Like the existing building, the proposed development will continue to be serviced from on-street, though the site's service requirements are likely to reduce. Student accommodation sites traditionally experience peaks in demand for car travel at the start and end of the academic year and in order to deal with this demand, the applicant proposes to make temporary on-site parking available within the tower forecourt – which would be managed and supervised by the site operator. Students would be offered the opportunity to book 20 minute slots to unload/load before moving the car to a nearby car park. This arrangement would allow up to 18 students to move in or out every hour and the process would take 3 to 4 days to complete. Given the short timescales involved, this is considered to be acceptable and as there will be limited or no increased trip generation resulting from this development, it will have no adverse effect on the highway.

No alterations are proposed to the layout of the adjoining highway, however the resurfacing of all adjoining footways is reserved by condition.

Sustainability

Policy CS63 of the Core Strategy (Responses to Climate Change) gives priority to developments that are well served by sustainable forms of transport, that increase

energy efficiency, reduce energy consumption and carbon emissions, and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings and conversions of existing buildings to be energy efficient and to use resources sustainably, while policy CS65 (Renewable Energy and Carbon Reduction) seeks to secure the generation of energy from renewable sources, with 10% of predicted energy needs provided from decentralised and renewable or low carbon energy.

The proposed development is located adjacent to the Central Shopping Area and, therefore, a wide range of facilities and public transport options, including the Supertram on nearby West Street. Given its central location the site will remain car free, but the development incorporates a good sized cycle store (for 210 cycles) at ground floor level, accessed from the central courtyard, with an additional 44 external cycle stands within the courtyard.

The submitted Sustainability Statement describes the energy efficiency measures which will be incorporated into the development to reduce overall energy demand. These include high levels of insulation (beyond Building Regulation requirements), air tightness to reduce heat loss, large areas of glazing to maximise the amount of daylight within habitable rooms, efficient artificial lighting and energy saving controls for space conditioning.

The requirement for on-site generation will be addressed by installing a combined heat and power (CHP) system, which will re-use the heat generated by the production of energy for heating water within the student accommodation. It is anticipated that this will provide total CO₂ savings of 12%, exceeding the requirements of policy CS65. Further savings will be achieved by introducing a roof mounted array of photovoltaic panels.

Archaeology

The submitted Archaeological Desk Based Assessment has identified that the site has '*potential for the presence of below ground remains associated with the nineteenth century industrial development of Sheffield, including potential remains of furnaces*' – which would likely be associated with the former Bailey Lane Works, thought to have been established c.1820 by Carr & Co. This large steelworks covered part of the site, alongside other works, residential courts and commercial premises.

The Assessment also identifies that the surviving historic building on the site, which features the statue of Stanch the Dog, could include fabric from '*the former Old Black Boy Public House and buildings to its south which appear to have been re-modelled in the later nineteenth century to accommodate offices for the Bailey Lane (Carr & Riley) works*'.

The Assessment goes on to recommend further mitigation works, both to record below-ground archaeological evidence, likely to survive on the site, and to record the retained building, as mitigation for damage to be caused. The South Yorkshire

Archaeological Service agree with this recommendation and so a condition is proposed to secure further investigation and formal recording of below-ground archaeology ahead of any redevelopment works. detailed recording.

Ecology

The submitted Daytime Building Inspection, Site Walkover and Dusk Emergence Survey found little potential for roosting bats on site but, as the NPPF encourages net gains in biodiversity where possible (paragraph 109), bat boxes will be erected in accordance with the recommendations of the survey. It is anticipated that further gains will be sought by introducing additional planting within the landscaped courtyards.

Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. Initial discussions indicated that public art will be integrated into the building around the new public link through the site. Full details will be secured by condition.

Community Infrastructure Levy (CIL)

The site lies within an area of the city centre where CIL is charged at £50 per square metre.

Affordable Housing

The site lies within an area of the city centre with no affordable housing requirement.

SUMMARY AND RECOMMENDATION

The proposed development, which is considered to be acceptable in land use terms, provides an appropriate scale of enclosure to the eastern side of Rockingham Street and responds positively to the local topography. Moreover, it is considered to incorporate sufficient variety in order to successfully break down the development into a series of smaller, distinct elements which respond to local context and will not harm the setting of the nearby conservation area. The retention of the elevation of the nineteenth century building fronting Bailey Lane, which includes the well-known statue of Stanch the Dog, is a welcome detail.

It is considered that the proposed development complies with the provisions of the UDP, the Core Strategy and the NPPF and it is recommended that Members grant planning permission subject to the listed conditions.

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Case Number	17/05154/FUL (Formerly PP-06619830)
Application Type	Full Planning Application
Proposal	Demolition of dwelling and erection of 4 flats in a two-storey block and 7 dwellinghouses (as amended 20.08.2018).
Location	250 Thompson Hill Sheffield S35 4JW
Date Received	19/12/2017
Team	West and North
Applicant/Agent	Cero Architecture
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Location plan 10-0617-OS1A
Site plan 10-0617-OS2A
Sections and street scene 10-0617-OS4B
Apartment plans 10-0617-SK1.12A
Type A dwelling plans 10-0617-SKI.10B
Type B dwelling plans 10-0617-SK1.11A
Landscape plan 10-0617-OS6C

- Uploaded 20.08.2018

Reason: In order to define the permission.

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

3. No development shall commence until full details of measures to protect the existing trees to be retained on the boundary with 230 Thompson Hill, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

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

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

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

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

6. Any intrusive investigations recommended in the approved 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 construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

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

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

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

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

- (i) Window reveals
- (ii) Eaves

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

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

9. The approved landscape works shall be implemented in accordance with landscape plan 10-0617-OS6C prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

10. Details of permeable hardstanding areas shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason: To ensure an appropriate quality of development.

11. 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.

12. The development shall not be used unless the turning spaces for vehicles have been provided in accordance with the approved plans, and thereafter such turning facilities shall be retained.

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

13. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

Other Compliance Conditions

14. The gradient of the driveways shall not exceed a gradient of 1:12.

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

15. 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.

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

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

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

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. 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.

2. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website here:

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

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

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect

services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

4. 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

5. The applicant is advised to contact the relevant telecommunications provider regarding the presence of telecommunications lines that cross the site.
6. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

The application site is located within the High Green district of Sheffield and is situated on the north western side of Thompson Hill, adjoining Ashwood Road. This former public house is currently used as a single dwelling house. The immediate area is predominantly residential.

The site has outline permission for residential development

The applicant proposes to erect seven two-storey dwellinghouses and four flats in a two-storey block.

RELEVANT PLANNING HISTORY

17/03374/PREAPP - Pre-application advice: Erection of 12no dwellings

15/03881/OUT - Residential development. Granted conditionally

14/00206/CHU - Use of public house as a dwellinghouse (Use Class C3 - Dwellinghouses) Granted conditionally

SUMMARY OF REPRESENTATIONS

The planning application has been advertised by a site notice and immediate neighbours adjoining the plot have been notified by letter.

13 neighbour comments have been received from 12 individuals.

One comment in support of the application has been received noting that the residential development would benefit the area and be preferable to a commercial use on the site.

12 of the comments are in objection to the application; a summary is listed below:

- Existing issues with parking and highway safety would be exacerbated by the development.
- The parking spaces indicated on plan do not appear to be sufficient and no turning facilities are to be provided.
- Would exacerbate issues with the flow of traffic on Thompson Hill with a particular impact on the regular bus services.
- The development would lead to overlooking of neighbouring properties.
- Overshadowing of adjacent 230 Thompson Hill.
- Loss of views.
- The area experiences a high level of excess ground water which particularly affects properties on Furness Road.
- Concerns that the proposed soakaways will not be sufficient in extreme weather and exacerbate excess water run-off into properties on Furness Road.
- Concerns regarding sewage system.
- Concerns regarding trees on site and unauthorised removal of trees.
- It is alleged that the boundary line includes land which belongs to a neighbouring property.
- It is alleged that the ground level differences between Thompson Hill and Furness Road are not indicated accurately.
- It is alleged that there is a covenant in the deeds for this site which states that there should be no building on the car park area.
- Concerns regarding existing BT landline service which crossed the site and is linked to city wide care alarm system.
- Loss of enjoyment of property.
- Dwelling types do not cater for the needs of an aging population.
- Concerns regarding the construction period.

- Concerns regarding ground stability.
- Concern regarding the demolition of the existing historical structure.

Ecclesfield Parish Council consider that the proposal is an over development of the site. It considers that the development would be overbearing to properties on Ashwood Road and would lead to overlooking. It is suggested that the boundary line indicated on plan is incorrect as it includes an area of land which does not belong to the owner of the property. In addition issues with traffic and road safety and drainage have been cited as reasons for objection.

Response to representations

The issues listed above relating to loss of views, and restrictive covenants are not material planning considerations.

A condition is recommended to ensure appropriate hours of construction in this residential area.

Land ownership issue

There are a number of self-seeded trees grouped together to the north of the site. This area of land is fenced off from the rest of the site but is included within the red line boundary. The ownership of this land has been questioned by a local resident and the impact on these trees has been raised as a concern. The agent for the application has confirmed that the land is in ownership of the applicant by signing the relevant ownership certificate (Certificate A) included with the application forms and by providing email confirmation that this is the case. Further consideration of this matter is not material to the planning process. Any issues regarding this boundary dispute is a civil matter between the parties.

The remaining issues will be addressed within the main body of the report.

PLANNING ASSESSMENT

Principle of the Development

The application site is designated as a Housing Area as defined by the Unitary Development Plan (UDP). Policy H10 states that housing is the preferred use in these areas and therefore the principle of the development is acceptable.

The principle of a residential development on the site has been established by the granting of outline planning permission 15/03881/OUT.

Paragraph 117 of the Government's National Planning Policy Framework (NPPF) states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The site is located within the built up area of High Green on a bus route giving access to local services and facilities.

Core Strategy Policy CS24 relating to maximising the use of previously developed land for new housing states that priority will be given to the development of previously developed sites and that no more than 12 % of dwelling completions will be on greenfield sites in the period 2004/05 and 2025/26 and that within this period greenfield sites will be only be developed on small sites within the existing urban areas and larger villages where it can be justified on sustainability grounds.

Whilst the site formerly comprised previously developed land (its former use as a public house), following its subsequent conversion this current application site is now partly residential gardens within the built-up area and as such is excluded from the definition of previously developed land contained in the NPPF.

In this instance, the principle of the development on this site is considered to be acceptable under Policy CS24 on the grounds that it will not compromise the delivery of development on brownfield sites and the development can be considered as a small site within the existing urban area and is considered to be in a sustainable location.

Policy CS26 'Efficient Use of Housing Land and Accessibility' advises that housing development will be required to make efficient use of land but the density should be in keeping with the character of the area. The site is approximately 0.20 hectares (0.49 acres) and in order to comply with policy the site would need to be developed with between 40 to 60 dwellings per hectare yielding 8 to 12 dwellings. The proposed density is therefore acceptable in principle and the proposal for 7 dwellings and 4 flats is considered to be an efficient use of land.

It should also be noted that Sheffield can only currently demonstrate a 4.5 year housing supply of deliverable housing sites across the city. While less weight can be given to housing supply policies in the development plan as detailed in the NPPF, it is considered that the proposed development of this site for 7 dwellings and 4 flats would make a positive contribution towards the identified housing land shortfall across the city and should be given weight as a material consideration.

Design and street scene

Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

UDP Policy H14 states that new development and extensions will only be permitted where they are well designed and in scale and character with neighbouring buildings and where the site would not be overdeveloped.

UDP Policy BE5 'Building Design and Siting' also provides design guidance stating good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions.

Core strategy Policy CS74 'Design Principles' requires development to respect and take advantage of distinctive features and characteristics within the local neighbourhood.

The character and built form of Thompson Hill varies; dwellings directly opposite the site are predominantly terraced and semi-detached. Directly to the north-east of the site is a row of detached dormer bungalows. Facing materials vary on the street with various brick and render finishes being read in context of the site. A common feature on the street is gable end roof types.

It is acknowledged that the existing building on site is an attractive period stone fronted property. The site has outline permission for a housing scheme and this does not require the retention of the building therefore the principle of the development has been established. Furthermore the building is not listed therefore it has no particular protection under planning legislation. It is not considered that the redevelopment of the site will harm the overall character of the area.

The use of mixed dwelling types is responsive to the limitations of the site. It is proposed that a two-storey block comprising of four flats will occupy the corner of Thompson Hill and Ashwood Road. The angled double fronted design responds to both the street scene of Thompson Hill and Ashwood Road and ensures active frontages.

The two-storey semi-detached dwellings and the detached dwelling are considered to relate in scale to the surrounding dwellings on Thompson Hill. The proposed brick faced and pitched roof dwellings are considered to be compatible with the character and built form of the area.

The dwellings are to be faced with red brick and will include detailing such as reconstituted stone heads and cills and a horizontal band which breaks up the overall mass of frontages. The treatment of the windows and doors is considered to be acceptable.

Proposed boundary treatment consists of low brick walls to the front which relate appropriately to the facing materials of the dwellings. To the rear close boarded timber fencing is proposed 1.8 metres in height. A concrete flagged pedestrian access is proposed and block paving to the parking and turning areas.

Landscape

UDP Policy BE6 'Landscape Design' requires new development to provide a suitable landscape scheme with regards to new planting and/or hard landscaping and details of existing vegetation to be removed or retained. The development should try to integrate existing landscape features and also use native species where appropriate.

The existing site is formed of a large hardstanding area to the east, a grass area to the west and the former public house centrally located on the plot. A number of trees overhang the site from 230 Thompson Hill however legally the overhanging limbs can be removed without objection from the owner, provided the works do not

damage the tree. These trees on the boundary with number 230 provide screening between the two sites and have high amenity value therefore should be protected from damage during construction.

There are a number of self-seeded trees grouped together to the north of the site. This area of land is fenced off from the rest of the site but is included within the red line boundary. The impact on these trees has been raised as a concern by local residents. A visual assessment of the health and amenity value of these trees has been carried out and concludes that the trees are too small and not visible enough to warrant a Tree Preservation Order. It is therefore considered that the impact of the proposed development on these trees would not harm the character of the area or warrant a refusal on landscape impacts.

The applicant has provided a hard and soft landscape plan which includes details of vehicular and pedestrian access routes. Along the majority of the Thompson Hill frontage low brick boundary walls are proposed. Planting to parts of the front garden areas is proposed to soften the impact on the street scene. Adequately sized rear gardens are proposed with large grassed areas.

In light of the above assessment it is considered that the proposed landscape details satisfy the requirements of UDP Policy BE6 'Landscape Design'.

Residential Amenity

Policy H14(c) states that in Housing Areas, 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.

There are no specific guidelines in relation to the construction of new dwellings, however privacy and separation distances set out in the Council's Supplementary Planning Guidance (SPG) 'Designing House Extensions' are applicable in this instance. Designing House Extensions SPG Guidelines 4-6 detail how the above policy is put into practice. These guidelines essentially require extensions to avoid overshadowing neighbouring properties and maintain minimum levels of privacy.

Garden sizes

The site layout allows for the dwellinghouses to be distanced from the rear boundary by between 13 and 16 metres. Furthermore the minimum rear garden size proposed within the curtilage of the dwellinghouses is 95 square metres. The development is considered to include an adequate level of outside amenity space for future occupants and is not considered to be an overdevelopment of the plot. A shared outside amenity space approximately 95 square metres in size is provided to the rear of the apartment building.

Privacy issues

The dwellings have been designed with minimal windows in the side elevation to ensure adequate privacy levels. A first floor side window is proposed in each

dwelling to serve the landing areas. It is not considered that this non-main window will lead to unreasonable overlooking between neighbouring properties. Particular concerns have been raised with regards to overlooking impacts on 230 Thompson Hill directly to the south-west of the site. Although a first floor window is proposed facing this property; it will not directly face any windows and will be at a distance of approximately 12 metres to the side elevation of number 230. Although some views may be afforded across to the driveway at number 230 it is not considered that this constitutes harm to privacy levels.

Concerns with regards to the separation distances to dwellings on Furness Road as well as the land level differences have been raised by residents. In particular it is acknowledged that at number 15 the dwelling is positioned approximately 4.6 metres from the shared boundary. The site sections indicate that number 15 is also approximately 1.6 metres lower than the proposed dwellings on Thompson Hill. In response to this the layout of the scheme has been amended so that the new dwellings are set back from number 15 therefore preventing directly facing windows. Separation distances between 19.8 metres and 20.9 metres will also be maintained. The level difference at the boundary is much lower at approximately 0.6 metres therefore it is not considered that the provision of 1.8 metre high boundary fencing will appear overly dominant when viewed from number 15. It is acknowledged that similar boundary treatment is currently in place.

The proposed new dwellings will be approximately 1.6 metres higher than 11 Furness Hill however at a distance of approximately 26 metres. This accords with supplementary planning guideline 6 with regards to directly facing dwellings which suggests a minimum separation distance of 21 metres. It is considered that the additional 5 metre separation distance mitigates the level difference.

The remaining dwellings to the rear on Furness Hill are at greater distances from the proposed dwellings therefore it is not considered that the development will lead to any unreasonable overlooking into them.

Detached bungalow 1 Ashwood Road is at a 90 degree angle to the proposed dwellings. The proposed detached dwelling closest in proximity to 1 Ashwood Road however is set back so that windows do not directly face the rear garden area.

The two-storey apartment building includes first floor landing windows in the side elevation which is consistent with the dwellinghouses. Similarly it is not considered that these will lead to any significant overlooking issues.

Impacts on neighbouring dwellings

There are no main windows in the side elevations of number 230 Thompson Hill therefore it is not considered that this dwelling will experience overshadowing as a result of the development. The proposed dwelling adjacent to number 230 will be at a distance of between approximately 8.7 to 12.9 metres from the nearest element of its side elevation therefore it is not considered that its impact will be overly dominant.

There are no side windows at 1 Ashwood Road in the elevation which faces the application site therefore it is not considered that the development will result in overshadowing or over dominance of this dwelling.

The proposed development is considered to accord with UDP Policy H14c as well as relevant supplementary planning guidance "Designing House Extensions". It is not considered that the development will be harmful to residential amenity with regards to existing residents in the area and future occupiers of the proposed dwellings.

Highway Safety

UDP Policy H14 requires new development to have adequate on-site parking and safe access for vehicles and pedestrians.

Core Strategy Policies CS51 and CS53 deal with transport priorities and management of travel demand, respectively. Both seek to ensure that access and parking arrangements are safe and adequate

A number of local residents have objected to the application on highway safety grounds. The area experiences a high level of traffic due to the proximity to the A61 and the M1. Furthermore a number of regular bus services are routed along Thompson Road with a bus stop being located directly outside the site. A number of vehicles on Thompson Road are without dedicated parking and so on street parking in the area is at a premium.

Visibility is restricted on the bend of the road to the south-west of the site therefore there are concerns regarding the safety of vehicles reversing onto Thompson Hill. This particularly affects the two proposed dwellings at the extreme east of the site. Turning facilities have therefore been provided on-site to allow these particular occupants to access Thompson Lane in forward gear.

There are a number of junctions in close proximity to the site. In particular the junction with Hague Lane opposite the site is a concern. In response to highways concerns the driveways which were directly facing the Hague Lane junction have now been off-set.

The proposal may require the relocation of a bus stop at the applicant's expense. There are no highways objections to this proposal.

The proposal includes two full sized parking spaces for each three bedroom dwelling and one parking space per one bed flat. The parking for the dwellings accords with supplementary planning guideline 8 and the proposed parking for the apartments is considered to be sufficient provision.

In light of the above assessment the proposed residential scheme is considered to include suitable off street parking accommodation whilst providing a safe access to the highway network. The development is considered to accord with UDP Policy H14 and Core Strategy Policies CS51 and CS53.

Coal Mining

The Coal Authority records indicate that the site is within a high risk area and within the surrounding area there are coal mining features which are hazards. The application is accompanied by a Coal Mining Risk Assessment Report (May 2018, prepared by Rogers Geotechnical Services Ltd). Based on a review of appropriate sources of coal mining and geological information the report identifies that possible unrecorded mine workings within two shallow coal seams pose a potential risk of instability at the application site. Accordingly, the Report makes appropriate recommendations for the carrying out of intrusive ground investigations in the form of boreholes in order to establish the presence or otherwise of unrecorded shallow mine workings.

Both the Coal Authority and the Council's Environmental Protection Service are in agreement with the findings of the Stage 1 report and recommend a number of pre-commencement conditions be attached to any approval of the application.

Land Contamination

The proposed development is for residential use with garden areas. To ensure adequate assessment of potential risk to human health arising from ground contamination, or bulk or trace gases, potential land and ground gas contamination at the site should be investigated, and if necessary, remediated.

It is therefore necessary to attach a number of conditions to any planning approval to ensure this investigatory and remediation work is carried out.

Sustainability Issues

Policies CS64 and CS65 of the Core Strategy require all new developments of 5 dwellings or more to be designed to reduce emissions of greenhouse gases and function in a changing climate and, unless this can be shown not to be feasible and viable, provide a minimum of 10% of their predicted energy needs from renewable or low carbon energy.

The supporting Sustainability Statement dated 10.01.2018 makes reference to Core Strategy Policy CS64 and Policy CS65. It details that the development is considered to meet this policy by providing a high standard of energy efficiency by following a fabric first approach, achieving the minimum 10% reduction in energy use through allowing additional wall thickness for additional insulation. It is proposed that the proposed dwellings are to be built in brick and tiles both of which have a low embodied energy. The proposal is designed to reduce waste in construction by a landscaping strategy of "net 0 cut and fill" where the levelling of the site uses materials from within the site.

The site is surrounded by residential properties. It is on a high frequency bus route and has bus stops in close proximity. It is within 800 metres of the local shopping area and close to a number of schools and community facilities. It is therefore considered to be within a good sustainable location and so reducing reliance on car use.

In light of the above it is considered that the development would be in accordance with Core Strategy Policies CS64 and CS65.

Drainage & Flood Risk

Core Strategy Policy CS67 'Flood Risk Management' requires development to limit surface water runoff, and the promotion of sustainable drainage.

Concerns have been raised by local residents that the area experiences a high level of surface water which in particular affects the rear gardens on Furness Road. The neighbours concern is that the proposed development may increase surface water run off onto Furness Road which is at a lower ground level than the site. The Council's Flood and Water Management Team have looked in to comments regarding an underground water source running through the site however they have not found evidence of any spring on the site.

The most up to date Sustainable Urban Drainage information provided by the applicant indicates that surface water will be positively collected from all hard surfaces and the roofs of the dwellings and discharged to the existing surface water sewer on Thompson Hill. The scheme includes a hydrobrake which will serve to reduce the rate of water being discharged into the main drain to approximately 3.5 litres per second. This accords with the Yorkshire Water Services recommendation detailed in a letter to the applicants' drainage consultants on the 3rd July 2018. The Council's Flood and Water Management Team consider that the drainage design is acceptable and that it would address any excess ground water issues. Details of an appropriate management plan for the drainage scheme would however be required and this requirement will be attached to any approval of the application.

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 development site falls within an area where CIL is applicable. This site is located in "Zone 3" so would be subject to a charge of £30/sq m.

SUMMARY AND RECOMMENDATION

The above assessment has been carried out in accordance with local and national planning policy. The proposed development is considered to be in overall accordance with UDP Policies H10 and H14 relating to residential developments and the built environment.

Due to the use of high quality materials and features the proposed design is considered to accord with part 12 of the NPPF “Achieving well-designed places”. Furthermore the proposed building design and siting is considered to accord with UDP Policies BE5 and BE6 as well as Core Strategy design principles. The overall scale and appearance is considered to be compatible in the street scene and not detracting from the character of the area.

Furthermore it is not considered that the development will lead to unreasonable reductions in living standards for neighbouring properties and so the scheme can be supported.

It is considered that the proposed landscape details satisfy the requirements of UDP Policy BE6 ‘Landscape Design’.

The proposal to erect 12 dwellings is considered to be an efficient use of land and accords with the recommended density outlined in Core Strategy Policy CS26.

The proposal is considered to represent efficient use of land which is in keeping with the densities of the area and so is in accordance with Core Strategy Policies CS24 and CS26.

The development is considered to include adequate and safe on-site parking and access arrangements therefore it is in accordance with UDP Policy H14 and Core Strategy Policies CS51 and CS53.

The details submitted with regards to drainage are considered to accord with Core Strategy Policy CS67 ‘Flood Risk Management’.

In light of the above it is recommended that planning permission be granted subject to a number of conditions.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 4 September 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
4 SEPTEMBER 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) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for Erection of a dwellinghouse (Re-submission of planning permission 17/01378/FUL) land adjoining Kelgate and South Street Mosborough Kelgate Sheffield S20 5EJ (18/00824/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 31-35 The Moor Sheffield S1 4PF (Case No 17/02961/TEL) has been dismissed.
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(ii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 30 The Moor Sheffield S1 4PF (Case No 17/02276/TEL) has been dismissed.

(iii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 45 Division Street Sheffield S1 4GF (Case No 17/02270/TEL) has been dismissed.

(vi) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 47 Hereford Street Sheffield S1 4PP (Case No 17/02273/TEL) has been dismissed.
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(v) To report an appeal against the delegated decision of the Council to refuse

<p>planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 23 Furnival Gate Sheffield S1 4HW (Case No 17/02275/TEL) has been dismissed.</p>
<p>(vi) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 1 Suffolk Road Sheffield S1 4AG (Case No 17/02962/TEL) has been dismissed.</p>
<p>(vii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 11 Fargate Sheffield S1 2HE (Case No 17/03092/TEL) has been dismissed.</p>
<p>(viii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 51 Furnival Gate Sheffield S1 4HW (Case No 17/03094/TEL) has been dismissed.</p>
<p>(ix) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) adjacent to 51 The Moor (Case No 17/03096/TEL) has been dismissed.</p>
<p>(x) To report an appeal against the delegated decision of the Council to refuse planning consent for 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) has been dismissed.</p>
<p>(xi) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 210-214 West Street Sheffield S1 4EU (Case No 17/02269/TEL) has been dismissed.</p>
<p>(xii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 1 Haymarket Sheffield S1 2AW (Case No 17/02278/TEL) has been dismissed.</p>
<p>(xiii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement at the junction of Charles Street/Arundel Gate Sheffield S1</p>

2PN(Case No 17/02277/TEL) has been dismissed.
(xiv) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of 2 Fargate Sheffield S1 2HE(Case No 17/02271/TEL) has been dismissed.
(xv) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of 30-34 High Street Sheffield S1 2GE (Case No 17/02272/TEL) has been dismissed.
(xvi) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of 14-18 High Street Sheffield S1 2GE (Case No 17/02958/TEL) has been dismissed.
(xvii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of the Crucible Theatre Arundel Gate Sheffield S1 2PN (Case No 17/02960/TEL) has been dismissed.
(xviii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 45 West Street Sheffield S1 4EQ (Case No 17/03086/TEL) has been dismissed.
<p>Officer Comment:-</p> <p>The Inspector considered solely the siting and appearance of all the above proposed kiosks as required by the General Permitted Development Order. In the case of kiosks in conservation areas or close to listed buildings he also considered the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>In each case the Inspector concurred with the Council's view that the kiosks would result in unnecessary additional street clutter which in many cases would be visually intrusive and in others would also result in pedestrian and highway safety concerns. The kiosks that were sited within conservation areas or adjacent to listed buildings were also found to be harmful to the setting of these heritage assets.</p> <p>The appeals were consequently all dismissed.</p>
(xiv) To report an appeal against the delegated decision of the Council to

refuse planning consent for alterations including installation of roof windows to form a shared living unit on the attic floor of the building St Silas Church Hanover Square Sheffield S3 7UA (Case No 17/03835/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the impact of the works on the listed building and whether the proposal would preserve or enhance the Hanover Conservation Area.

The proposal was to install 21 roof windows on both sides of the roof slope and the Inspector considered that due to their size and the large number proposed they would be highly visible, intrusively domestic and modern additions would be at odds with the imposing gothic character of the building. They would also be visible in long range views within the conservation area and be harmful to the character of it.

He therefore concluded that the proposal was unacceptable and should be dismissed.

(xx) To report an appeal against the delegated decision of the Council to refuse planning consent for two-storey side extension and erection of a rear outbuilding 53 Crescent Road Sheffield S7 1HN (Case No 17/04341/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue to be the effect of the extension on the character and appearance of the Nether Edge Conservation Area.

He considered the elevated nature of the extension, containing no fenestration and with structural support underneath to create an incongruous, yet bland appearance in conflict with the traditional character, which would be compounded by the use of timber cladding rather than traditional timber.

The timber cladding would, he felt, present an artificial appearance in the context of traditional stone dwellings even with its modest size, and combined with the non-traditional design would cause harm to the character and appearance of the Conservation Area.

In the absence of public benefit to outweigh such harm the proposals failed to comply with the requirements of the NPPF, and local policies CS74, BE5, BE16, BE17 and H14.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for siting of a telephone box (Application for

determination if approval required for siting and appearance) Pavement outside 463 Ecclesall Road Sheffield S11 8HW (Case No 17/02267/TEL) has been allowed.

Officer Comment:-

In this case the Inspector considered that the introduction of a kiosk in this location would be in keeping with the area's busy character and would still leave plenty of room within the pavement for pedestrians, wheelchairs or mobility scooters.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 451 Ecclesall Road Sheffield S11 8HW (Case No 17/02957/TEL) has been allowed.

Officer Comment:-

In this case the Inspector considered that the introduction of a kiosk in this location would be in keeping with the area's busy character and would still leave plenty of room within the pavement for pedestrians, wheelchairs or mobility scooters.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement opposite Atkinson's Multistorey Car park Charter Row Sheffield S1 4HR 8HW (Case No 17/02268/TEL) has been allowed.

Officer Comment:-

The Inspector concluded that the kiosk would be an isolated but visually restrained element in the street scene at this point and would not be dominant in the context of its surroundings or detract from it. They also noted that the siting would not be harmful to established pedestrian flows, such that the kiosk would not be harmful to the area. They allowed the appeal.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of 50 High Street Sheffield S1 2GE (Case No 17/02959/TEL) has been allowed.

Officer Comment:-

The Inspector concluded that the kiosk would not appear out of context given the large scale and modern materials of adjacent buildings so did not concur that it would be harmful to the character of the City Centre Conservation Area.

They noted that there was little street clutter in the vicinity and did not agree that the kiosk would create a pinch point close to bus stops and queuing passengers and felt it was far enough away from the stops such that it would not cause obstruction. They allowed the appeal.

(v) To report that an appeal against the delegated decision of the Council to refuse planning consent for 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 564 Prince of Wales Road Sheffield S9 4ER (Case No 18/00361/FUL) has been allowed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal (to extend the property by seven metres) on the living conditions of the residents of the adjoining house.

The Inspector accepted that the extension would cause harm to the outlook of the adjoining property and would be contrary to the Council's Supplementary Planning Guidance on house extensions. Nevertheless he took into account the fact that the neighbour had written in offering no objection to the proposal and the fact that it is likely that a 6 metre extension could have been built using the larger house extensions permitted development rights.

He noted the appellant's case that the extension would be wheelchair accessible and provide a large, light, open plan living space such that regard should be had to the Equality Act 2010 to minimise disadvantages.

He concluded that the matters put forward by the appellant and the comments of the neighbour were material to his decision and outweighed his concerns in respect of the living conditions.

He therefore allowed the appeal.

5.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

4 September 2018

