

# Planning and Highways Committee

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**Tuesday 25 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**

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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.

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## **PUBLIC ACCESS TO THE MEETING**

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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](http://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](mailto:simon.hughes@sheffield.gov.uk).

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## **FACILITIES**

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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.

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**PLANNING AND HIGHWAYS COMMITTEE AGENDA  
25 SEPTEMBER 2018**

**Order of Business**

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- 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 - 6)  
Minutes of the meeting of the Committee held on 4 September 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. Tree Preservation Order 420: Site of Former Bannerdale Centre, Carter Knowle Road** (Pages 7 - 14)  
Report of the Director of City Growth
- 8. Applications Under Various Acts/Regulations** (Pages 15 - 18)  
Report of the Director of City Growth
- 8a. Totley Primary School Sunnyvale Road, Sheffield, S17 4FB (Case No: 18/02659/RG3)** (Pages 19 - 36)
- 8b. Land Between 94 And 98 Wheel Lane Grenoside, Sheffield, S35 8RN (Case No: 18/02229/FUL)** (Pages 37 - 52)
- 8c. Steel City Marketing Ltd Allen Street, Sheffield, S3 7AW (Case No: 18/02192/FUL)** (Pages 53 - 88)
- 8d. Sylvester Street, Sheffield, S1 4RN (Case No: 18/01760/FUL)** (Pages 89 - 90)
- 8e. 55 Tapton Crescent Road, Sheffield, S10 5DB (Case No: 18/00762/FUL)** (Pages 91 - 110)
- 8f. University Of Sheffield Athletic And Sports Ground, Warminster Road Sheffield, S8 8PS (Case No: 17/03858/FUL)** (Pages 111 - 128)

**9. Record of Planning Appeal Submissions and Decisions**

(Pages 129 -  
132)

Report of the Director of City Growth

**10. Date of Next Meeting**

The next meeting of the Committee will be held on 16 October 2018.

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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](mailto:gillian.duckworth@sheffield.gov.uk).

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Planning and Highways Committee

Meeting held 4 September 2018

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

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Jack Clarkson and David Baker but no substitutes were appointed.

**2. EXCLUSION OF PUBLIC AND PRESS**

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

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of the Committee held on 14 August 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 I GRUNWERG LTD, SILVERSTEEL HOUSE, 29-49 ROCKINGHAM STREET, SHEFFIELD S1 4EA (CASE NO. 18/02170/FUL)**

6a.1 Subject to amendments to conditions 12 and 30, and following consideration of an amendment to the report, all as outlined in a supplementary report circulated at the meeting, an application for planning permission for demolition of existing buildings, including retention of façade 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 student 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 at I Gunweg Ltd, Silversteel House, 29-49 Rockingham Street, Sheffield, S1 4EA (Case No. 18/02170/FUL) be granted, conditionally for the reasons detailed in the report now submitted.

**6.2 250 THOMPSON HILL, SHEFFIELD, S35 4JW (CASE NO. 17/05154/FUL)**

6b.1 Subject to amendments to conditions 2 and 9 and the inclusion of an additional condition, and following consideration of corrections to the report, additional representations and an officer response to these, all as outlined in a supplementary report circulated at the meeting, and following consideration of representations made at the meeting from two local residents speaking against the application, an application for planning permission for demolition of dwelling and erection of 4 flats in a two-storey block and 7 dwellinghouses (as amended 20/8/18) at 250 Thompson Hill, Sheffield, S35 4JW (Case No. 17/05154/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 25 September 2018 at the Town Hall.



## SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

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**Report of:** Director of City Growth Service

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**Date:** 23<sup>rd</sup> August 2018

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**Subject:** Tree Preservation Order No. 420  
Site of Former Bannerdale Centre, Carter Knowle Road

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**Author of Report:** Jack Foxall, Urban and Environmental Design Team

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**Summary:** To seek confirmation of Tree Preservation Order  
Nr. 420

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### Reasons for Recommendation

To protect trees of visual amenity value to the locality

**Recommendation** Tree Preservation Order Nr. 420 should be confirmed

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**Background Papers:** A) Tree Preservation Order Nr. 420 and map attached

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**Category of Report:** OPEN

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## REGENERATION & DEVELOPMENT SERVICES

### REPORT TO PLANNING & HIGHWAYS COMMITTEE

4<sup>th</sup> SEPTEMBER 2018

#### TREE PRESERVATION ORDER NR.420

Site of Former Bannerdale Centre, Carter Knowle Road, Sheffield

#### 1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order Nr. 420.

#### 2.0 BACKGROUND

2.1 Tree Preservation Order Nr. 420 was made on 8<sup>th</sup> June 2018, on trees at the site of the former Bannerdale Centre, off Carter Knowle Road. A copy of the order with its accompanying map is attached as Appendix A.

2.2 Planning permission had been granted for housing development at this site (reference 13/04206/RG3), subject to conditions. One of those conditions states that, unless otherwise indicated on the approved plans for the development, no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

2.3 This condition was intended to secure the retention and protection of the majority of the better quality trees around the site boundary.

2.4 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to serving the Order, and trees were inspected by an Arboriculturist from the Parks and Countryside Trees and Woodlands service for general condition and suitability for protection. These trees were found to be in good order and of significant amenity value to the local area.

2.5 The site had previously been owned and managed by the Council, ensuring that trees were adequately protected and managed. The Council considered it expedient to make Tree Preservation Order Nr. 420 so as to ensure these trees would benefit from the protection offered by a TPO after the site had been sold by the Council.

#### 3.0 OBJECTIONS

3.1 No Objections to the Order have been received.

#### 4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

#### 5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no property implications.

- 5.2 Protection of the trees detailed in Tree Preservation Order Nr. 420 will benefit the visual amenity of the local environment.
- 6.0 FINANCIAL IMPLICATIONS
- 6.1 There are no financial implications.
- 7.0 LEGAL IMPLICATIONS
- 7.1 A local authority has a duty to ensure that, where appropriate, adequate provision is made for the preservation or planting of trees when granting planning permission for any development. This may be achieved by the imposition of conditions.
- 7.2 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area. In addition, where it appears to the local authority to be necessary in connection with granting planning permission, it shall be its duty to make a TPO to either give effect to those conditions or otherwise (sections 197 and 198, Town and Country Planning Act 1990).
- 7.3 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.
- 7.4 A local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 7.5 A local authority may only confirm an order after considering any representations made in respect of that order. No such representations have been received in respect of Tree Preservation Order No.420.
- 8.0 RECOMMENDATION
- 8.1 Recommend Tree Preservation Order Nr. 420 be confirmed.

Rob Murfin  
Chief Planning Officer

23<sup>rd</sup> August 2018

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**Tree Preservation Order**

**Town and Country Planning Act 1990**

**The Tree Preservation Order No 420 (2018)**

**Site of Former Bannerdale Centre, Carter Knowle Road, Sheffield**

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

**Citation**

1. This Order may be cited as Tree Preservation Order No 420 (2018) – Site of Former Bannerdale Centre, Carter Knowle Road, Sheffield

**Interpretation**

2. (1) In this Order “the authority” means the Sheffield City Council.  
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—  
(aa) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or  
(bb) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,  
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 8<sup>th</sup> June 2018

EXECUTED AS A DEED )  
By Sheffield City Council )  
whose common seal was )  
hereunto affixed in the presence of )

  
David Jellars  
Duly Authorised Signatory



## SCHEDULE

### Specification of trees

#### Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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#### Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Quercus species (Oak)	OS Grid Reference: SK43383838
T2	Quercus species (Oak)	
T3	Cedrus species (Cedar)	
T4	Pinus species (Pine)	
T5	Quercus species (Oak)	
T6	Tilia species (Lime)	
T7	Tilia species (Lime)	
T8	Tilia species (Lime)	
T9	Tilia species (Lime)	
T10	Tilia species (Lime)	
T11	Acer pseudoplatanus (Sycamore)	
T12	Acer pseudoplatanus (Sycamore)	

#### Groups of trees

(encircled in green on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
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#### Woodlands

(within a continuous red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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**TREE SCHEDULE**

- TREES SPECIFIED INDIVIDUALLY  
(Encircled in black on the map)
- T1 Quercus species (Oak)
- T2 Quercus species (Oak)
- T3 Cedrus species (Cedar)
- T4 Pinus species (Pine)
- T5 Quercus species (Oak)
- T6 Tilia species (Lime)
- T7 Tilia species (Lime)
- T8 Tilia species (Lime)
- T9 Tilia species (Lime)
- T10 Tilia species (Lime)
- T11 Acer pseudoplatanus (Sycamore)
- T12 Acer pseudoplatanus (Sycamore)
  
- TREES SPECIFIED BY REFERENCE TO A GROUP:  
None
- TREES SPECIFIED BY REFERENCE TO AN AREA:  
None
- TREES SPECIFIED BY REFERENCE TO WOODLAND:  
None
- ✕ TREES EXCLUDED FROM ORDER  
(Shown with a cross on the map)
- OS Grid Reference 4338 3838



*Diana Sellers*  
Duty Authorised Signatory



18.1053.4550

SHEFFIELD CITY COUNCIL DEVELOPMENT SERVICES	
SHEFFIELD TREE PRESERVATION ORDER No. 808/420	
TITLE: SITE OF FORMER BANNERDALE CENTRE, CARTER KNOWLE ROAD	
PLACED:	PLACE
SCALE:	1:500@AI
DATE:	JUN 2018
BY:	AI/UED/808/420
CAD FILE NAME:	

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## SHEFFIELD CITY COUNCIL Planning and Highways Committee

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Report of: Director of City Growth Department

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Date: 25/09/2018

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Subject: Applications under various acts/regulations

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Author of Report: Chris Heeley and Lucy Bond

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Summary:

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

Recommendations:

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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.
18/02659/RG3 (Formerly PP-07115729)	Totley Primary School Sunnyvale Road Sheffield S17 4FB	
18/02229/FUL (Formerly PP-07043142)	Land Between 94 And 98 Wheel Lane Grenoside Sheffield S35 8RN	
18/02192/FUL (Formerly PP-07032931)	Steel City Marketing Ltd Allen Street Sheffield S3 7AW	
18/01760/FUL (Formerly PP-06943096)	Sylvester Street Sheffield S1 4RN	
18/00762/FUL (Formerly PP-06765348)	55 Tapton Crescent Road Sheffield S10 5DB	
17/03858/FUL (Formerly PP-06347840)	University Of Sheffield Athletic And Sports Ground Warminster Road Sheffield S8 8PS	



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Case Number	18/02659/RG3 (Formerly PP-07115729)
Application Type	Application Submitted by the Council
Proposal	Application to allow revisions to the pedestrian crossing location along Baslow Road and access arrangements into the school site (Application under section 73 to remove condition no. 9. (Highway Improvements) relating to planning permission 17/03183/RG3
Location	Totley Primary School Sunnyvale Road Sheffield S17 4FB
Date Received	11/07/2018
Team	South
Applicant/Agent	Mr Derek Statham
Recommendation	Grant Conditionally

### **Time limit for Commencement of Development**

1. The development must be begun not later than the expiration of three years from the 27 July 2018.

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

### **Approved/Refused Plan(s)**

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

E-mail dated 12 September 2017.  
Site plan with red line AL(0)002  
Proposed Site Plan AL(0)002 Rev D,  
AL(0)007 Rev A  
AL(0)008 Rev A  
AL(0)009 Rev A  
Transport Statement dated 11 July 2018  
LL(9)001 Rev F Proposed External Works Plan

Reason: In order to define the permission.

### **Pre-Commencement Condition(s)**

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

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

4. No development shall commence until a Construction Vehicle Management Plan has been submitted to and approved in writing by the Local Planning Authority.

This plan shall include:

1. Tracking information to demonstrate that construction vehicles can ingress and egress the site in a safe manner, including any measures needed to facilitate this.
2. If a particular size of vehicle cannot access the site, measures to limit this type of vehicle visiting the site and details of how such vehicles will be managed/unloaded on the occasions when there is no alternative.
3. Measures taken to ensure construction vehicles are not causing obstruction on public highways surrounding the school.

Once agreed, the Construction Vehicle Management Plan shall be implemented for the duration of the construction phase.

Reason: Given the restricted access from Sunnyvale Road, and in the interests of highway safety and to protect the amenity of surrounding residents.

5. No development shall commence until details of dust control measures to be implemented during the excavation and construction phase have been submitted to and approved by the Local Planning Authority, in the form of a Construction Environment Management Plan. Thereafter the construction phase shall be carried out in accordance with the approved measures.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property. It is essential that this condition is complied with before the development commences.

6. The mitigation measures outlined in section 6 of the Air Quality Report (prepared by Mott MacDonald and dated 16 October 2017) shall be implemented before any development commences.

Reason: In the interests of protecting air quality.



7. 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 should 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 in accordance with the relevant details and this has been validated in writing by the Local Planning Authority.

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 detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 100 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. A 40% 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 and this shall have been validated in writing by the Local Planning Authority ahead of any of the hereby approved extensions being occupied.

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.

11. 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.

12. 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.

13. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local

Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

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

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

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

15. The recommendations at paragraph 4.3 of the Bat Survey (referenced Wild Scapes 0544.16 September 2016) shall be carried out before the single and two storey extensions to the main school building are commenced.

Reason: In the interest of the ecology of the site.

17. 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.

18. Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies CS53

19. 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.

20. 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**

21. The proposed extensions shall not be used unless the cycle parking accommodation as shown on the approved plan LL(9)001 Rev D has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: To promote sustainable modes of travel.

22. The proposed extensions 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: In the interest of highway safety

23. The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

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

24. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

25. 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.

Attention is Drawn to the Following Directives:

1. Where conditions require details to be submitted, an Application for Approval of Details Reserved by Condition is required (unless the condition gives the option of implementing the details already submitted). The Local Planning Authority is expected to determine these applications within 8 weeks of being validated, so it is essential to include all the information required. Apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). There are fees, which are also set by the Government.
2. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
3. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

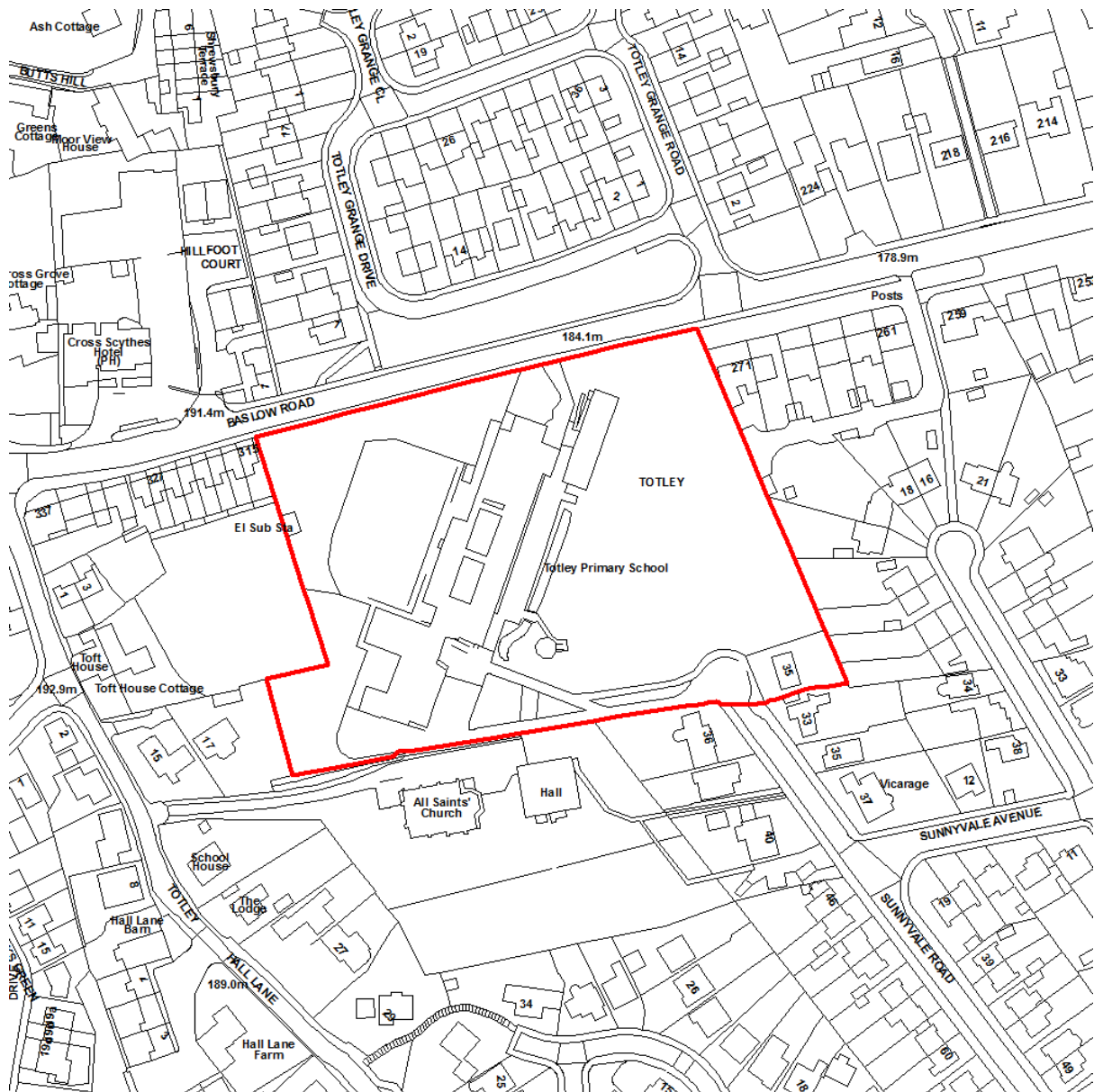
This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

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](mailto:dawn.jones@sheffield.gov.uk)

4. The applicant is advised that following the removal of condition 9, condition 10 is also now removed. Condition 16, as shown on the original planning permission 17/03183/RG3, has previously been discharged and is not replicated on this consent.

Please note the repeat conditions are listed with the same numbering as the original decision notice.

# Site Location



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## LOCATION AND SITE DESCRIPTION

This application relates to Totley Primary School, which is a large school sited off Baslow Road (A621) and accessed currently from Sunnyvale Road. The 1.58 hectare site is located approximately 7km to the southwest of Sheffield city centre.

The site comprises of buildings that are mostly constructed from brick, with flat roofs, although there are temporary structures within the site that are used as part of the ancillary nursery. There is an old brick built caretaker's house that is located in the south eastern corner of the site which has recently been converted into an ancillary nursery.

The site is fairly level, although it is set lower down than the public footpath along Baslow Road and there is a slight change in ground levels from north to south and from west to east. Although the tarmacked playground to the north west of the site is level, the soft playing fields to the east of the school buildings do fall away to the southeast.

Mature trees surround the site and provide visual relief and screening of the proposed buildings. The buildings are visible from Baslow Road and Sunnyvale Road, but they are not overly prominent.

The main site access is from Sunnyvale Road, a residential street to the south of school. The entrance drive from Sunnyvale Road leads west along the southern most boundaries to an area of car parking and to the main school entrance. Whilst there is an access point from Baslow Road, this historic entrance is not in use. Historically, no dedicated pedestrian/ vehicular entrance has been routed from Baslow Road.

## APPLICATION PROPOSAL

An application was approved in 2017 to extend the school buildings and remodel some of the existing school to increase pupil capacity from 270 pupils to 420 pupils, over a five years period (increase of 150 children).

The application (17/03183/RG3) was granted subject to conditions, at the Planning and Highway Committee on 16 January 2018. The alterations that were approved, included various extensions to the school buildings, changes to the playing fields to include a Multi-Use Games Area and the provision of additional car parking space to the south eastern corner of the site.

The 2017 proposal sought to improve access to and around the existing building. The planning consent was subsequently followed by an application to discharge the associated conditions that were attached. Although these conditions have not been formally discharged, due to certain information having not been received, the majority of the details requested by condition have been submitted. (Further details relating to the condition application have been outlined in the Planning History section below).

The works outlined in the 2017 application are largely completed although the conditions have not been fully approved and, this application is in part therefore, being retrospectively applied for. The school has continued to implement the proposal, due to the desire to minimise disruption to pupils, and to ensure their safety during the new school term.

Conditions 2, 9 and 10 of the 2017 planning permission related to the provision of a new pedestrian crossing on Baslow Road (between the school and to the west of Totley Grange Road). Condition 2 stated that proposal should be carried out in accordance with the approved plans, whilst conditions 9 and 10 stated that a pedestrian crossing on Baslow Road should be constructed before the extended school was brought into use.

This application seeks permission to make minor amendments to the original approval by re-locating the crossing from the western side of the junction with Totley Grange Road, to the east of this junction. The amendments are proposed owing to a road safety audit that has been carried out for the scheme.

This application has been submitted using the provisions outlined in Section 73 of the Town and Country Planning Act 1990. Section 73 of the Act allows the determination of applications to develop land without compliance with conditions previously attached or to vary conditions in order to allow minor amendments to be made to a proposal. An application made under these provisions can only consider the question of the condition subject to which planning permission has been granted.

## PLANNING HISTORY

The most relevant planning history relating to this application is:

Planning Permission Ref: 17/03183/RG3 gave consent for:

Two-storey and a single-storey extension, minor internal remodelling, increase of pupil capacity by 150, provision of additional public access points including pedestrian access points on Baslow Road, provision of additional emergency and service vehicle access from Baslow Road, provision of a multi-use games area (MUGA), extension of existing hard play area, new external steps and ramps and 21 additional car parking spaces (Amended Drawings/Information received on 03 November 2017)

Condition 16 of the permission 17/03183/RG3 related to the proposed materials to be used for the extension. An application to discharge this condition was received 26 January 2018 (application referenced 17/03183/COND) and the details for the brick were approved. The condition remains in force until the development is completed.

A further application to approve details relating to conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 was submitted on 23 January 2018 (application referenced 17/03183/RG3).

This application has yet to be determined as full details necessary to discharge conditions 7, 8, 9 and 10 have yet to be received. Formal approval of these



conditions cannot be recommended as there are still outstanding issues that are being resolved relating to the surface water run-off/ disposal, full remediation plans dealing with land contamination and the highways improvements. The issues regarding land contamination/ remedial works and surface water drainage are currently being resolved with the Environmental Protection Service and the Lead Local Flood Authority. The issues relating to the Highway Improvement conditions (9 and 10) are the subject of this planning application.

## REPRESENTATIONS

This application has been publicised in accordance with the Council's Statement of Community Involvement. In addition to individual neighbour notification letters being sent, site notices were posted around the surrounding residential areas.

As a result of this, nine representations have been received in total from six individuals. Of the six, five local residents have objected to the proposal, whilst one representation only objects to the proposal if the crossing proposed is a replacement for an existing crossing that is currently sited further up Baslow Road near the Cross Scythes public house, or if it involves the moving of the bus stop.

The proposal does not propose to replace an existing crossing or move a bus stop.

The remaining representations raise concerns with the proposal that can be summarised as:

### Meaningless Consultation

- The decision has already been made as the works are ongoing

### Highway Safety

- The new parking restrictions are necessary but they are ill-planned, unsafe and totally unacceptable;
- Parking restrictions along Baslow Road will mean people wishing to use the Baslow Road entrance parking on Totley Grange Road;
- Cars entering and exiting this road will bottleneck this section of the street and will be dangerous to pedestrians and other road users;
- The crossing should be sited to the west of the Totley Grange junction and the footpaths should be made wider so that pedestrians don't have to cross the Totley Grange Road junction, which will become even more dangerous;
- The service road behind Baslow Road, together with the boundary wall, is a buffer between the houses and the main road. Children play in this road on bikes and they will no longer be able to do so;
- The barriers are not shown on the plans;
- Temporary entrance already created should not be blocked up again, it should be left to allow people coming from the west to enter the site without channelling everyone into one area close to the dwellinghouses along the service road;
- People will use their cars and come from further afield. The Traffic Regulation Order (TRO) red route will not work as the school's Travel Plan is unrealistic;

- This is a backwards step from the originally agreed proposal and the crossing should be sited above Totley Grange Road so that anyone entering the school would not have to cross this road as well as Baslow Road;
- There is not enough space on Totley Grange Road and parking restrictions and residents parking permits are the only way to encourage people to walk;
- Traffic will bottleneck at the Totley Grange Road junction and a hatched area should therefore be provided to encourage the safe movement of vehicles;
- The parking will restrict access for emergency vehicles to the estate;
- The bus stop needs a pull in;
- An explanation of its change is deserved by the local residents;
- What are the findings of the risk assessment?
- An accident has already occurred on the road where a temporary crossing and narrowing of the road was implemented. This proves that the amendments are not right.

#### Pollution

- The reduction in areas to park does not mean there will be less cars, the impact upon pollution will be enormous;
- The air quality assessment does not show an increase in the percentage for the future;

#### Visual Impact

- The proposed crossing will increase signage and street furniture and this is strongly objected to as it is visual pollution;

#### General disturbance to local residents

- The proposal will overlook the neighbouring residents and lead to a loss of privacy that is unacceptable. This was considered to be the case as the scheme was previously amended to prevent the congregation of people on the existing service road between Baslow Road and the dwellings on the southern side of the road;
- The proposal will increase litter

The above comments are taken into account in the subsequent report.

#### PLANNING ASSESSMENT

This application is a minor amendment application to a consent that was granted for the alterations and expansion of a school, together with ancillary works. The proposal can only assess what the impact of the proposed minor changes to the siting of the pedestrian crossing along Baslow Road will be.

The principle of developing the site and siting a crossing on Baslow Road has been approved in application 17/03183/RG3. The proposal seeks permission to re-site the pedestrian crossing along Baslow Road and therefore the most pertinent issues that need to be assessed in this application are whether the proposed changes will

- Meet the requirements of the Unitary Development Plan and the aims of the National Planning Policy Framework;
- Adversely impact upon highway safety;
- Impact negatively upon the living conditions of any neighbouring resident

Condition nine of the original approval 17/03183/RG3 stated that:

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;

been carried out; or

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:

Provision of a pedestrian crossing on Baslow Road.

Provision of guardrails on Baslow Road to tie in with the proposed pedestrian crossing.

Any Traffic Regulation Orders deemed necessary to facilitate the above work.

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.

Condition ten of the original approval 17/03183/RG3 stated that:

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.

The original application proposed a pedestrian crossing and indicated a location that was considered to be safe for pedestrians and all traffic users, but also a good location to minimise the impact of the proposal on the privacy/ living conditions of residential properties that are sited along Baslow Road. In order to provide the pedestrian crossing and discharge the associated planning condition, a road safety audit has had to be carried out.

Once the Local Planning Authority had approved the original extensions and alterations to the school, the indicative location of the crossing was worked up in detail to be assessed formally by a Road Safety Audit before the details were submitted to discharge conditions 9 and 10. It was the Road Safety Audit, (that is based on Government guidance and standing advice) that independently assessed the proposal and provided clear feedback that the crossing needed to be relocated to

ensure that it meets Government guidance and is located where the footpath is wide enough to meet road safety standards.

After the proposal was revised, it was considered that the proposed changes to the siting of the crossing were a material change to the original planning application and, therefore, a minor amendment application to the original planning consent was required.

## Policy Context

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) is a material consideration to be taken into account in determining all planning applications. Since the original application was approved, the NPPF has been revised. However, the changes to the NPPF do not undermine the planning assessment originally carried out in respect of the overall land use policies relating to the application for the expansion and alteration of the school.

The most relevant paragraph in the revised NPPF to this current application is 109 which states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

### Local Policy

No local planning policies have changed since the original permission was granted consent and those outlined in the original application are still pertinent to the assessment of this minor amendment application.

### Location of the Proposed Crossing

The crossing has been designed in accordance with Government guidance and standing advice.

The siting of the crossing, which is the reason for this minor amendment application, has been moved to the east past the junction with Totley Grange Road as the original crossing was considered by the Road Safety team to be located on a section of footpath on the southern side of Baslow Road that is too narrow to be safe. Although the boundary wall could have been removed to widen the road, the loss of the wall, together with the removal of further trees would have a significant impact upon the visual amenities of the street and this would be considered unacceptable.

### Parking and Road Safety

Concerns have been raised that the crossing will be more dangerous than the previous siting, due to the TRO along Baslow Road forcing people to park within the Totley Grange Estate. It is feared that people will have to cross the junction at Totley Grange Road before getting to the crossing and that the additional traffic at this junction and along these streets will promote dangerous and inconsiderate driving.

The pedestrian crossing, together with the TRO's have been considered necessary as a package, to reduce overall speeds along Baslow Road and to remove obstructions from the highway that could impede visibility. The crossing is sited taking account of distances from junctions outlined in Government guidance and the proposal has been designed by Highway Engineers taking into consideration the impact the expanded school could have.

The school is committed to reducing travel by car and a Travel Plan has been devised and implemented. The parking issues related to the school and the surrounding neighbouring residential streets were considered in the original application and considered to be acceptable. It is considered that under the circumstances outlined in the original proposal (traffic routes/ volume), the siting of this pedestrian crossing would not be less safe than the original crossing position.

The crossing has been designed and accepted by qualified Highways Engineers and has been audited by the Road Safety team. As the proposed siting of the crossing and the additional TRO's have been deemed to be acceptable, and gone through a rigorous design process that has included extensive consultations and assessment against Government Guidance and policy, the crossing is considered to meet the requirements of conditions 9 and 10 of the planning application 17/03183/RG3. Consequently, the proposed minor amendments to the siting of the crossing are considered to be acceptable in terms of the NPPF and policy CS53 of the Core Strategy.

#### Traffic Regulation Order

A Traffic Regulation Order is necessary in order for the crossing facility to be safely incorporated into the highway network.

Drivers are getting more aware that it is permissible to load (drop of and pick up) from double yellow lines with an At Any Time loading ban, provided that they don't leave the car. Parking Services and the Police report this as becoming a regular occurrence at a number of schools.

A Red Route means no stopping. This can be At All Times (double red) or for a specific times during the day (single red). The Red Route makes it an offence to stop and loading is only allowed for disabled people and taxis.

The Red Route at specific times of the day is considered to be an appropriate solution for Baslow Road and the following restrictions have been approved by Cabinet Members of the Council on the 11 September 2018.

- Implement the single red route lines
- Implement the crossing zigzag lines
- Hire a temporary Puffin Crossing and deploy where the crossing is proposed.
- Put up School – Patrol signs and New Crossing ahead signs.
- Use the temporary crossing warden to control the movement of people across Baslow Road until the permanent crossing is installed and operational.

- Liaise with Amey about doing works at weekends to progress the full scheme (ducting and road narrowing)
- Implement the crossing in the October half term.

Suggestions have been made by local residents that additional areas of hatched yellow lines near the junction with Totley Grange Road should be provided. The TRO's that have been approved by Cabinet Members have been proposed based on the details of the overall school expansion and Government guidance; further restrictions have not been considered necessary.

#### Incident during the Temporary Works

A temporary crossing has been implemented close to where the new crossing will be located. The road was narrowed, temporarily, to widen the footpath whilst various other highways works are being carried out.

An incident has been reported, but full details of this are not available at present to the Local Planning Authority. From the details reported by a local resident, the incident was in their opinion as a result of the temporary works. Although the full details are not available, it is considered that this incident is not indicative of future problems, as the package of the TRO's and the new pedestrian crossing had not been installed at the time. Whilst this incident does identify how busy the road is, it is considered that the proposed amendments to the scheme will improve safety along Baslow Road and not be detrimental to highway safety.

#### Impact Upon Living Conditions of Local Residents

The original proposal sought to locate the crossing in a way that provided safe access for pedestrians, whilst minimising the impact upon the living conditions of residents in the north east corner of the site. The scheme was amended to prevent noise and disturbance from a footpath running along the eastern boundary of the site and to the west of the closest neighbouring property.

The existing service road that is sited in between the residential properties and Baslow Road to the east of the school site is to now be used and linked to the new crossing. Whilst this is not ideal, the main footpath still runs directly through the site, rather than along the boundary shared with neighbouring residential properties.

The service road is wide and its use logically improves safety as pedestrians will be walking with a stone wall in between them and the main public highway. Whilst it is acknowledged that the new crossing will increase the number of people walking past these houses, the improvements will prevent severe bottlenecks of pedestrians on narrow footpaths before they get near to the school entrance.

The service road is not a private road that cannot be accessed by the public and, therefore, the properties along Baslow Road do not benefit from high levels of privacy at present. Whilst it is not ideal in this respect to have the access close to these properties, the overall increase in road safety is considered to outweigh the small decrease in privacy levels to these properties.

The loss of privacy to these properties is not considered to be severe and, given the circumstances of the application, the improvements are considered to be acceptable and do not conflict with UDP policy H14 or paragraph 127 of the NPPF.

#### Air Pollution

The increase in traffic resulting from the proposed scheme was assessed fully in the original planning application. This proposal, under Section 73 of the Town and Country Planning Act, can only assess the issues relating to the minor amendments proposed. The siting of the crossing does not alter the original assessment of the proposed air quality issues, given that a crossing was proposed and approved previously, in a very similar location.

#### SUMMARY

The proposed minor changes to the siting of the pedestrian crossing associated with the application for the expansion of Totley Primary School are considered to be satisfactory in terms of their visual appearance. Moreover, the proposed changes are not considered to have a significant impact upon the living conditions of the neighbouring properties.

The changes have been assessed by Highways Engineers and the Road Safety Team and with regards to all highway safety issues are considered to be acceptable. The details provided of the crossing and alterations to the highway are considered to be acceptable to ensure highway safety and meet the requirements of all local and national planning policies. Accordingly, it is recommended that the details are approved and condition 9 and 10 are removed in their entirety, whilst the site plans proposed in condition 2 of the original proposal are superseded by the details submitted as part of this application.

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Case Number	18/02229/FUL (Formerly PP-07043142)
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse (Re-submission of planning permission 18/00924/FUL) (Amended plans 11.09.2018).
Location	Land Between 94 And 98 Wheel Lane Grenoside Sheffield S35 8RN
Date Received	11/06/2018
Team	West and North
Applicant/Agent	Oakleaf Architecture Ltd
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

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

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

## **Approved/Refused Plan(s)**

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

Street scene and sections A (PL) - 003 Rev F (received 11.09.2018)

Site sections A(PL)-016 Rev E - (received 11.09.2018)

Amended location plan, site plan, floor plans and elevations A(PL)-001 R:J (received 28.08.2018)

Amended surface water plan A(PL)-014 rC

Amended wheel wash details A(PL)-010 rD

Amended landscape and surface plan A(PL)-012 rD

(all received 01.08.2018)

Reason: In order to define the permission.

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

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

3. The privacy fencing hereby approved along the boundary with 98 Wheel Lane shall be 1.8 metres high and shall be erected before the occupation of the dwelling. It shall thereafter be retained and maintained.

Reason: In order to ensure minimum privacy levels for dwellings

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

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

**Other Compliance Conditions**

5. If 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. A Remediation Strategy shall then 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.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the site shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the elevated nature of the curtilage and to ensure that there is no encroachment into the Green Belt.

7. The flat roofed area of the dwellinghouse hereby permitted shall at no time be used as a balcony, roof garden or similar amenity area.

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

8. The office window on the elevation of the dwellinghouse facing East towards No.98 Wheel Lane shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (and any order revoking and re-enacting the order) no additional windows or other openings shall be formed in the dwelling hereby permitted without the prior written approval of the Local Planning Authority.

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

10. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway.

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

Attention is Drawn to the Following Directives:

1. 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:

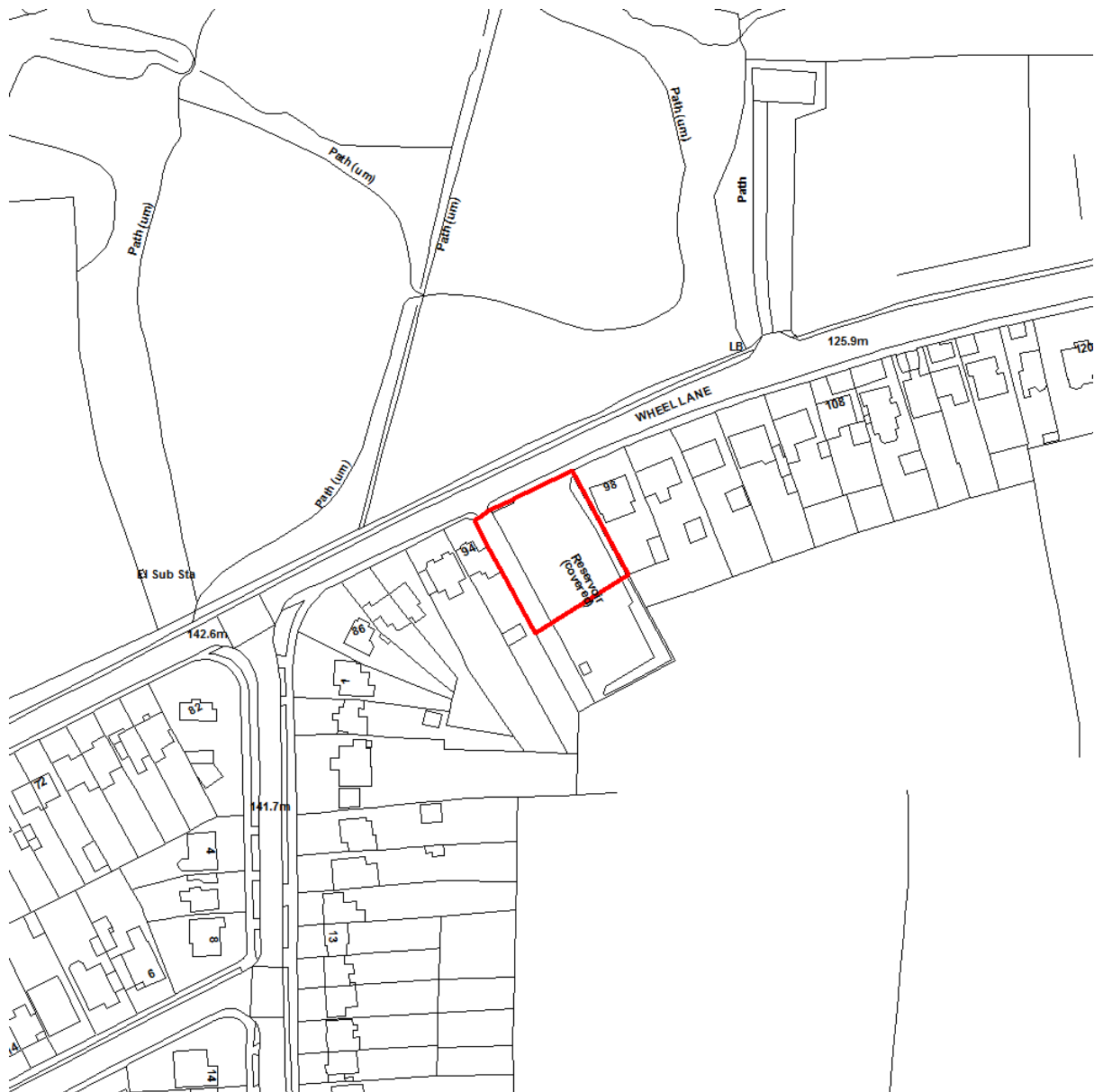
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto: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.

2. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
3. 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 relates to a former reservoir site located between numbers 94 and 98 Wheel Lane. The development site area is 0.12 hectares. Land to the rear is also within the applicant's ownership but it is in the Green Belt and does not form part of the proposed application site. The site has an existing vehicular access from Wheel Lane. Land levels across the site vary, with levels generally increasing from east to west in line with the incline of the street.

The applicant proposes to erect a five bedroom dwelling on the site with associated parking and garden space. Space is retained within the site for the potential future development of a further dwelling house however; this does not form part of the assessment of this particular application and separate permission would be required.

Members will remember visiting the site previously prior to the 14<sup>th</sup> September committee.

## RELEVANT PLANNING HISTORY

A number of proposals for housing developments on the site have previously been approved. These include planning applications 06/04610/OUT and 09/03060/FUL which were both for the erection of two dwellinghouses. These permissions expired without being implemented. There have been no material changes in circumstances surrounding the site since these applications were approved however; there have been a number of policy changes since 2009. The National Planning Policy Framework was introduced in 2012 and has been revised as recently as July 2018. The site is still within a Housing Policy Area and is previously developed land.

Planning permission 18/00924/FUL was granted earlier this year. That permission related to the site to which the current application relates, but also included land to the rear of this application site. Permission was granted for the erection of a dwelling house and associated area of hardstanding. Whilst the proposed dwelling was not within the Green Belt, the area of hardstanding was within the Green Belt (on land which is now not included within the current red line boundary area). The decision on application 18/00924/FUL was quashed for reasons relating only to the hardstanding in the Green Belt. As such no extant planning consent exists for the redevelopment of the site.

## SUMMARY OF REPRESENTATIONS

31 representations have been received in total, 30 in objection and 1 neutral comment which makes reference to an incorrect address being displayed on the web site.

26 of the letters of objection have been received from local residents; a summary of the comments is listed below:

Design and character issues

- The proposed access is not in keeping with the other houses on the street which all have driveways to the front.
- The proposed scale is overly large and dominant and will form a visually incongruous feature within the street scene.
- Design considered to be lacking architectural detailing.
- The proposed footprint breaks the building line.
- The development will dominate the sky line.

#### Residential amenity issues

- The land is higher than it was previously; therefore the houses will be much higher and overbear numbers 94 and 98.
- Due to the proposed height of the building it would overlook dwellings to the rear and sides.
- Two metre high boundary fencing would be overbearing to number 98, could permitted development rights be removed?
- Increased traffic movements associated with up to two dwellings would impact on living conditions and the structural integrity at number 94.
- The proposed footprint will impact on the conservatory at number 98, with regards to overlooking and over dominance. Views to the side will also consist of a brick wall.
- Potential for the flat roof to be used as a terrace which would impact on privacy levels.
- The proposed laurel hedging will have maintenance issues and could become over bearing.
- The development will be invasive and dominate the other properties and occupants destroying their right to light and privacy.
- Due to the relationship between the properties including number 98 being at a lower ground level; the proposed dwelling will deprive number 98 of light during the winter months.
- Due to the level differences; the single-storey element may well be deemed equivalent to a two-storey and as such the 45 degree rule should be applied.

#### Green Belt and landscape issues

- The red line boundary should be amended to include the housing area only; the remainder of land owned by the applicant in the Green Belt should have a blue line boundary.
- No information has been submitted regarding how the Green Belt land is to be used.
- It is alleged that land levels on site have been altered.
- One of the trees surrounding the site has died and it is alleged that the applicant proposes to remove it.
- The property backs on to agricultural Green Belt land.

#### Highway issues

- Two parking spaces are not considered to be adequate for a 5 bed dwelling.
- There are visibility and highway safety issues with the proposed access.

- Construction vehicles utilising the access would lead to congestion and would disturb the adjacent number 94.
- Turning facilities should be identified on plan for both dwellings.
- Highway safety issues due to existing congestion and that Wheel Lane is a “feeder road” to the M1 motorway.

#### Other issues

- The ground levels should be reduced as suggested in the application in 2006.
- The garages from the previous submission have been removed; therefore where will future garages be located? The size of the dwelling suggests that garages will be required.
- Plans for one dwelling have been submitted rather than two, this makes it difficult to assess the proposal as a whole.
- It is understood that a second dwelling is to be developed on the remainder of the site; this would multiply the issues of this development.
- Previous proposals on the site have been more sympathetic and these should be reconsidered.
- Ground floor office window identified on plan but not on the east elevation.
- Height of the roof lantern not shown.
- Issues regarding the future development plot and whether it is adequate.
- The plans are not considered to be sufficiently detailed, particularly with regards to land levels.
- Part of the boundary wall has been damaged during the land clearance.
- Numerous references have been made to Sanderson and Weatherall Design and Access statement from the 2006 application.
- The developer’s financial situation should have no bearing on any planning decision.
- The applicant is continuing the development prior to determination of the application.
- Lack of communication between the planning department and the applicant.
- Issues around changes to the committee date.
- Issues around communication from the Planning Service.

The remaining 4 the letters of objection were received from Councillor David Pepper, Grenoside Conservation Society and Ecclesfield Parish Council.

Councillor David Pepper:

The proposed dwelling is out of proportion, has very little garden space and inadequate parking provision for a 5 bedroom house. There are concerns that the Green Belt land to the rear will become an over flow car park. Drawings submitted suggest that part of the Green Belt is to be incorporated in to the residential curtilage. The proposed development is too large for the site and does not respect the semi-rural location. It is requested that this application is referred to the planning committee.

Grenoside Conservation Society:

The proposed dwelling is considered to be out of proportion with the surroundings. Very little garden space is included and if a second house were to be developed there would be issues with parking leading to concerns that the Green Belt area will be used for parking. The development should be sympathetic to the semi-rural location. It is requested that the application is referred to the planning committee.

Ecclesfield Parish Council (EPC) (two letters of objection):

EPC Planning Committee are objecting and recommend refusing this application on the grounds that it will be overbearing and impact the nature of the land, it is not in keeping with the other properties, the dwelling will stand significantly higher than the other properties and this proposal will dominate the landscape significantly. Are Highways aware of the impact of this application? A site visit should be made to see the distance from the front and back from Cinder Hill Lane, Grenoside so Members will be able to see the impact that this application will have on the surrounding area.

## PLANNING ASSESSMENT

### Policy Context

This assessment will take account of relevant policies from the National Planning Policy Framework, the Core Strategy and the Unitary Development Plan.

### 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, subject to compliance with Policies H12 to H16 as appropriate.

The application site is contained exclusively within an allocated housing area as defined by the Sheffield UDP proposals map. The area to the rear of the application site, defined by a blue line on the submitted plans, is Green Belt land in the applicant's ownership. No development is proposed in the Green Belt.

The proposal is considered to constitute an infill plot which is located between two existing dwellings in an established housing area.

### Density

Paragraph 117 of the 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.

Core Strategy Policy CS26 states that new housing will be required to make efficient use of the land, but the density of new housing should be in keeping with the character of the area. For the majority of the urban area, which includes the application site, this policy recommends a density of 30-50 dwellings per hectare, however it also states that densities outside this range will be permitted where they



achieve good design, reflect the character of an area or protect a sensitive area. The site area of this application is approximately 0.12 hectares, and with one dwelling proposed on the site results in a density of 8 dwellings per hectare. The proposal is below the recommended density for the area; however the application proposes a single dwelling with garden that is comparable in size with the surrounding properties on Wheel Lane. It is therefore considered that the proposal would reflect the character of the area.

The submitted plans indicate that a second dwelling could potentially be erected within the site subject to gaining separate planning permission. This would result in a density of 16 dwellings per hectare.

It should also be noted that Sheffield can only currently demonstrate a 4.5 year housing supply of deliverable housing sites across the city. It is therefore considered that the proposed development of this site for a single house would make a small but positive contribution to housing land supply across the city and should be given weight as a material consideration, even if only limited.

Core Strategy Policy CS24 'Maximising the use of previously developed land for new housing' states that priority will be given to the development of previously developed sites.

The site is a former covered reservoir and is considered to be previously developed land. In light of the above the principle of housing development on this site is considered acceptable and accords with adopted local and national planning policy.

The site falls within a Local Nature Site with geological interest as identified by the UDP. This does not afford the same level of protection as Sites of Special Scientific Interest or Areas of Natural History Interest. UDP Policy GE13 states that Many Local Nature Sites lie in areas which are needed for development. However, there may be opportunities to conserve or enhance some features of greatest wild life or community value in any development scheme and compensate for any damage which is caused.

The site is an infill plot within an established housing area and was previously a covered reservoir which has been infilled. The site has previously been cleared and the principle of redevelopment has been established in previous applications. It is therefore not considered that there are opportunities within the development to conserve or enhance any special features on the site.

#### 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.

Policy CS74 'Design Principles' requires development to respect and take advantage of unique design characteristics within the local neighbourhood.

It is not considered that this part of Wheel Lane has a distinctive character; however; the majority of dwellings are elevated above street level. Bungalows, dormer bungalows and two-storey dwellings are read in context with the site. Approaches to design also vary with the dwellings directly adjacent being a traditional brick bungalow and a more contemporary dormer bungalow with a largely rendered finish. Garages at lower ground level which abut the highway are also a common feature on the street which impacts on the building line and the overall character of the area.

Due to the incline of the hill from east to west the majority of dwellings naturally stagger in height. However the height differences do not follow a rigid or consistent pattern. For example, due to previous extensions and land level differences, the ridge height of number 98 is significantly higher than neighbouring dwelling number 100. However the height difference between numbers 100 and 102 is much reduced.

A number of concerns have been raised with regards to the height of the proposed dwelling. Given the varied appearance of Wheel Lane, it is not considered that the proposed dwelling would result in an overly dominant or intrusive feature in the street scene. Previously approved schemes for this site included reducing the ground level, notably within the 2009 application a lower ground floor garage was approved. The street scene elevations provided however indicate the proposed dwelling is of a similar overall height to the previous approval in relation to the adjacent neighbouring properties. The concerns from local residents regarding changes in land levels are acknowledged over the years and that this may result in the height of the dwelling varying slightly from previously approved schemes. However the principle of a 2.5 storey dwelling of a similar height has been established on the site and this carries considerable weight in the determination of this application.

The proposal includes front dormer windows which are a common feature in the street scene, therefore the overall design which reads as a 2.5 storey dwelling is considered to be acceptable. The design lacks a traditional front door to the property however on balance this is not considered reasonable grounds to refuse the application. The applicant has included a double height feature window in order to maintain an active frontage and break up the overall scale and massing of the dwelling. The proportions and features of the frontage are considered to be acceptable. Rural style facing bricks are proposed as the main facing materials with black weatherboarding to the dormer cheeks. Stone lintel and cill detailing is proposed. The existing stone boundary wall to the front and sides of the site are to be retained. It is considered that in order to ensure a high quality finish details of materials including samples will be secured by condition.

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 Policy BE5 and Core Strategy design principles. Although concerns from local residents have been fully considered; it is not considered that the proposed design is harmful and so a refusal on these grounds would not be warranted in your officers' view.

#### Landscape and Green Belt impacts

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 site has previously been cleared therefore no trees or planting were identified during the case officer site visit which would be affected by the development. Mature trees to the rear of the site in the Green Belt are adequately distanced from the development; therefore their protection is not a concern of this particular application.

Comments received suggest that land levels on site have been altered. A number of case officer and enforcement visits, as well as reference to historical images, suggest that, other than some possible minor alterations, land levels have broadly remained unchanged.

Details of hard and soft landscaping on the site have been submitted which includes a lawn area, planting and laurel hedging to parts of the site boundary. It is considered that the details provided satisfy the requirements of UDP Policy BE6 and the implementation of the scheme is covered by condition, including a requirement for 5 years maintenance of the landscaping.

The red line boundary has been amended across the plans which confirms that no part of the Green Belt will be incorporated into the residential curtilage. Although no development is proposed within the Green Belt it is acknowledged that the proposed dwelling will be conspicuous from the Green Belt land to the rear. The proposal relates to an infill plot on an established residential street. It is therefore considered that as the dwelling will be viewed in context of the surrounding dwellings it will not form an incongruous or intrusive feature when viewed from the Green Belt.

#### Residential amenity

UDP Policy H14 states that new development and extensions will only be permitted where they would not deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood.

Although at this time a single dwelling is proposed it is acknowledged that the intention is for a future development directly adjacent. Nevertheless the site layout indicates that approximately 150 square metres of rear garden space will be provided even with a plot retained for potential future development. The siting of the dwelling respects the established front building line of Wheel Lane allowing for a

sizeable front garden area. The proposal is therefore not considered to be an over development of the plot.

A number of windows are proposed in the side elevations at ground level only. The window in the east elevation facing number 98 is to be an obscure glazed and top opening window in order to prevent unreasonable overlooking. This will be secured by condition. The openings in the west elevation do not serve main habitable rooms and are adequately distanced from number 94; therefore it is not considered that this neighbouring property will experience unreasonable reductions in privacy.

The alignment of the dwelling is similar to neighbouring dwellings therefore it is not considered that the proposed rear windows will lead to overlooking over and above what is expected in residential areas. Although Juliet balconies are proposed at first floor level; the principle is similar to that of a window opening as access is not permitted on to the flat roof. A condition will be attached to prevent any future use of the flat roof as a terrace.

A separation distance of approximately 3 metres is proposed between the new dwelling and neighbouring dwelling 98 Wheel Lane. Number 98 has been extended significantly including a raised ridge height, hip to gable extensions, dormer windows and a rear extension which projects approximately 3.4 metres. The rear extension is designed largely as a conservatory however the elevation facing the application site is formed of brick with high level windows.

The proposed dwelling at two-storey level will not project beyond the rear of the conservatory at number 98 therefore the 45 degree rule is respected. The single storey element of the development will project approximately 4.5 metres beyond the conservatory of number 98 at a distance of approximately 3.5 metres from the side elevation of the conservatory. The council's Supplementary Planning Guidance is relevant here which suggests that a single-storey extension should not project more than 3 metres beyond a neighbouring property in order to prevent unreasonable overshadowing or over dominance. Usually where there is a separation distance a greater projection can be permitted as it is considered that the impacts will be reduced. In this case it is considered that the 3.5 metre separation distance allows for the 4.5 projection of the single-storey element. The finished level difference between the application site and No. 98 is approximately 1.25 metres as indicated on the section drawing provided. It is not considered that this level difference should require the single-storey element to be assessed against number 98 as a two-storey development. The boundary between the two dwellings is defined by an existing stone wall. Due to the separation distance between the dwellings it is not considered that the proposal will lead to unreasonable over shadowing or over dominance.

The existing stone boundary wall between the application site and 98 Wheel Lane is not considered to be high enough to prevent overlooking across into number 98 from the proposed garden area. A section of solid timber boundary fencing along this side of the site is required in order to achieve boundary treatment which totals 1.8 metres in height in order to address any issues of overlooking. It is proposed that timber fence panels will be attached to the top of the stone boundary wall to achieve a consistent height. It is acknowledged that due to the difference in land levels the wall and fencing combined will appear higher at number 98. This will vary between

approximately 2.1 metres and 2.8 metres as levels change across the site. The 1.8 metre high boundary treatment when erected on the application site would be standard boundary treatment which would accord with permitted development rights for the enclosure of land. Given the land level differences on the hill it is considered that the impact would be similar to situations at neighbouring properties. It is acknowledged that the impact of the boundary treatment would be greater than if the dwellings were on equal land levels however given this situation could arise under permitted development rights the proposed details are considered to be acceptable on balance.

It is therefore considered that the proposed dwelling accords with Policy H14 in terms of its amenity impact.

#### Highway issues

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.

It is proposed that the existing access from Wheel Lane will be utilised. The access road is approximately 5.8 metres in width and is therefore considered to be sufficient for two vehicles to pass if necessary (and for construction vehicles to access the site). A distance of approximately 6 metres will be retained between the highway and the security gates in order to allow vehicles to pull clear of the highway when entering the site. Space is available for vehicles to turn around within the residential curtilage to allow vehicles to exit the site onto Wheel Lane in forward gear. Congestion and highway safety concerns in this area are acknowledged, however it is not considered that the very limited number of vehicle movements associated with the development will lead to any serious highway impacts (and would certainly not be classed as 'severe' which is the NPPF test, paragraph 109). With vehicles able to exit the site in forward gear it is considered that the proposal to utilise the existing access track is a safer option than the provision of a new front driveway which may require vehicles to reverse out into Wheel Lane. It is therefore considered that visibility is acceptable.

Parking provision for three vehicles is indicated on the submitted plans. This meets the requirements for a five bedroom property (the Council's latest Car Parking Guidelines published in August 2016 suggest 2-3 spaces for a 5 bedroom dwelling). Limited on street parking is also available on Wheel Lane. It is not a planning requirement for a garage to be provided.

The private track is the only proposed access to the site. The applicant was asked to consider a separate pedestrian access to the front of the property this was declined. There is no policy requirement to insist on this and whilst disappointing from a design perspective it is not a reason in itself to resist the proposal. It is proposed that domestic waste will be taken down the track to the highway for collection.

Details of suitable wheel wash facilities for the construction phase have been submitted with the application (drawing number A(PL)-010). Details of the proposed driveway drainage scheme have also been submitted on drawing A(PL)-015. These details are considered to be acceptable.

The proposed access and parking arrangements are considered to accord with UDP Policy H14 and Core Strategy Policies CS51 and CS53.

### Community Infrastructure Levy

The Community Infrastructure Levy (CIL) was introduced on the 15th July 2015 and replaces all other financial contributions with the exception of affordable housing. The site lies within housing zone 3 where residential development is subject to a charge of £30 per square metre. The applicant has applied for a self-build exemption.

### RESPONSE TO REPRESENTATIONS

Reference has been made to the Design and Access Statement submitted by Sanderson and Weatherall in application 06/04610/OUT. This supporting submission collated by the applicants in 2006 does not form part of the assessment of this current application.

With regards to the lack of a garage in the proposed scheme; it is not a planning requirement that a garage is provided with a five bedroom property.

The erection of a single dwelling is proposed in this application. It is acknowledged that the site plans indicate potential future development on the remainder of the plot however this does not form part of this application and separate consent would be required. Issues and comments relating to a second dwelling are not material to this particular application.

Officers are aware of previous proposals for the site. The Local Planning Authority is however unable to require that the applicant adopts the same approach in this application and the proposal must therefore be considered on its merits.

Any development taking place prior to determination of the application is done so at the applicant's risk.

Amended plans have been submitted to address the discrepancy with the window in the east elevation. Details of the roof lantern have also been confirmed and are considered acceptable. Additional drawings and a topographical survey have also been provided clarifying levels information.

Officers consider that a thorough assessment of the application has been possible based on the submitted plans and the site visit carried out.

Issues relating to the construction period are not material to the planning process.

There is no right to a view across another person's land within planning legislation.

Right to Light is governed by legislation which falls outside the planning process. This report has assessed the amenity impacts of the development on existing dwellings adjacent to the site.

Comments about permitted development rights being removed are acknowledged. A condition will be attached revoking Schedule 2, Part 1 (Classes A to H inclusive) and Part 2 (Class A), of the General Permitted Development Order. This includes amongst other restrictions; extensions, outbuildings and new fences (although a boundary fence is needed between the site and 98 Wheel Lane and this is secured as part of this development).

Concerns around communication between the Planning Service and neighbours have been noted. The planning officer has visited neighbouring dwellings and spoken to a number of local residents during the assessment of the application.

The Planning Service regrets that there have been a number of changes with regards to the committee date which have caused inconvenience to some; this was unfortunately unavoidable at the time.

## SUMMARY AND RECOMMENDATION

All development within this application is contained within the designated housing area. No development is proposed in the Green Belt.

The assessment of the proposed development has been carried out in accordance with adopted 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 in Policy CS74. The overall scale and appearance is considered to be compatible in the street scene and will not detract 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, therefore according with UDP Policy H14.

The development site is previously developed land. The development of previously developed land is a priority of Policy CS24. Whilst the density is lower than that recommended by Policy CS26, it is considered that a single dwellinghouse would conform to the general plot sizes in the locality so is in character with it. Policy CS26 allows for reduced density where local character needs to be protected. The proposal is therefore in accordance with Core Strategy Policies CS24 and CS26.

It is concluded that the development is in accordance with the adopted policies of the UDP and Core Strategy and in compliance with the National Planning Policy

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



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Case Number	18/02192/FUL (Formerly PP-07032931)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of student development (maximum 8 storeys) comprising of 289 studio units, communal facilities and landscaping (Amended Description)
Location	Steel City Marketing Ltd Allen Street Sheffield S3 7AW
Date Received	06/06/2018
Team	City Centre and East
Applicant/Agent	David Cox Architects Ltd
Recommendation	Grant Conditionally Subject to Legal Agreement

## **Time limit for Commencement of Development**

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

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

## **Approved/Refused Plan(s)**

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

### Floor Plans

Drawing No. SK / 03A - Ground Floor Plan  
Drawing No. SK / 04A - First Floor Plan  
Drawing No. SK / 05A - Second Floor Plan  
Drawing No. SK / 06A - Third Floor Plan  
Drawing No. SK / 07A - Fourth Floor Plan  
Drawing No. SK / 08A - Fifth Floor Plan  
Drawing No. SK / 09A - Sixth Floor Plan  
Drawing No. SK / 10 - Seventh Floor Plan  
Drawing No. SK / 11A - Garden Level Floor Plan

### Elevations

Drawing No. SK / 12A - Elevation to Shepherd Street  
Drawing No. SK / 13A - Elevation to Doncaster Street  
Drawing No. SK / 14A - Elevation to Allen Street

#### Site Sections

Drawing No. SK / 16 - Section thro Site X-01  
Drawing No. SK / 17 - Section thro Site X-02  
Drawing No. SK / 18 - Section thro Site X-03  
Drawing No. SK / 19 - Section thro Site Y-01  
Drawing No. SK / 20 - Section thro Site Y - 02

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 occur until the applicant (or their agent or successor in title) has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for a combined archival and building assessment of the application site (combined assessment) for approval by the Local Planning Authority.

Thereafter, any future reserved matters application shall be accompanied by the submission of a mitigation strategy that shall detail any further archaeological works and /or preservation in situ that have be identified by the approved combined assessment and agreed as part of the reserved matters application.

Prior to the commencement of the development, the work shall be carried out in accordance with the approved details.

Reason: To ensure that the site is archaeologically assessed in accordance with an approved scheme and that sufficient information on any archaeological remains exists to help determine any reserved matters application, to comply with the NPPF.

4. No development (including demolition, construction, or other enabling, engineering or preparatory works) shall take place until a Demolition Management Plan (DMP) or a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority.

The DMP / CEMP shall assist in ensuring that all such activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and damage to key assets/infrastructure within and adjacent to the site. It will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust and light nuisance as well as the proposed means of heritage and infrastructure protection.

As a minimum, the DMP / CEMP shall include:

1. Strategies to mitigate any residual effects from noise and vibration that cannot be managed to comply with acceptable levels at source;
2. Final details of the mitigation strategy to minimise any harmful impact on air quality during the construction phase.

3. Details relating to the permitted working hours on site, and include a fugitive dust management plan;

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

Reason: In the interests of the amenities of the locality and occupiers of adjoining properties, and in the interests of protecting the site's valuable heritage assets.

5. No development (including demolition, construction, or other enabling, engineering or preparatory works) shall take place until a Highway Management Plan (HMP) has been submitted to and approved by the Local Planning Authority.

The HMP shall assist in ensuring that all contractor highway / vehicle activities are planned and managed so as to prevent nuisance to occupiers and/or users of the surrounding highway environment. The HMP shall include, as a minimum:

a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development.

b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway;

c. Details of the site compound, contractor car parking, storage, welfare facilities and delivery/service vehicle loading/unloading areas; and

d. Details of a highway dilapidation survey before commencement of the development, and upon completion

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

Reason: In the interests of the amenities of the locality and occupiers of adjoining properties and the protection of the free and safe flow of traffic on the public highway.

7. 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.

8. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 50% 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.

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

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

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

1. Been carried out; or
2. 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 buildings within each phase are brought into use.

Highway Improvements:

1. The footways adjacent to the site frontage on Allen Street, Shepherd Street and Doncaster Street have been reconstructed to Sheffield City Council's Urban Design Compendium palette.

Reason: To enable the above-mentioned highways to accommodate the increase in pedestrian traffic, which, in the opinion of the Local Planning Authority, will be generated by the development.

11. Intrusive investigations and ground gas monitoring as recommended in the approved Worms Eye Ltd Phase I Preliminary Risk Assessment report ref. Allen Street/S3 7AW/2018 (06/04/2018) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

12. 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 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.

13. No construction work shall commence until full and final details of the proposed building levels (including final floor levels and site sections) have been submitted to and approved by the Local Planning Authority. This shall include (but be limited to) full details of the land levels and any steps proposed immediately adjacent to the building's main entrance at the junction of Allen Street and Shepherd Street. The development shall thereafter be carried out in accordance with the approved details.

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

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

14. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
  - a) Be based on the findings of approved Red Acoustics Environmental Noise Study ref. R1553-REP01(B) (31/08/2018).
  - 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);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
  - c) 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 by the Local Planning Authority.

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

15. Before the use of the development is commenced, Validation Testing of the sound insulation 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 insulation works thus far approved, a further scheme of 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 the interests of the amenities of the future occupiers of the development.

16. 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.

17. No amplified sound or live music shall be played on the roof terrace area or within the external garden area at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time, unless full details of such equipment has been submitted to and approved by the Local Planning Authority prior to installation and use.

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

18. 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 design and 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.

19. Notwithstanding the details of materials described in the submission, the proposed external materials and finishes are hereby not approved. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved 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.

20. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be

used. The sample panel shall be approved by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

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

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

1. Windows details, including details of:

- All proposed designs / types;
- All proposed reveal depths; and
- All corner windows proposed in the curved elevations (including the design of the metal surrounds).

2. Door details, including details of:

- All pedestrian doors; and
- All service doors

3. Ground and first floor elevation details to Shepherd Street and Allen Street, including details of:

- The design of and proposed relationship between the window frames and metal cladding panels; and
- The design of the brick pillars and steps at the building entrance;

4. Roof Parapet Details

5. 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.

22. Notwithstanding the details on the approved plans, the final design of the boundary wall proposed between Allen Street and the resident garden area is hereby not approved. Before the development is commenced, full details of the wall's final proposed design shall have been submitted to and approved by the Local Planning Authority. The construction of the wall shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure a high quality development in the interests of the visual amenities of the application site and surrounding area.

23. Before the development is commenced, or an alternative timeframe to be agreed by the Local Planning Authority, a comprehensive and detailed hard and soft landscape scheme for the following areas shall be submitted to and approved by the Local Planning Authority:

Garden Area, including:

1. The proposed hard landscape materials, including samples when requested;
2. The proposed soft landscaping planting scheme;
3. The details of access provision for disabled users;

4. The design of any proposed steps and ramps - including design of tactile paving, treads, gradients, handrails etc; and
5. The design of any proposed furniture (e.g. planters, seats etc.);

Roof Terrace, including:

1. The proposed hard landscape materials, including samples when requested;
2. The proposed soft landscaping planting scheme;
3. The details of access provision for disabled users;
4. The design of any proposed steps, ramps, barriers - including design of tactile paving, treads, gradients, handrails etc; and
5. The design of any proposed furniture (e.g. planters, seats etc.);

The development shall not be brought into use until the approved details have been provided on site and they shall thereafter be retained, unless otherwise agreed by the Local Planning Authority.

The soft landscaped areas throughout the development shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

Reason: In the interests of amenity and to ensure high quality and appropriately designed environments for all future residents and users of the development's external spaces.

24. Prior to installation, full details of any external signage proposed to be installed on the building shall have been submitted to and approved by the Local Planning Authority. Thereafter, the signage shall be provided in accordance with the approved details.

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

25. Prior to installation, full details of any internal / external vinyl displays (excluding any public art proposals) or other means intended to obscure the glazed facades of the ground floor communal spaces, shall have been submitted to and approved by the Local Planning Authority. The use shall be implemented in accordance with these details and retained thereafter.

Reason: In the interests of the visual amenity in order to protect the open character of the communal areas and maintain active street frontages.

26. Before the development is commenced, full details of suitable inclusive access and facilities for disabled people to enter the building, site wide access and facilities, and the final design of all mobility units shall have been submitted to and approved by the Local Planning Authority. The development shall not be used unless such access and facilities have been provided in accordance with the approved details and thereafter such access and facilities shall be retained.

Reason: To ensure ease of access and facilities for disabled persons at all times.

27. Before any above ground construction work is commenced, or an alternative timeframe to be agreed 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 by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.



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.

28. Before any above ground construction work is commenced, full details of the following bio-diversity enhancements shall have been submitted to and approved by the Local Planning Authority:

- Bird Boxes - a range of boxes shall be provided across the development to provide nesting provision for a range of garden / urban bird species.

- Bat Boxes - roosting provision through bat boxes / tubes incorporated into the building design.

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

Reason: In the interests of the ecological amenity of the site and in order to ensure that biodiversity enhancements are secured as part of this development.

29. No part of the development shall be occupied until the redundant accesses have been stopped up and the kerb and footways reinstated. Access to the building shall be restricted to the approved access points shown on the approved plans.

Reason: In the interests of the safety of road users

30. Before the development is commenced, final details of the proposed resident and visitor cycle parking accommodation and facilities shall have been submitted to and approved by the Local Planning Authority. No part of the development shall be brought into use until such cycle parking has been provided and, thereafter, such facilities shall be retained.

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

31. The student accommodation shall not be occupied unless full details of a management plan to control student arrivals/departures associated with moving in to/out of the accommodation has been submitted to and approved by the Local Planning Authority. The agreed management plan shall be adhered to and retained thereafter.

Reason: In the interests of highway safety

32. Prior to the occupation of any part of the development, details of a scheme to ensure that the future occupiers of the development will not be eligible for resident parking permits within the Traffic Management Scheme (existing or proposed) in the vicinity of the site shall have been submitted to and approved by the Local Planning Authority. The future occupation of the development shall then occur in accordance with the approved details.

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

33. Prior to the occupation of any part of the development, a detailed Travel Plan(s) relevant to that phase, designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes for that phase, shall have been submitted to and

approved by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the local planning authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation of a phase, the approved Travel Plan(s) for that phase shall thereafter be implemented, subject to any variations approved by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport in accordance with the aspirations of the Sheffield Unitary Development Plan and Sheffield Plan Core Strategy.

34. Before the development is commenced final details of the proposed bin storage facilities and a complete Waste Management Strategy shall have been submitted to and approved by the Local Planning Authority. No part of the development shall be brought into use until the facilities have been provided in accordance with the approved details and, thereafter, such facilities shall be retained.

Reason: To ensure that general waste and recycling facilities are provided and managed in an acceptable manner, in the interests of highway safety and amenity.

35. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of mitigating the effects of climate change in accordance with Sheffield Development Framework Core Strategy Policy CS64.

36. No construction work shall commence until a detailed Employment and Training Strategy, which is designed to maximise local opportunities for employment from the construction phase of development, has been submitted to and approved by the Local Planning Authority.

The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

#### **Other Compliance Conditions**

37. Commercial deliveries to and collections from the buildings within the development shall be carried out only between the hours of 0700 to 2300 on 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.

38. Notwithstanding the details on the approved plans, no external doors or gates shall when open project over the public highway.

Reason: In the interests of highway and pedestrian safety.

39. The site shall be developed with separate systems of drainage for foul and surface water on and off site up to the point of connection with the existing public sewer.

Reason: In the interests of satisfactory and sustainable drainage.

Attention is Drawn to the Following Directives:

1. Where conditions require details to be submitted, an Application for Approval of Details Reserved by Condition is required (unless the condition gives the option of implementing the details already submitted). The Local Planning Authority is expected to determine these applications within 8 weeks of being validated, so it is essential to include all the information required. Apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). There are fees, which are also set by the Government.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
4. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
5. With regard to Condition 4, the applicant is advised that any suitable CEMP should consider the following issues, as a minimum;
  - Standard working hours (0730 to 1800 Mon-Fri; 0800 to 1300 Saturday; No working Sunday or Public Holidays).
  - Communications and liaison with sensitive neighbours.
  - Communications with Sheffield City Council Environmental Protection Service/Local Planning Authority regarding non-standard working hours, when essential.
  - Assessment of potentially noisy activities/phases of demolition and construction - this may include reference to existing prevailing ambient environmental noise data.
  - Adoption of low vibration piling methods, where practicable.
  - Consideration of noise (including vibration) control strategies.
  - Dust management plan, including a monitoring and response procedure.

- Delegation of responsibilities for environmental monitoring and control procedures.
- Controlling noise from welfare facilities and associated generators - adoption of mains power as soon as practicable; considerate siting of cabins.
- Nuisance from security lighting.
- Specific consideration of noise impacts from mobile plant, on-site and visiting vehicles - this should include;
  - (i) Use of broadband/ white noise reversing warning when audible systems are required.
  - (ii) Suitable location and management of off-site vehicle and mobile plant compounds - so as to minimise disruption from vehicle movements.
  - (iii) Management plan for deliveries - discouraging early arrivals; engine idling; noisy materials handling.

Further advice in relation to CEMP requirements can be obtained from:

SCC Environmental Protection Service,  
 Commercial Team,  
 Fifth Floor (North),  
 Howden House,  
 1 Union Street,  
 Sheffield,  
 S1 2SH

Tel. (0114) 2734651

Email: [eps.admin@sheffield.gov.uk](mailto:eps.admin@sheffield.gov.uk)

6. Plant and equipment shall be designed to ensure that the total LAeq plant noise level (plus any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 Guidance Notes for the Reduction of Obtrusive Light. This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the resource pages of the Institute of Lighting Professionals website.
8. The applicant is advised that, 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 standard 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. Other than in case of emergency, deviation from these standard working hours should be undertaken only with prior discussion and agreement with SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [eps.admin@sheffield.gov.uk](mailto:eps.admin@sheffield.gov.uk)
9. With regard to Condition 30 (cycle parking and facilities) the following advice and recommendations are made:
  1. The cycle store has only one access, which offers concern from a personal safety point of view. Therefore, it is recommended that a secondary door be provided directly into the building that all students with cycles can use. It is considered that this is achievable.

2. Access into the cycle store should only be available to those residents with cycles and should not be accessible to those without cycles. Swipe card/ fobs are recommended to address this.
  3. It is recommended that a drop crossing be provided on Doncaster Street footway where cyclists will access the development from the carriageway.
  4. It is recommended that windows into the store should be provided both externally and internally to the adjacent corridor and stairwell.
  5. The capacity of the cycle store is not clarified on the plans, although 32 cycles are shown. It is recommended that a multi-tier storage system be employed to maximise storage capacity.
  6. The use of electrically operated and automatic doors into the cycle store is recommended for ease of access/egress.
10. 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.
  11. 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](mailto:stephen.turner@sheffield.gov.uk)

12. 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](mailto:dawn.jones@sheffield.gov.uk)

13. 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

14. 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.

15. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto: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.
16. 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

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.

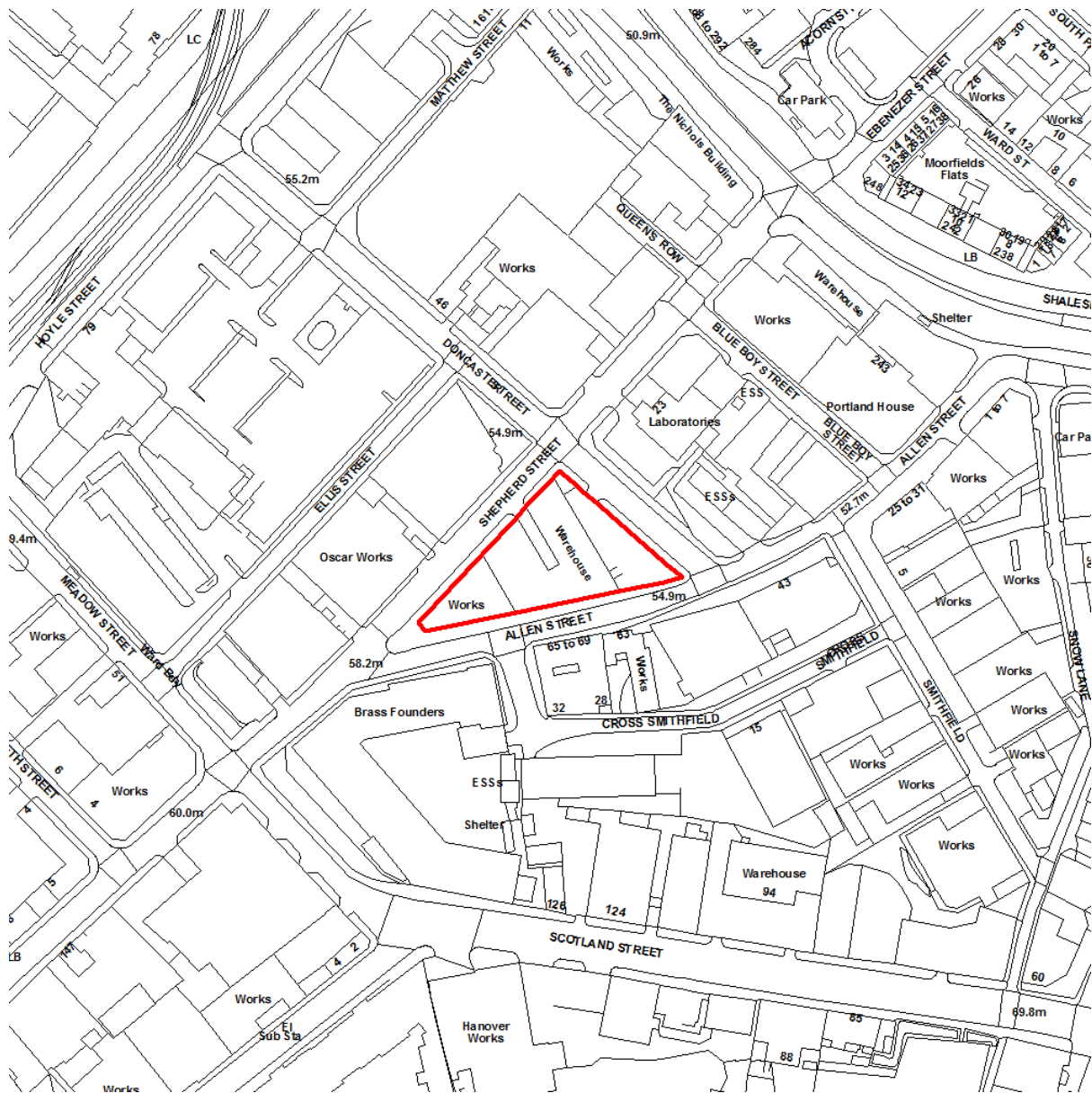
17. The construction of the development may lead to the temporary loss of on-street parking bays. In such circumstances you may be required to fund the installation of replacement parking bays including any associated Traffic Regulation Order, to offset the temporary loss of parking in the vicinity of the development.
18. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

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

# Site Location



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## LOCATION AND PROPOSAL

The application site comprises of land that is roughly triangular in shape and bounded by Shepherd Street (north), Doncaster Street (east) and Allen Street (south). The site is previously developed and currently occupied by standing buildings that are 1 – 2 storeys high and include office use and warehouse space, with off-road car parking provision on the Doncaster Street frontage. It is understood that these buildings are currently in partial use.

The application site area measures approximately 0.17 hectares. The site has a gentle slope that falls with the topography of the surrounding land in a south-west to north-east direction.

The site is situated in the City Centre's St. Vincent's Quarter and opposite the Furnace Hill Conservation Area. Historically an industrial part of the city, St. Vincent's is currently experiencing significant change with a large amount of new residential development focussed upon private rented and student apartments. Until recently, this new development was concentrated in other areas of the Quarter (to the south and south-east of the application site) but this is now expanding to the more northern parts – closer to Kelham Island and Shalesmoor.

The application site's immediate surrounding land uses are mixed and include:

On the opposite side of Shepherd Street (north-west) there is a complex of large industrial buildings known as Oscar Works that extends between Meadow Street and Doncaster Street. This building is vacant. Beyond Oscar Works there exists the Doncaster Cementation Furnace, which has Scheduled Monument and Grade II Listed Building status.

On the opposite side of Doncaster Street (north and north-east) there is a small waste transfer station (in use) as well as a redundant laboratory building and an electricity substation (in use).

On the opposite side of Allen Street/Cross Smithfield (south, south-east and south-west) there are a variety of uses including a vacant industrial building (subject to mixed live/work and residential outline planning permission), existing manufacturing and commercial businesses, and the Brass Founders, a purpose built student complex containing in excess of 1000 student bedspaces.

This application seeks full planning permission to demolish the existing buildings and erect a purpose built student development comprising of 289 studio units, communal facilities and landscaping.

## RELEVANT PLANNING HISTORY

There is no relevant planning history.

## SUMMARY OF REPRESENTATIONS

The application has been advertised by site notice, neighbour notification and press advert.

Three representations have been received, all object to the scheme and are summarised below:

#### 1. Design

- This old quarter of Sheffield is famous for its engineering and industries. All the buildings are no more than 4 storeys high.
- In the last 3 years, 2 very large apartment blocks have been built which have dwarfed existing buildings.

#### 2. Impact on Amenity

- The proposed development will seriously affect natural light and the privacy of existing buildings (and businesses) positioned opposite. The development will offer a view directly into the upper levels of these buildings through roof windows.
- It is believed that the online digital plan of the development shows 9 storeys.

#### 3. Intensification of Area

- It is understood that there has to be improvement and development but this and adjoining developments will bring more than 1000 residents into one small street.
- There will be more noise and traffic.
- There will be more parking issues. Traffic and parking have already had a huge impact on the area due to increased development in the Vincent's Quarter. Why is this never factored into these schemes?
- There will be more rubbish as the very temporary group of people who rent these buildings already cause problems with their rubbish.
- Noise and disturbance generated by construction works.

#### 4. Cultural Value

- No cultural value will be added to the area as a result of this development. In the small complex opposite there is a photographer, specialist climbing facility, music recording studio, shoe maker and electrical company. These add rich diversity to the area but there is nothing in this proposal that adds value to the immediate area.

#### 5. Notification Letters

- No letter was sent regarding the increase in height to eight floors. Neighbours to the proposal should have been informed by post.

## SUMMARY OF CONSULTATIONS

### Historic England

Historic England was consulted due to the site's proximity to Listed Buildings (including a Scheduled Monument) and the Furnace Hill Conservation Area. Historic England has responded by advising that on the basis of the information available to date, they do not wish to offer any comments on the proposals. Instead, it is suggested that the views of the Council's own specialist conservation and archaeological advisers are relied upon.

## PLANNING ASSESSMENT

### Principle of Development

The National Planning Policy Framework (NPPF) states that local planning authorities should approach decisions on proposed development in a positive and creative way, and to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (para. 59).

The local plan comprises the adopted Unitary Development Plan (UDP, 1998) and the Core Strategy document (2008). The Core Strategy is the most up-to-date and provides the overall spatial strategy over the period 2009 to 2026.

### Proposed Land Use

The application site falls within a designated General Industry Area (without special industries) in the adopted UDP. Policy IB5 (Development in General Industry Areas) relates to development in such areas and advises that General Industry (B2) and Warehousing (B8) uses are preferred uses. The proposed development is for student development, which is a sui generis use. IB5 states that the acceptability of the use must therefore be considered on its own merits and against all other material considerations.

Notwithstanding the above, the area's General Industry Area designation has been superseded by new land use expectations, especially following the publication of the St. Vincent's Action Plan and Sheffield Local Plan Core Strategy.

The St. Vincent's Action Plan (SVAP) was approved by Cabinet in December 2004 with the purpose of identifying a concise route for regeneration of the area. The site is located in a Business Area in the SVAP, meaning that new development must consist predominantly of business use. It is clear that the proposal does not comply with this element of the Plan and falls short of the preferred use provision. However, it is highlighted that this document was produced in 2004 and does not reflect current demands in the area. Furthermore, it is recognised that residential/student

accommodation uses currently remain at acceptable levels and do not dominate total floorspace within St. Vincent's. Finally, it is confirmed that the site lies within close proximity to an identified Housing Area in the SVAP and an overspill onto the proposed site appears to be a logical expansion.

More recently, the Sheffield Local Plan Core Strategy document was adopted (March 2008) and Policy CS 6 (Manufacturing and the City Centre – Transition Areas) identifies parts of the St. Vincent's Quarter as ones where manufacturing in the City Centre should not be encouraged to expand but instead should relocate so as to aid regeneration. This approach is further reinforced by Policy CS 17 (City Centre Quarters) (part h), which promotes a mix of businesses, residential and educational uses in the St. Vincent's Quarter, with less emphasis on industry and greater links to the University of Sheffield and the nearby legal and professional quarter. It puts less emphasis on industrial uses but does encourage the sensitive treatment of existing manufacturing companies in the area, expecting the impact of new development on them to be considered as part of the assessment of an application.

There are currently sufficient non-residential uses in this part of the St. Vincent's Quarter to prevent housing and student accommodation uses from becoming dominant as a consequence of this development. In light of this and for the reasons above, it is concluded that the proposal is acceptable in land use policy terms.

In relation to existing manufacturing companies, many of the industrial sites and buildings in the immediate context are vacant pending reuse or redevelopment. However, some businesses do still remain and so the relationship between the application proposals and the existing environment are addressed in the assessment of this application.

#### Density

Core Strategy Policy CS 26 (Efficient Use of Housing Land and Accessibility) requires appropriate housing densities to ensure the efficient use of land. The recommended density for City Centre sites is at least 70 dwellings per hectare. This development's proposed density is approximately 1700 dwellings per hectare, which is compliant with the policy.

#### Unit Mix

Core Strategy Policy CS 41 (Creating Mixed Communities) encourages development of housing to meet a range of housing needs, including a mix of prices, sizes, types and tenures.

Part (a) seeks to achieve these aspirations by ensuring that no more than half the homes in larger developments (60 dwellings or more) should consist of a single house type. With 289 studios proposed, this will be a single tenure-type development providing no mix or alternative form of accommodation. Therefore, the proposal is contrary to Policy CS 41 (a).

In light of the above, your officers requested amendments to improve the mix of unit types, but the applicant has declined to do this. Instead, they have sought to justify

their case by stating that there is a plethora of developments in the immediate vicinity that provide cluster accommodation and that there is a recognised lack of student studio accommodation in Sheffield. They argue that the introduction of cluster flats will compromise their vision for creating a development offering a quieter more mature lifestyle that will ultimately provide a healthier mix of accommodation to the area as a whole.

The failure to amend the scheme in any way is disappointing and so the lack of mix remains a negative aspect of the development. It is considered that greater variety would be beneficial for the development and its residents. Notwithstanding the applicant's comments, there is concern that studio developments can lead to isolation, a lack of social interaction, and cannot be occupied by couples or friends who may wish to live together. That said, the building does contain large areas of communal spaces at ground floor level which will help to encourage interaction and socialising. This includes a general communal area (264.8 square metres) as well as a study, gym, and kitchen/diner/entertainment rooms. Furthermore, the proposed studio units range between 21 and 25 square metres in internal area, which is generally consistent with studio spaces approved as part of other purpose-built student developments in the city centre.

Other concerns about the lack of mix relate to the fact that a large quantity of small units – each containing their own bathroom and cooking facilities – could be difficult to convert into larger apartments in the future, if market conditions change again and there is less demand for student facilities. To this end, the applicant has provided information in the Design and Access Statement to demonstrate how the building's floor plan could be converted to two-bedroom unit accommodation or an alternative use (e.g. hotel), if required.

Policy CS 41 (c) requires that new purpose-built student accommodation is primarily located in the city centre and the areas directly to the north-west and south of the city centre. As such, this proposal conforms to this part of the policy.

Finally, Policy CS 41 (d) seeks to limit development of purpose-built student accommodation and Houses in Multiple Occupation where more than 20% of residents within 200m are already in such uses. This is to ensure that the developments do not create an imbalance within the surrounding community. The current concentration of shared properties in this area (including extant permissions) is 39.7%. The impact of the proposed scheme would reduce this to 26.8% and would therefore comply with Policy CS 41 (d).

For the reasons above, it is clear that the proposal is not wholly compliant with Policy CS 41 because of the lack of mix it contains, which is considered to be a negative aspect of the development as discussed. However, the development does include communal facilities to encourage resident interaction and, in terms of the impact of the development on the surrounding area, it is not considered that a wholly studio-focussed student development will have any more detrimental impact on the community than a mixed scheme comprising studios and larger units because the nature of the use is the same. Therefore, given that the proposal is satisfactory in all other regards (in relation to Policy CS 41) it is concluded that the concern raised about the mix is not, on its own, sufficient to justify the refusal of this application.

## Design Proposals

UDP Policies BE5 (Building Design and Siting) and IB9 (Conditions for Development in Industry and Business Areas) and Core Strategy Policy CS74 (Design Principles) all seek high quality design that aims to take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

### Demolition of Existing Buildings

All of the site's existing standing buildings will be demolished as part of the development proposals. These buildings date to the second half of the twentieth century and are low-rise industrial / commercial buildings of negligible architectural or historic value.

### Proposed Development

Like many of the areas within the city centre that were historically dominated by industry, and which are becoming home to a wider variety of uses, the St Vincent's Quarter has a strong character derived from the topography and the existing townscape. Distinguishing features include: the hierarchy of streets, the relatively narrow street widths, the back-edge –of-pavement building line, size of plots, perimeter block layout, scale of buildings and the palette of materials.

### Layout

The site is triangular in configuration and the proposed development adopts an L-shaped form with an open side to Allen Street. There are urban design concerns that this configuration is alien to the surrounding area and context, which comprises historic and recent built form that generally follows a perimeter block arrangement. The L-shaped design means that Allen Street lacks a proper street frontage and the semi-private amenity areas are exposed.

There is also unease that the open side to Allen Street, created by the L-shaped building, will create a relatively dead frontage defined by a boundary wall to the amenity space. Although a concern, it is noted that the plans currently shown gaps in the wall and it is considered that further consideration of the walls design along Allen Street could achieve some activity and design interest along this frontage. Indeed, a successful wall – including variance in height, gaps, and design enhancements (e.g. brick detailing, public art etc.) – would help to address the concern identified, by enhancing the visual appearance of the development at street level and enhancing the developments interaction with the street. If a successful design is not achieved and security / management become the determining factor, then the impact of the wall on Allen Street will be poor. The final design details of any wall could be conditioned.

The lack of concession to context is extended to the building's footprint, whereby the adoption of a standardised floor layout and configuration leaves wedges of left over space on the Allen Street and Doncaster Street frontages, which in turn further increases the width of the footways in parts and undermines the definition of the street that is part of the areas character.

Positively, the building will have an active frontage for most of its Shepherd Street elevation and to a limited degree on Doncaster Street due to the fact that the communal facilities are positioned on these parts and they are proposed to be outward facing with large glazed windows.

### Scale and massing

The proposed building ranges between 7 and 8 storeys. Owing to the topography of the site, the building also has a lower ground level, which means there are 9 floors in parts, but this does not increase the height of the development on its road frontage and above ground level beyond 8 storeys. The stepping in the building form across the site is supported.

It is acknowledged that the adjacent streets are more generous in width than some in the St. Vincent's Quarter and so it is accepted that there is the opportunity to accommodate a degree of scale. However, the building's height is a greater scale than would normally be encouraged on secondary streets and there are concerns that the 8 storeys is beyond what the local townscape can comfortably accommodate in design terms. Therefore, a request to reduce the scale was made by officers and it was also suggested that the adoption of a perimeter block approach could help to overcome the layout concerns (described above) and enable the accommodation to be redistributed across the site, thus reducing the scale of development on the site to a more acceptable level. Unfortunately, the applicant declined to reduce the scale of the building and disagrees that the building is conspicuously larger than its surroundings. They state that it is very similar in height to the 'Brass Founders' development and considerably smaller than the development approved on the former HSBC site at Hoyle Street.

In response, it is agreed that the 'Brass Founders' development – situated opposite the application site – provides an appropriate benchmark for acceptable scale and massing in this area. This building is actually 1-2 storeys smaller than the application proposal despite being located on Scotland Street, which is the primary street within the area. Furthermore, it should be noted that the new buildings on the HSBC sites deliberately reduce in scale and mass on the secondary streets that are similar in context to the application site. Therefore, it is considered that applicant's use of these examples to justify the development actually serves to re-affirm officer concerns about the height of the application proposal because it will have greater scale and mass.

### Architectural approach

Overall, the architectural approach is broadly supported. The design of the building's entrance and most prominent element is considered to be positive. Positioned at the junction of Shepherd Street and Allen Street, the building's design includes a 'prow' which curves around the junction and creates a striking corner feature facing southwest along Shepherd Street towards Scotland Street. If executed with the required architectural finesse using high quality detailing and materials, it is considered that this has the potential to form a local landmark that will detract from some of the shortfalls discussed above.

An inherent difficulty with residential accommodation of the nature proposed is the repetitive cellular form of stacked bedrooms which can result in a monotonous or institutional external expression and the challenge here is understood. A clear attempt has been made by the architect to introduce variety and interest through the pairing of windows, for example, and the apparent variation in reveal depth. This is welcomed.

Full details of the final proposals in relation to large scale detailing of the scheme – including the design of the wall on Allen Street, glazing to prominent corners, window reveals and treatment of ground floor spaces etc. – would all be expected to be resolved by condition in order to secure high quality and acceptable design.

## Materials

The submitted drawings and visuals indicate that the material palette will be predominantly buff brick with a degree of polycarbonate and metal cladding used on the elevations. All windows will be constructed from aluminium.

The use of brick as the dominant material is strongly supported and the use of an appropriate metal cladding to upper level elements and aluminium windows is considered an acceptable approach, subject to the final materials being agreed. However, there is concern about the intended use of buff brick and it is confirmed that this cannot be supported. While there are shades of brown evident, the local context, and the city centre as a whole, is heavily characterised by red brick. Buff brick is employed, but generally only as an accent or a contrast. Therefore, it is not considered to be an appropriate contextual response to face the entirety of a development of this scale in buff brick, particularly given its proximity to the Furnace Hill Conservation Area.

The use of polycarbonate cladding to parts of the windows is queried. As the precedents in the Design and Access Statement and examples from within Sheffield illustrate, this material can be used successfully within an urban, industrial context but this generally relies on creating strong, simple standalone forms. The integration of the material in a residential block, as proposed, is unlikely to be successful and it is recommended that more robust alternative should be examined.

In light of the above, although they do not necessarily agree with the concerns, the applicant has confirmed that they are prepared to continue discussion about materials at condition stage. This is considered to be an acceptable approach.

Overall, although the lack of an appropriate response to the application site and historic context is a disappointing aspect of the development, it is considered that the main design issues that cannot be improved through the imposition of conditions – i.e. scale, form and relationship to the street – are not so unacceptable and harmful in this instance to justify the refusal of this application. Furthermore, it is noted that there are acceptable elements of the design and, if executed successfully, it is considered that the architectural approach should be positive. Also, the wider benefits of replacing a vacant building and bringing with it vitality and activity are also acknowledged.



Therefore, on balance, it is considered that the design issues highlighted are more missed opportunities and a poor understanding of the nature and quality of development now being encouraged in the city centre, rather than being substantially detrimental to the character of the site and the St. Vincent's Quarter. Thus, the issues are not deemed sufficient to justify the refusal of this application on its own.

### Heritage Impact

Section 16 of the NPPF relates to 'conserving and enhancing the historic environment' and acknowledges that heritage assets are wide-ranging and irreplaceable resources that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. At this site, the heritage considerations relate to archaeology as well as the impact on the setting of the adjacent Furnace Hill Conservation Area and nearby the Hoyle Street Cementation Furnace (designated Scheduled Monument and Grade II Listed Building).

### Impact on Archaeology

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

The Heritage Statement includes a desk-based assessment of the site's archaeological potential. It concludes that there is no evidence suggesting the existence of medieval remains and that likely interest will relate to the sites more recent use for residential and industrial purposes from at least 1832, following its urbanisation from a town field. Therefore, it is estimated that heritage potential and buried archaeological evidence on the site is unlikely to be of high significance and that the harm caused to such remains that will be lost as a consequence of this development will be low. Thus, it concludes that such harm should not preclude development on the site nor trigger an automatic presumption in favour of preservation in situ or refusal.

The South Yorkshire Archaeological Service (SYAS) considers the content of the information submitted to be reasonable in relation to the expected impact on the potential buried archaeological potential on this site. No further information is necessary at this stage but further investigation and mitigation work will be necessary before any development commences to ensure that an adequate archaeological record can be made. This further work is proposed to be secured by condition and, as such, it is concluded that the proposal is consistent with the expectations of the NPPF and UDP Policy BE22.

### Impact on Setting of Scheduled Monument and Conservation Area

UDP Policies BE15 (Areas and Buildings of Special Architectural or Historic Interest), BE16 (Development in Conservation Areas), and BE17 (Design and Materials in Areas of Special Architectural or Historic Interest) all recognise that buildings and

areas of special historic interest are an important part of Sheffield's heritage and, as such, should be preserved and enhanced. Development that would harm the character or appearance of listed buildings and conservation areas will not be permitted.

The application site is situated outside but adjacent to the Furnace Hill Conservation Area. Despite concerns in relation to the proposed scale and mass of the building (described above), it is not considered that the development will cause harm to the setting of the Conservation Area, which itself contains a mix of development that varies in scale, mass and design. Positively, the building reduces to 7 storeys at this point and will introduce new built form with some activity / vitality onto Doncaster Street. The site's existing relationship to the Conservation Area edge is also poor, comprising of an area of hardstanding formerly used for car parking and an attractive metal fence immediately adjacent to the footway.

The Hoyle Street Cementation Furnace is the only intact cementation furnace surviving in Sheffield and one of the last of its type in England. It is of national importance and protected under the terms of the 1979 Ancient Monuments and Archaeological Areas Act as a Scheduled Monument (Cementation furnace, Hoyle Street NHLE 1004791).

The proposed building will be visible behind the Cementation Furnace when viewed from the north west (e.g. Hoyle Street) if the existing built form in the area does not change. However, it is not felt that this development will detrimentally harm the setting of the furnace because it is positioned a sufficient distance away. Furthermore, it is noted that planning permission has recently been granted to redevelop the land immediately around the Cementation Furnace and once completed this will form its new setting and significantly limit views of the application site from Hoyle Street.

It is concluded that the proposed development will not be harmful to the relevant heritage assets described above. Therefore, the proposal is considered to be compliant with policies discussed, subject to conditions that seek to secure a high quality design.

## Mobility

The proposed development includes a total of 7 mobility bedrooms, which equates to 2.4% of the overall unit capacity. This is well below the guidance in BS-8300-2, which is the document used by the Council as a guide to what is a reasonable level of provision in new developments (BS 8300-2 recommends 4% wheelchair accessible rooms, 5% adaptable rooms for wheelchair use, and 1% accessible wheelchair rooms with hoist and assisted accommodation next door), and as such the quantity of provision is disappointing. However, the scheme does include some mobility accommodation and it is understood that other rooms could be adapted for ambulant disabled residents if required in the future.

All building approaches and spaces within the development must benefit from level access to ensure that the development will provide an inclusive environment for future users. Therefore, it is expected that all building entrances (including door widths), crossings, ramps, steps etc. will be designed to current standards at the

detailed design stage. Therefore, it is expected that submission of this information will be reserved by condition.

The submitted plans show that there will be a combination of steps and a level approach leading into the building's main entrance from Allen Street but no further details have been provided about the anticipated design and gradient of these items. Again, it is recommended that final details be reserved by condition.

## Highways

Section (f) of Policy IB(9) states that new development will be permitted provided it is adequately served by transport facilities, provides safe access to the highway network and appropriate off-street parking.

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. With this in mind, the site is considered to be in a highly sustainable location. The site is located within the city centre and is within walking or cycling distance of all of its Quarters – especially Kelham Island, Cathedral and Heart of the City – meaning that there are a wide range of local services and facilities, including public transport, within easy reach of the site, including the City's universities.

## Transport Environment

There are bus stops close to the site with the nearest immediately being positioned on Meadow Street and others approximately 5 minutes away on Shalesmoor (A61). The nearest tram stop is at Shalesmoor (approximately 400m away from the application site). These bus and tram services both serve a wide area of the city (including the railway station), include regular / high frequency services and are an efficient and sustainable mode of travel.

There is a network of dedicated cycle ways and segregated road cycle routes close to the site. Secure cycle parking spaces are provided across the development and it is confirmed that the location and level of this provision is adequate for the location and student users. It is advised that there are a number of shortfalls with the proposed cycle store's current design (including layout, access and security matters) and, therefore, it is recommended that the final design of these facilities be secured by condition.

A condition is also proposed to secure a phased arrival/departure plan from the student operator to manage the arrival/departure of student residents at the start and end of term times.

An interim travel plan has been submitted, which has the overarching aim of minimising single occupancy car journeys by encouraging residents and employees at the development to travel in a sustainable manner, with the site benefiting from excellent accessibility from sustainable transport provision. It is expected that a full travel plan be submitted prior to the occupation of the development and this will be secured by condition.

It is confirmed that the building will be serviced from Doncaster Street because of the position of the plant, equipment and bin facilities. Final details of the servicing and management of these spaces are proposed to be secured by condition in order to ensure that the intentions of the building's future management company are acceptable from a highway point of view.

### The Impact of Cars

The development includes no car parking spaces. Whilst car-free developments can be accepted and justified in the city centre, there are known car parking pressures in the area resulting from increased new resident and commuter car parking, in part because there is not currently a Controlled Parking Zone (CPZ) in the St. Vincent's or Kelham Island Quarters. Therefore, it is considered that the site's city centre position, its proximity to public transport facilities and student population will not fully address the potential impact that a development of this scale could have on the local highway. Whilst the Council's current policy seeks to restrict parking provision in the city centre and to encourage a modal shift away from private car use, and thus prevent city centre traffic congestion, there is the potential that the non-provision of in-curtilage parking could displace the demand for parking spaces onto the highway or to formal / informal car parks.

In order to achieve a reduction in private car trips, it is considered that parking controls on the highway in St. Vincent's are essential and a CPZ is proposed for the Quarter in the near future. This includes the areas around the application site and it is understood that it will be a scheme that is intended to restrict the use of the highway for parking by all.

It is confirmed that the applicant has agreed to pay a financial contribution of £24,559.22 towards the implementation of this scheme, which will be secured by a S106 legal agreement. The contribution is considered necessary to ensure that the development does not have an adverse impact on the local highway network. It is relevant to planning, essential for consent to be granted, and proportionate to the scale of the development, thus meeting the tests of the NPPF (paras. 54 – 57).

In light of the above, and in anticipation of the successful implementation of a CPZ, the concerns about the lack of in-curtilage parking for this development and the consequent displacement of parking demand onto the highway has been allayed. It is considered that such a scheme will reduce adverse impact of the development on the local highway by eliminating long stay resident car parking options, discouraging commuter car parking and, as a consequence, reducing the number of vehicle movements in the area.

For the reasons above, it is concluded that the proposed highway environment that will be generated by this development is acceptable and compliant with the relevant policies, as described.

### Residential Amenity

UDP Policy H15 (Design of New Housing Developments) expects the design of new housing developments to provide good quality living accommodation. This includes

adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met. UDP Policy IB9 (Conditions on Development in Industry and Business Areas), part (b), states that development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions. Core Strategy Policy CS 17 (City Centre Quarters) defines the roles of the different 'quarters' and acknowledges that there are a number of manufacturing companies in the St. Vincent's Quarter that require sensitive attention.

## Outlook

The proposed outlook is considered to be acceptable for a high density urban development. The development includes large clear openings to habitable rooms to ensure that the living environments of all student units can be lit by natural daylight. The layout is such that each unit will have outlook outwards across adjacent streets or onto the internal garden space positioned on the Allen Street frontage.

## Amenity Space - Landscaping

Internally, there is communal accommodation proposed at ground floor levels on the building's Shepherd Street and Doncaster Street frontages. These spaces, which have outlook outwards across the respective streets, include a large general communal area (264.8 square metres) as well as study, gym, and a kitchen/diner/entertainment rooms. There are also management and security spaces.

Externally, the amenity space available to student residents includes a landscaped garden space at ground floor level on the building's Allen Street elevation, and a roof terrace on the south-west facing section of the building's Doncaster Street wing. The principle of including these spaces within the development is welcomed but it is considered that their final design – including access arrangements, layout and final hard / soft landscaping proposals – will require further consideration in order to ensure that they contain appropriate landscaping features and meet inclusive design requirements for all residents.

The lack of private amenity space is not unusual for a multi-storey student development in a restricted urban location. The site is within the boundary of the city centre and close to public spaces and parks. It also has access to good public transport links to other nearby parks and outdoor amenity facilities. Furthermore, both Universities provide substantial and high quality sports facilities for use by their students. The development is therefore considered to be satisfactory in amenity terms.

## Noise

A revised Noise Assessment has been submitted after the Council's Environmental Protection Service identified a number of shortcomings in the original report. This updated assessment includes additional manned monitoring to allow consideration of the nearby substation on Allen Street and Waste Transfer Station on Shepherd

Street, as well as a new modelling section to consider the impact of environmental noise sources on facades at height.

As a result of the changes to the methodology, an enhanced scheme of glazing is now recommended for the development as a noise mitigation measure to improve the internal environment for future occupiers. It is confirmed that other suitable comments and observations are made in relation to the initial concerns raised, including a recommendation for a reassessment of received environmental noise at height, once the building has progressed sufficiently. Additionally, the report identifies that the proposed roof terrace does not require any specific scheme of works to achieve the World Health Organisation 'good' standard (LAeq 16 hours 50dB).

The Environmental Protection Service recommends the revised Noise Assessment for approval and confirms that it may be referenced in a suitably worded condition to secure an appropriate scheme of sound insulation works (including a validation requirement) that will ensure its recommendations are achieved, prior to the use of the development commencing. Subject to these being achieved, it is considered that the development will achieve a commensurate level of protection from the existing environmental noise for future residents as well as ensuring that existing businesses and land uses remain unaffected by the development.

#### Privacy

The units most vulnerable to privacy issues will be those situated at the development's garden level. Due to the studios at this level having a single aspect into this space, there is the potential that residents could feel uncomfortable when other residents / visitors use the garden area in close proximity to residential windows. However, given that this is a student development, it is recognised that this layout may also have benefits, allowing the opportunity for students to open windows onto the space, thus encouraging interaction with each other and enhancing their residential experience. The development will also be a managed environment. For these reasons this issue does not raise significant concerns.

#### Impact on Adjacent Buildings

A number of existing and proposed buildings surround the application site. Many of these buildings have windows opposite and overlooking the application site. Given the nature of the surroundings, these windows either serve commercial office or student accommodation rooms and such relationships are not unusual in the context of the tightly knit character of the area where there is already a degree of mutual overlooking. Occupiers cannot expect the same degree of protection as in suburban situations and the relationship is similar to that which exists between other developments that have already been approved or are under consideration.

The Design & Access Statement includes a sun path analysis which considers the overshadowing impact of the building during the summer and winter months. This demonstrates that the new building will have a low overshadowing impact on the existing buildings (containing various businesses and student accommodation) located on the south side of Allen Street. This is because of the arrangement of the built form and its position to the north of these buildings.

Therefore, although the objections raised about overshadowing and overlooking are noted, it is concluded that the amenity of adjoining uses will be maintained at acceptable levels following the construction of the development.

Overall, for the reasons discussed it is concluded that the proposed amenity environment is acceptable for the nature of development proposed, in accordance with UDP policies IB9 and H15 as well as Policy CS 17.

### Flood Risk and Land Drainage

Core Strategy Policy CS 67 (Flood Risk Management) seeks to reduce the extent and impact of flooding and requires the use of Sustainable Drainage Systems or sustainable drainage techniques, where feasible and practicable. Policy CS 63 (Responses to Climate Change) also promotes the adoption of sustainable drainage systems (SuDS).

With regard to flood risk, the application site is located within Flood Zone 1 meaning that it is in an area of low flood risk. Residential accommodation in Flood Zone 1 is acceptable.

Despite suggesting possible options, the supporting Sustainable Urban Drainage Statement does not propose a definitive drainage solution for the site and no surface water discharge routes and rates are proposed.

Yorkshire Water and the Council's Lead Local Flood Authority have been consulted and offer no objection to the application, subject to conditions that promote surface water disposal hierarchy. If disposal to public sewer is proposed – which is expected given the site and nature of development – the applicant will be expected to demonstrate why infiltration or discharge to a watercourse are not reasonably practical on the site. Any discharge to public sewer will only be allowed if the rate of discharge is restricted to a minimum 50% reduction of the existing rate.

Subject to relevant conditions, the proposal is considered to be compliant with policies CS 63 and 67.

### Sustainability

The National Planning Policy Framework advises that there is a presumption in favour of sustainable development. This comprises of three dimensions which must be considered together, these are an economic role, a social role and an environmental role.

Core Strategy Policy CS 63 (Response to Climate Changes) 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.

Core Strategy Policy CS 64 (Climate Change. Resources and Sustainable Design of Developments) has the overall aim of promoting sustainable design by reducing

emissions and using resources sustainably. To satisfy policy, it states that all non-residential developments over 500m<sup>2</sup> (GIA) should achieve a BREEAM Very Good rating as a minimum.

Core Strategy Policy CS 65 (Renewable Energy and Carbon Reduction) seeks to improve and deliver renewable energy capacity in the city. To help achieve this, developments are expected to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy, unless it can be shown to not be feasible or viable.

The proposal will replace an underused building with a new dedicated student facility that intends to add to the new built form in this evolving part of the St. Vincent's Quarter. The site will be car free and includes cycle parking as well as access to a wide range of facilities and public transport options, including bus services on nearby Scotland Street and the Supertram on Hoyle Street. The site will be resilient to climate change as it lies within a low risk flood zone and, for the reasons given above, it will not have an unacceptable impact on the numerous heritage assets that exist close to it.

Limited information has been submitted about the intended sustainability credentials of the development and so the application lacks discussion about the energy efficient measures or renewable energy features that will be employed to reduce its overall energy demand. Also, no commitment to meeting BREEAM 'Very Good' is given despite being expected by local policy. Positively, the submission states that it is intended that a robust sustainable design strategy will be developed at the detailed design stage, including the provision of a minimum of 10% renewable technology, where feasible. It is also confirmed that the primary objective will be to design using a 'fabric first' approach, exploring increased wall, floor and roof insulation along with improved service facilities to reduce the energy dependence of the building.

Despite having a flat roof design the building does not include any green roof system, which is disappointing. The application form states that the roof will be constructed from a single ply membrane, which is highly unlikely to provide any drainage or bio-diversity benefits.

The relatively vague approach to sustainability matters is disappointing for an application of this nature because it is encouraged that such features are considered from the outset in order to achieve the best possible solution for the site. However, the applicant has provided a commitment to continuing to develop their proposals and has confirmed that renewable technology will be included, where feasible. Therefore, in order to meet the expectations of the policies described above, and secure successful implementation, it is recommended that the details submitted be accepted at this stage with further information of all sustainable measures secured by condition.

Finally, in spite of there being no commitment to BREEAM 'Very Good' in the submission, no information has been provided to indicate that it cannot be achieved as part of this development. Therefore, it is recommended that this policy expectation also be secured by condition.



## Ecology

UDP Policy GE11 (Nature Conservation and Development) expects the natural environment to be protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Furthermore, a key principle of the NPPF is to conserve and enhance the natural environment. The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

This area of the city is known for bats due to the existence of numerous old buildings that are empty and in varying states of deterioration. No information about the bat roost potential of the site's existing buildings has been submitted and the applicant has confirmed that this has not been done because the buildings on site have flat roofs. It has also been highlighted that other applications in the vicinity of the application site have been allowed without such survey works being undertaken, despite appearing to have greater potential than the subject building (e.g. pitched roofs).

The Council's Ecology Unit has considered the above and agrees that this application does not require additional survey work because of the character of the application site and buildings it contains. Notwithstanding this, it is confirmed that there remains the possibility of transitory bats 'passing through' the site and so the applicant must ensure that contractors be aware of this potential during any demolition and site clearance works.

In order to satisfy mitigation and biodiversity promotion / enhancement expectations, the inclusion of bat and bird boxes within the new buildings is recommended to encourage the future use of the site by roosting bats and birds. The use of native planting with plants of local provenance is also encouraged within any landscaping proposals. Full details of all these elements will be secured by condition.

To conclude, the proposals are considered to be acceptable in ecology terms, addressing the expectations of the NPPF and UDP Policy GE11.

## Public Art

UDP Policy BE12 (Public Art) states that the provision of public art in places which can be readily seen by the public will be encouraged as an integral part of the design of major developments.

No public art proposals have been submitted with the application but the applicant has agreed to a condition that will secure full details and provision of public art as part of the development. At this site, it will be encouraged that the public art proposals be integrated into the design of the building.

## Affordable Housing

Core Strategy Policy CS 40 (Affordable Housing) states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable.

The Affordable Housing Interim Planning Guidance (IPG) was updated in 2014 and it supports Policy CS40. IPG Guideline 2 identifies the site as being situated within the 'City Centre' Affordable Housing Market Area where no contribution is required.

## Community Infrastructure Levy (CIL)

The development is CIL liable application site lies within CIL Charging Zone 4 and given that this is a student development the charge will be £30 per square metre.

## RESPONSE TO REPRESENTATIONS

It is considered that the planning issues raised in the objection representation received have been addressed in this report.

With regard to comments about neighbour notification shortfalls, it is confirmed that amended consultation letters were issued by the Planning Service in July 2018 regarding the amended description. One of these letters was sent to the objector who raised the issue. Furthermore, amended site notices and newspaper advertisements were been posted during the period of the application to ensure the notification procedures are as required by the relevant legislation.

## SUMMARY AND CONCLUSION

Clearly, for the reasons discussed above, there are both positive and negative aspects of the proposed development.

Positively, the development will secure a long term future for an existing, underused site in St. Vincent's Quarter and introduce a use that is compatible with the mixed business, residential and educational vision that land use policy currently has for the area. The technical information submitted demonstrates that mitigation measures can be included within the development to ensure that future occupants can reside alongside existing nearby business uses and that their practices will not be affected.

Additionally, and subject to conditions, your officers are confident that the completed scheme will comply with relevant policy expectations in relation to sustainability, flood risk and drainage, ecology, and environmental matters. With regard to the impact on the local highway, the applicant has agreed to make a financial contribution towards the implementations of the St. Vincent's Traffic Management Scheme, which is expected to help to alleviate car parking pressures in the Quarter for existing and future residents / businesses – including those associated with this development.

Also, the site is a good location for a student focused development; it is a highly sustainable location with very good transport / walking access to both of Sheffield's

Universities, and there is a variety private residential and student residential development within the immediate vicinity.

The main negative elements of the application relate to the unit mix (100% studios) and the building design (layout and scale). Other shortfalls identified are considered to be more minor and therefore can be resolved by condition. It is disappointing that the applicant has not been prepared to work with officers to address these concerns and it is considered that the negative elements are missed opportunities that could have improved the scheme for both its users and the city. Ultimately, however, it is not considered that these issues are so significant, and contrary to the relevant policies, as to outweigh the positive reasons for justifying this development.

In light of the above, and on balance, it is concluded that the refusal of this application is not justified. Therefore, it is recommended that the Members of the Planning Committee grant the application, subject to the listed conditions and to the completion of a legal agreement to secure the following Heads of Terms:

#### HEADS OF TERMS

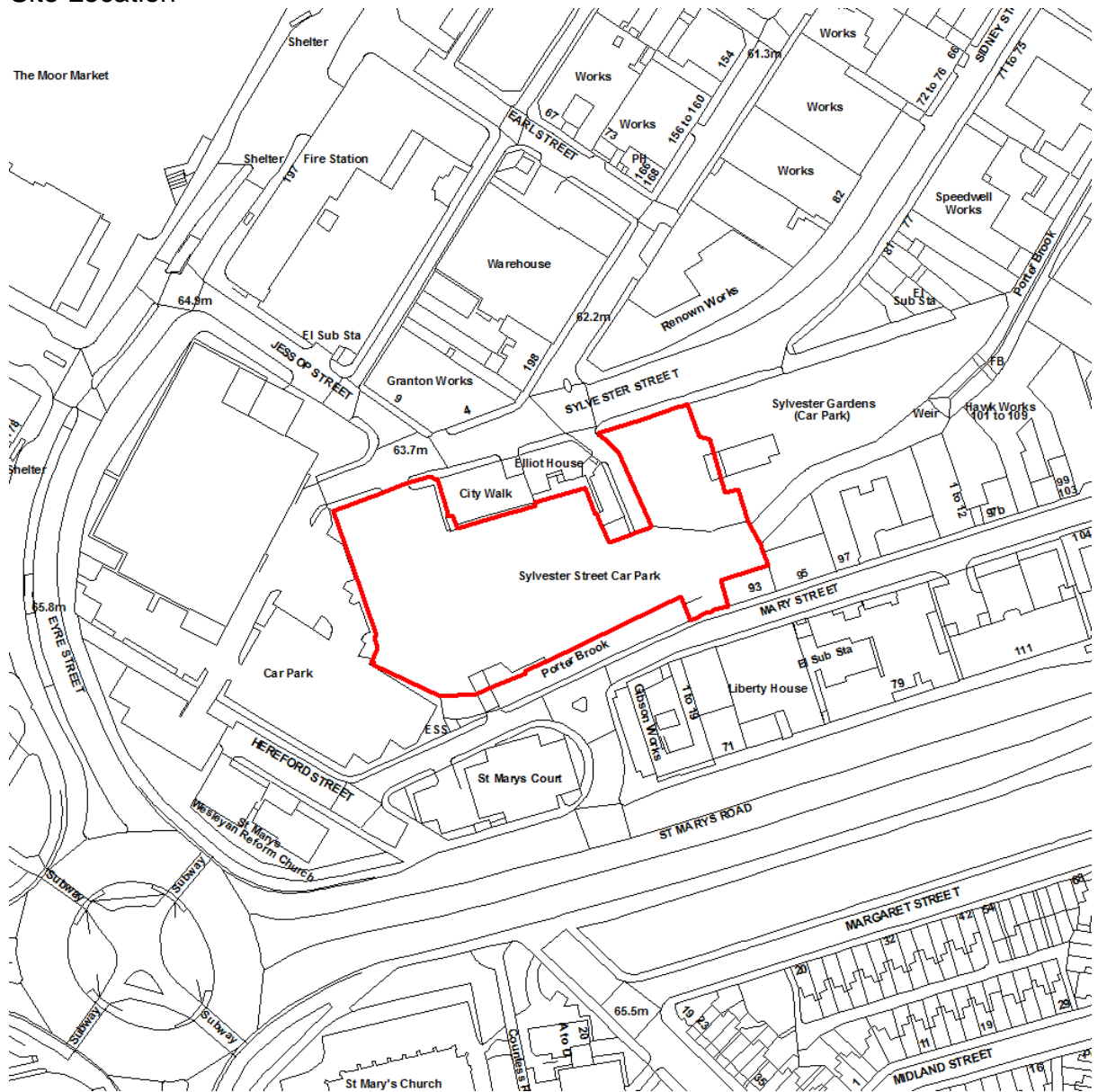
1. To pay a financial contribution of £24,559.22 to the Council towards the St. Vincent's Traffic Management Works.

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Case Number	18/01760/FUL (Formerly PP-06943096)
Application Type	Full Planning Application
Proposal	Erection of a 5 to 14 storey mixed use development comprising 335 residential units with ancillary communal facilities, ground floor commercial space (A1, A2, A3, A4, A5 and B1 uses), landscaping and car parking.
Location	Sylvester Street Sheffield S1 4RN
Date Received	04/05/2018
Team	City Centre and East
Applicant/Agent	DLP Planning Ltd
Recommendation	To Report

# Site Location



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## LOCATION AND PROPOSAL

The application site lies between Sylvester Street to the north and Mary Street to the south, at the southern end of the Cultural Industries Quarter (CIQ) Conservation Area. It is currently in use as a surface level car park accessed via an existing access road from Sylvester Street.

The western half of the site is screened from Sylvester Street by the grade II listed Sylvester Works and a 5 and 6 storey residential building known as City Walk. To the west the site adjoins the car park to Decathlon while the Porter Brook runs to the immediate south of the application site, adjacent Mary Street. To the east the site adjoins land with an extant consent for a mixed use development comprising of a 4, 5 and 6 storey building providing 102 apartments, office accommodation, a cafe/bar and landscaping, including the continuation of a riverside walk along the Porter Brook (06/01918/FUL). It is understood that the new owner of this site intends to build the extant scheme, which was recently granted planning permission for a number of minor material amendments under Section 73 of the Planning Act (17/00604/FUL).

Planning permission was previously granted on the western two thirds of the application site (the land to the west of the car park access road which, until 2008, was occupied by a 2 storey furniture warehouse unit known as Klaussners) for the erection of 137 apartments, 3,191 square metres of commercial space and a café in a building extending up to five and a half storeys (with a double height ground floor), plus car parking and landscaping, including a new public space and riverside walk (07/02595/FUL). This consent is understood to be extant.

Following the sale of the site in 2017, planning permission is now sought for the erection of a 5 to 14 storey Build to Rent development comprising 335 apartments with ancillary communal facilities, ground floor commercial space (A1, A2, A3, A4, A5 and B1 uses), landscaping and car parking.

The scheme comprises of three blocks, A to C. Block A, at the western end of the site, and block B, to the south, are linked to form a large L shaped block which ranges between 7 and 14 storeys in height – a bulky 14 storey tower in the south west corner of the site with 7 storey wings projecting north and east. To the north of block B is a courtyard separating the development from the rear of City Walk and the grade II listed Sylvester Works. The courtyard houses 10 parking spaces (including 4 accessible parking spaces) and cycle storage for 140 bikes.

Block C, at the eastern end of the site, is a 6 storey rectangular block perpendicular to Sylvester Street. The sixth floor is set back almost 7.5 metres from Sylvester Street to form a 5 storey street frontage.

A new public pedestrian route is formed to the south of all three blocks, adjacent to the Porter Brook. It is intended that this walkway will link to neighbouring developments, eventually creating a lengthy riverside walk.

Two further pedestrian routes will allow access between Sylvester Street and Mary Street.

## RELEVANT PLANNING HISTORY

- 16/01691/FUL An application under Section 73 of the Planning Act to allow the continued use of the land as a car park for a further 3 years until August 2019 was approved in June 2016 (Application under Section 73 to vary/remove Condition No. 1 (time limit) as imposed by planning permission 13/01633/FUL).
- 13/01633/FUL An application to extend the previously approved car park (below) to the east, to include the site of the former Bernard Works, was approved in August 2013.
- 11/03965/CHU An application for the use of the Klaussners site as a short stay car park was approved in February 2012.
- 07/02595/FUL Planning permission was granted in December 2012 for the redevelopment of the Klaussners site to provide 137 apartments, 3191 sq.metres of commercial space (to include business starter units), a 298 sq.metre A3 Café, and the provision of associated car parking and landscaping including a new public space and riverside walk.
- 07/02617/CAC Conservation area consent was granted for the demolition of the existing building (a former furniture warehouse) in August 2007.

## SUMMARY OF REPRESENTATIONS

This application was advertised by way of press and site notice and by neighbour notification.

6 representations were received including 5 letters of support and 1 objection.

Representations from supporters of the scheme were received from 2 neighbours as well as the Secretary of Sheffield City Centre Residents Action Group (SCCRAG), the Executive Director of the Sheffield Chamber of Commerce and the Chair of the Chamber of Commerce's Sheffield Property and Regeneration Committee. The comments made by supporters include:

- The development would bring a site back into active use that has laid derelict for a significant number of years, enlivening the area and stimulating new business.
- Much of the development in the area has been student accommodation. This proposal would see a permanent residential community created which would establish this side of the city centre as a location for further residential development, helping the city maximise the benefits of HS2 and Northern Powerhouse Rail and sustain the Moor Market.



- The proposals would create further business units aimed at the expanding cultural and digital industries in the city.
- The ongoing management of the accommodation would avoid many of the issues with apartment blocks seen elsewhere.
- Proposals to upgrade the Porter Brook and make it publicly accessible builds on similar work done near the UTC on Matilda Street, would boost the area and potentially help to stimulate the demand to bring other buildings of character back into use.
- Sheffield currently lacks the level of high quality accommodation aimed at the private renter, including graduates and young professionals, leaving us at a disadvantage to other major cities.
- This development would secure another major investment in the city, which is fundamental to us growing our economy and delivering good jobs in the future.
- The proposals make better use of the land.

However the lack of parking was raised as a major concern. SCCRAG consider parking is needed to encourage people to move into this type of residence.

The objector to the scheme is a resident of City Walk. Their concerns include:

- The City Centre is already severely cluttered with a lot of flats in similar buildings.
- Why do you need to cram such a big development on such a small piece of land?
- Block B is too close to City Walk and will block light.
- Block B should be removed to allow for more parking.
- The new development will exacerbate the problems relating to the of lack of parking.
- The proposed bin store is too close to City Walk and will harm the amenities of existing residents.

### Historic England

In their consultation response, Historic England note that the application site sits at the edge of the CIQ Conservation Area and across two character areas – the Peripheral Area and the Mary Street Area – and that a Grade II listed building, Sylvester Works, is located outside the application site on the corner of Sylvester Street. They state that any development on the site should respect each character area but acknowledge that development towards the western part of the site would address a slightly different and less historic context.

As, historically, the area would have been densely developed and large areas of open space such as the existing surface car park are uncharacteristic of the area, Historic England welcome development on the site in principle but warn that not all development will have a positive impact. They advise that development needs to take account of the character of the area of back of pavement development, low-medium height, irregular and tightly packed footprints getting looser with more open yards towards the west of the conservation area.

Historic England note that there is considerable development either ongoing or recently completed within the CIQ Conservation Area which varies in style – some are completely new-build whilst others incorporate historic buildings, or elements of historic buildings – but that most conform to a maximum building height of around 6-7 storeys. Historic England consider this is important in respecting the historic character of the area and the scale of the remaining historic metal trades buildings, whether listed or unlisted.

Historic England were engaged in some pre-application discussion, advising that they would not support initial proposals due to the harmful impact of the scale and massing on the conservation area and setting of the listed building.

Revisions were made which form the scheme currently under consideration. Historic England advise that whilst the revisions have addressed some aspects of their concerns – reducing the height of the blocks to the eastern end of the site which has reduced the overall massing in some views – and they consider the principle of the height stepping up towards the west to be acceptable, they consider the proposals as submitted to cause harm to the character and appearance of the conservation area and, to a lesser extent, the setting and significance of the Grade II listed Sylvester Works. This, they say, is as a result of the discordant scale of the larger blocks which will be experienced dynamically in numerous views as one moves around the conservation area.

Historic England consider the harm caused to be less than substantial in the language of the NPPF, but note that paragraph 132 of the framework requires any harm to designated heritage assets to have a ‘clear and convincing justification’ and that ‘great weight’ should be given to the conservation of heritage assets, meaning there is a requirement to assess the necessity of the harm, given the statutory protection afforded to conservation areas and listed buildings. This includes demonstrating that it would not be possible to deliver the benefits of the proposal in a less harmful manner.

Historic England advise that, in determining this application, the local planning authority should be satisfied that it is not possible to reduce the harm caused to the character and appearance of the conservation area and the setting and significance of the listed building and that, where we are satisfied this is the case, weigh that harm against the public benefits of the scheme as required by paragraph 134 of the NPPF, whilst also having special regard to preserving the character and appearance of the conservation area and setting of the listed building as required by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In addition Historic England wished to note that they do not agree with the suggestions of the applicant’s Planning and Built Heritage Statements that a public benefit of the scheme would be “the improvement of the setting of the Grade II listed Sylvester Works and the positive contribution to the CIQ Conservation Area through the provision of a high quality, well managed Build to Rent scheme”. Whilst they consider the principle of redevelopment of the site has the potential for enhancement, they have concluded that the current proposals would cause harm

to both designated heritage assets and thus, the development cannot be considered a positive, public benefit in this regard.

### Conservation Advisory Group

The Conservation Advisory Group considered the proposals at their meeting on 19 June 2018. They felt that the development did not conform with the character of the Conservation Area, or with the recommended height limits of the Urban Design Compendium, and considered that the development was too high even in the lowest parts.

The Group felt that this development would weaken the constraints imposed by the conservation area and that the character of the conservation area would be lost. The argument that the site was in a peripheral zone of the conservation area did not, in the Group's view, lessen the requirement that new development should be bound by the area's character and form, or the limitations imposed in the Urban Design Compendium.

The Group welcomed the proposal to open up the river.

## PLANNING ASSESSMENT

### Principle of Development – Policy and Land Use

The revised National Planning Policy Framework (NPPF), published on 24 July this year, reinforces the general presumption in favour of sustainable development as well as the Government's objective to significantly boost the supply of housing. From November this year, the presumption in favour of development will apply where the local planning authority cannot identify a 5-year supply of deliverable housing sites (with an appropriate buffer), or where the delivery of housing over the last 3 years has been below 75% of the housing requirement. Sheffield's housing delivery passes the second test but as we are currently unable to demonstrate a 5 year supply of housing, this weighs in favour of the development of this site for residential purposes.

The statutory development plan for Sheffield currently comprises of the Core Strategy (March 2009) and saved policies from the Unitary Development Plan (1998).

The site lies in a Fringe Industry and Business Area as defined in the Unitary Development Plan (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 of the UDP (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 CS6 (f) of the Core Strategy (Manufacturing and the City Centre – Transition Areas) identifies the area as one where manufacturing should be encouraged to relocate, while policy CS17 (c) (City Centre Quarters) describes the area as having a wide mix of uses and the main location for the city’s creative and digital industries, one of the key growth clusters for the economy of the City Region.

A little over 690 square metres of non-residential space is proposed at ground floor level comprising of commercial co-working and flexible use space (A1, A2, A3, A4, A5 and B1 uses). This level of commercial space is not significant given the size of the development, however it does go some way to supporting the promotion of business uses in the area. In addition, there are currently sufficient non-residential uses in the area to prevent residential uses from becoming dominant, even if the current proposals are approved. On balance, therefore, the proposals are therefore considered to be acceptable in terms of local plan business and industrial policies.

#### Other Policy Considerations

The proposed residential units comprise of Build to Rent accommodation, which the submitted Planning Statement describes as ‘focused on the provision of high quality ancillary amenity provision alongside residential accommodation. Within the proposed development these facilities include a gym, common room, cinema room, communal dining facilities, public and private amenity space (including roof garden) and bike maintenance store area.’

It is acknowledged that there are few Build to Rent schemes in Sheffield however, in planning terms, no distinction is made between Build to Rent and other C3 housing uses – except in relation to affordable housing (discussed later in the report).

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. It advises that no more than half the new homes in larger developments should consist of a single house type. The proposed mix of accommodation across the three blocks comprises of 44 studios (13%), 191 one bed apartments (57%), 85 two bed apartments (25%) and 15 three bed apartments (5%). Although the number of one bedroom apartments exceeds 50%, the overall mix is considered to be acceptable in this instance given that the nature of the proposed Build to Rent accommodation is likely to be attractive to young professionals in particular.

In addition, the revised NPPF continues to expect 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 approximately 85 metres east of the Central Shopping Area (CSA). Any A1 retail units are likely to be small in scale and designed 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 considered to be 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.

## Design and Heritage Issues

As previously described, the proposed development comprises of three blocks, A to C. Blocks A and B, located adjacent the eastern and southern site boundaries, are linked to form a large L shaped block with 7 storey wings and a 14 storey tower in the south west corner of the site. To the north of block B is a courtyard separating the development from the rear of City Walk and the grade II listed Sylvester Works, which both front Sylvester Street. Block C, at the eastern end of the site, is a largely 6 storey rectangular block perpendicular to Sylvester Street. The development sits entirely within the Cultural Industries Quarter (CIQ) Conservation Area, which was designated in January 2001 as part of a programme to conserve the best areas of the distinctive townscape associated with Sheffield's metal trades.

## Policy Context

In relation to design, the NPPF asserts that the creation of high quality buildings and places is fundamental to achieving sustainable development and creates better places in which to live and work (para. 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.

Chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out the Government's policies relating to the historic environment. Paragraph 193 states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' It goes on to say that any harm to the significance of a heritage asset requires 'clear and convincing justification' and that, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal' (para. 196).

Paragraph 200 also advises local planning authorities to look for opportunities 'to enhance or better reveal' the significance of Conservation Areas when dealing with applications for development within their boundaries, treating favourably those proposals that 'preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance).'

In considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Similarly, section 72 of the Act describes the general duty with respect to conservation areas and states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

UDP policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) expects buildings and areas of special architectural or historic interest, which are an important part of Sheffield's heritage, to be preserved or enhanced and advises that development which is considered to harm the character or appearance of listed buildings or conservation areas will not be permitted.

Policy BE16 of the UDP (Development in Conservation Areas) states that permission will only be given to schemes which preserve or enhance the character or appearance of the Conservation Area while Policy BE19 (Development Affecting Listed Buildings) requires developments which affect the setting of a listed building to preserve the character and appearance of the building and its setting.

The CIQ Conservation Area Appraisal seeks to define the special character of the area. It includes, as required by the Planning Act 1990, proposals for the preservation and enhancement of the conservation area or Area Guidelines. Together, the Appraisal and Area Guidelines form Supplementary Planning Guidance (SPG) to support the UDP and are a material consideration when determining planning applications.

The Appraisal covers the whole of the CIQ Conservation Area and has been subdivided into character areas. The application site lies across two character areas – the Mary Street Area and the Peripheral Area.

The street pattern in the Mary Street Area deviates from the original CIQ grid layout, responding to the natural boundary of the Porter Brook. There is variety in building massing, ranging between 1 and 5 storeys, and street frontages are predominately to the back of pavement.

Sylvester Works is the one listed building in the Mary Street Area. It is a 3 storey brick building circa 1875, with a gabled and hipped slate roof, which was originally built as a cutlery works and is now converted to flats. Other buildings of historic interest in this area are located on the northern side of Mary Street, particularly towards its western end adjacent the application site.

The CIQ's peripheral areas represent the outward face and gateway into the Conservation Area. While the character of the built form in these areas is mixed, they all have strong links, in terms of the street pattern, to the core area.

The Appraisal notes that the public face presented onto the St Mary's Road roundabout retains few clues of the heritage of the area, as it currently comprises of a late twentieth century retail warehouse, office building and car parks. However Hereford Street, close to the roundabout, is the southernmost remnant from the original grid iron plan laid out in the early 1800s.

The Area Guidelines expect new development in the CIQ to respond to the historic urban form of the area, respecting the original grid pattern and plot sizes. New buildings should be built to the back of the pavement and of a scale and form that respects existing development. It advises that important views into and out of the Conservation Area should be retained.

Along Mary Street where, with the exception of modern infill, the buildings are structurally little altered, the guidelines suggest that the emphasis should be on retaining and restoring the window patterns and other architectural details.

Much recent development in the peripheral areas has been inappropriate, in terms of scale and the quality of the design and materials. The main aim of the Guidelines in these areas is to secure a higher quality of development with buildings that define and enclose but do not overshadow the street.

### Scale and Massing

The key issue in this instance is the quantum of development that that the applicant is seeking to achieve. Given the size of the site, the level of accommodation desired can only be accommodated within an envelope that is considerably greater than the prevailing scale and massing of buildings within the CIQ.

With the exception of a number of properties facing onto the Arundel Gate/Eyre Lane corridor, the majority of buildings within the CIQ are 2 to 4 storeys in height. The buildings proposed range between 5 and 14 storeys.

UDP policies BE15 and BE16 expect the character and appearance of the conservation area to be preserved or enhanced – a position upheld by section 72 of the Act – and scale is a fundamental component of townscape character. However, this development will appear markedly different to its neighbours and tower above the townscape in street views. Furthermore, it is considered that the size of the blocks will have an impact on the relatively narrow spaces and streets they enclose.

In a bid to enhance the legibility of the townscape and to improve vitality and viability, increases in scale above the relatively modest prevailing heights have been supported around the edge of the conservation area, where larger buildings relate better to the greater scale of streets such as Eyre Lane or the Inner Ring Road. Similarly larger buildings have been developed where they visibly mark a significant point within the townscape, such as the intersection of higher order streets or the course of the Porter Brook. But the scale currently proposed exceeds that previously supported for a site within the main body of the conservation area.

As part of the pre-application process, the proposals were significantly amended to redistribute the accommodation across the site, reducing the bulk in the east, where the historic townscape remains more intact, and moving it over to the west, which is currently dominated by surface car parking. The consequence is a 14 storey tower which will appear extensively in views within the CIQ and beyond. The rationale for this includes minimising the impact of the development on the historic townscape by positioning the tower where it will, in time, be associated more with the Decathlon site and the ring road, where a cluster of larger buildings has been supported. Furthermore, the tower marks a potentially new area of publicly accessible open space formed at a bend in the course of the Porter Brook (though part of this open space lies on the adjoining Decathlon site and is not subject to any applications or approvals).

Despite the redistribution of accommodation and articulation of blocks to break down their mass, concerns remain that the main body of the development is bulky and will appear overly large in comparison with its neighbours. The properties on the south side of Mary Street are 3 to 4 storeys high and will face onto the consistent 7 storeys of block B. In mitigation the building line is pulled back from the edge of the Porter Brook to create a south-facing public space and reduce the impact of the scale. However the eastern end of block B and block C (at 6 storeys), in particular, have a much closer relationship with the existing 3 storey buildings and are likely to dominate their surroundings.

At 7 storeys, the height of the northern end of block A, which lies adjacent the 6 storeys of City Walk, is considered to be a reasonable response to Sylvester Street. However, the applicant's claim that the development would improve the setting of the grade II listed Sylvester Works is disputed. Overall, given block A is separated from the 3 storey listed building by City Walk, it is considered that the impact of the development on the listed building is at best neutral.

#### Layout and arrangement

The proposed development adopts a perimeter block arrangement, which is considered to be appropriate in the CIQ where buildings are set to the back edge of the footpath, concealing yards and secondary structures to the rear. A more modulated approach is taken to the south-facing elevation of block B as the Brook would traditionally have been enclosed by a relatively informal arrangement of the backs of properties. This articulation helps to maximise the level of accommodation and break down what would otherwise be a continuous 7-storey wall of building.

#### Materials and detailing

The quality of the architecture proposed is very positive. Generous floor to ceiling windows provide a contemporary appearance to the elevations and permit high levels of natural light into the units. The regular repetition of the window forms reflects that of the traditional metal trade ranges and windows are arranged to produce a clear hierarchy in the elevations, with ground floor public areas expressed with more pronounced openings.



The proposed use of brickwork with limited metal and brick detailing is also welcome and reflective of the surrounding context. Deep reveals will express the robustness of masonry and the selection of a subtle gradation of different brick types, if successfully implemented, should provide sufficient variation to help visually break down the massing of the lower blocks without appearing overly contrived. The selection of brick and specification of mortar would, therefore, be critical.

The architectural approach is of a high quality, the materials appropriate, interesting public spaces are created, back-of-house activities are to be concealed within the body of the perimeter block and the frontage to Sylvester Street reinforced. The key issue is scale, a direct consequence of the quantum of development which the applicant is attempting to accommodate on the site.

The scale of what is proposed is far greater than anything within the surrounding area and, in this sense, is considered to be a poor contextual response. Amendments made throughout the pre-application process have greatly improved the arrangement and massing, and established a strong, clear logic to the layout. However, the quantity sought demands significant bulk, both in terms of the 14 storey height of the tower and in the scale of the lower blocks which are considered to result in some uncomfortable relationships.

The proposed scale, within a context of relatively modest buildings and tight streets, is such that even if this were not a conservation area, it would prove extremely challenging. In reality the CIQ has been designated as a conservation area by the local planning authority and the impact of the proposal on its character and appearance has to be assessed accordingly.

Historic England concluded that the proposals will harm the character and appearance of the conservation area, though the harm caused is less than substantial harm in the terminology of the NPPF.

Despite its many positives, and the fact that the existing car park is a negative element within the conservation area, it is considered that the proposed development does not comply with the aims of UDP policies BE15 and BE16 to preserve or enhance the character or appearance of the Conservation Area, nor the aims of the CIQ Conservation Area Guidelines to respect the scale and form of existing development. Therefore Officers concur with the view that the development will cause harm to the character and appearance, and thereby the significance of the CIQ Conservation Area. This harm could be argued to be less than substantial taking into account the site's position within the conservation area.

Where development leads to less than substantial harm, the NPPF states that 'this harm should be weighed against the public benefits of the proposal.'

In their Planning and Built Heritage Statements the applicant asserts that the scale of the proposed development is necessary to deliver the extensive public benefits provided by the scheme. They say that the public benefits include significant and demonstrable enhancements to the setting of Sylvester Works and the positive

impact of the development on the character and appearance of the Conservation Area. However, they also conclude that ‘the increased massing of the proposed scheme as part of the existing streetscene within this part of the Conservation Area will cause less than substantial harm to its significance.’

The local planning authority does not agree that the public benefits of the scheme include enhancements to the setting of Sylvester Works and neither do Historic England. At best the impact is neutral.

It should be noted that there are, of course, other benefits of the scheme, including economic benefits (through job creation) and a contribution to the residential offer of the city centre. However, it has to be decided whether these benefits are so substantial as to outweigh the harm caused.

### Sustainability

The National Planning Policy Framework 2018 states that the purpose of the planning system is to contribute to the achievement of sustainable development by applying three overarching interdependent objectives: an economic objective; a social objective; and an environmental objective.

The application site is currently used as a car park and generates an income. However its redevelopment will deliver economic regeneration by creating jobs as part of the construction works, the on-going management of the facility and through future commercial uses, some of which may support the areas creative and digital industry focus.

The applicant has confirmed that they are willing to support local employment initiatives as part of the development and a planning condition can secure an employment and training strategy.

In terms of social objectives, the proposed development will help to meet the city’s housing needs and to establish a mixed residential community in the CIQ by offering high quality homes for rent. As the site is conveniently located close to a wide range of services and facilities, development in this location will also ensure that residents’ social and community needs are well catered for.

The proposed development will contribute to some of the environmental objectives of the NPPF by making more effective use of the land and enhancing the natural environment by making improvements to the Porter Brook and its setting. It should also contribute towards moving to a low carbon economy. However, there are concerns, as previously discussed, that the scheme does not sufficiently protect or enhance the historic environment in which it is set and indeed is considered to have a less than substantial harmful impact on heritage assets.

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 within easy walking distance of the Central Shopping Area and close to a range of public transport options. Built to modern standards it will be energy efficient, and in order to comply with the requirement for 10% of predicted energy needs to be provided from decentralised and renewable or low carbon energy, roof mounted photovoltaic (PV) panels are proposed on each block.

A green roof is proposed on the cycle store, located within the courtyard to the rear of block B. Green roofs are encouraged by Core Strategy Policy CS64 as they can help to attenuate surface water run-off and improve biodiversity. While the green roof is small in comparison the scale of the overall development, its inclusion is welcomed. Further biodiversity improvements are expected as part of the works to naturalise the Porter Brook.

A condition is proposed to secure the proposed decentralised and renewable or low carbon energy and, generally, many aspects of the proposed development will contribute towards achieving a sustainable development if this application is approved. However, the failure of the scheme to sufficiently protect and enhance the historic environment remains a concern.

#### Residential Amenity Considerations

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 courtyard to the north of block B separates the development from the rear of City Walk and the grade II listed Sylvester Works, both of which front Sylvester Street and are in residential use. The courtyard is a little under 17 metres wide, a separation distance which falls short of the standard 21 metre privacy distance but which is not unusual in urban settings such as this where residents do not expect the same levels of privacy.

Similarly restricted relationships are created across the existing access road from Sylvester Street where block C sits a minimum of 9 metres from habitable room windows in the east facing elevation of Sylvester Works and, to the east, where block C sits approximately 8.5 metres from a small number of west facing windows on the adjacent development (not yet constructed). However, these instances affect a relatively small number of properties, in some cases the properties are separated by highway and, as previously described, reduced levels of privacy are not unusual in urban areas, particularly where it is desirable in character terms to bring development up to the back edge of the footway. In privacy terms, therefore, the proposals are generally considered to be acceptable.

That said, the proposals introduce 7 storeys (including a generous ground floor) 17 metres to the south of existing habitable room windows in City Walk and, to a lesser extent, Sylvester Works. While existing residents do not have a right to a view across the adjoining land, they will experience some loss of light given that blocks B and C (which reaches 14 storeys in height) are orientated to the south and west of the existing buildings. Again, in urban setting, this is not uncommon and the loss of light may not be significant, however the impact of the development on the amenities of neighbouring residents should be acknowledged.

The submitted acoustic report indicates that the dominant noise source in the vicinity of the application site is traffic on Sylvester Street, St. Mary's Road and in the neighbouring Decathlon car park. However, the report concludes that an acceptable living environment can be provided for future residents subject to the installation of a scheme of sound attenuation, details of which are reserved by condition.

Similarly, the proposed range of commercial units is unlikely to have a harmful impact on the amenities of existing and proposed residents subject to appropriate hours of use and controls on the playing of live music and amplified sound.

Noise modelling predictions have shown that the roof terrace located at the seventh floor of Block A would be exposed to daytime and night-time noise levels which are marginally above the external noise levels recommended by the World Health Organisation. The borderline breach is not unexpected, given the site's urban setting and proximity to the ring road, and is not necessarily a significant concern. However, the acoustic report makes reference to a more detailed assessment of external noise levels in outdoor spaces being undertaken during the detailed design phase.

#### Landscape and Relationship to the Porter Brook

The proposed development is set back from the Porter Brook to form a riverside walk which, it is expected, will be constructed to adoptable standards and will link with adjoining developments to provide a new pedestrian route, for residents, workers and visitors, the length of the CIQ in accordance with the aims of Core Strategy Policy CS48 (Open Space and Riversides in the City Centre).

Semi-private and public spaces, including an urban garden and river viewing platform, will be provided along the walk. The applicant has also agreed to undertake naturalisation works to the Porter Brook, which will contribute to reducing flood risk as well as enhance bio-diversity and the natural environment.

In addition to the river walk, two north south pedestrian routes are proposed, one between blocks A and B and one between blocks B and C. It is expected that all public routes will be finished in good quality materials and all will be fully accessible.

The riverside walk and associated public amenity spaces addressing the Porter Brook are considered to be positive aspects of this scheme while works to

naturalise the river channel would enhance the amenity value of these space, as well as the ecological value of the river corridor. Detailed hard and soft landscaping will be reserved by condition.

## Highways

Policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) expects new development to be adequately served by transport facilities, provide safe access to the highway network and appropriate levels of off-street car parking, while the City Council's Car Parking Guidelines, which are to be interpreted as maximum standards, states that in the city centre up to one space per dwelling is appropriate.

The Guidelines also note that the provision of car parking is important to many developments for operational and commercial reasons, but that the over provision of car parking can be wasteful of expensive land, encourage unnecessary car use and does not always look attractive.

The proposed development incorporates a courtyard with 10 parking spaces (including 4 accessible parking spaces) as well as cycle storage for 140 bikes. The courtyard is accessed from Sylvester Street and is sufficiently large to allow servicing – the submitted drawings show that a refuse vehicle can reverse into the site to enable bin collections to be undertaken off the public highway and that fire tenders will be able to enter and exit the site in a forward gear.

The very low level of parking provision, which is for operational purposes only, means that the development will remain car free and 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 considered very unlikely that any demand for parking space by residents will be displaced onto the local highway network.

Occupants of the proposed development would be within easy walking distance of a range of facilities and public transport options and pedestrian connections will be improved with the incorporation of a further section of riverside walk along the Porter Brook.

The site is currently occupied by a pay and display car park with over 200 spaces and so, while the development will generate trips such as taxis, home deliveries, servicing and refuse collections, vehicle movements to and around the site will be significantly reduced. The impact of the development on the local highway network will be negligible

No alterations are proposed to the layout of the adjoining highway, however the resurfacing of all adjoining footways will be reserved by condition. There is an unused section of adopted highway (a stub of Sylvester Street heading southwards into the site) which will require Stopping Up under Section 247 of the Town and Country Planning Act.

## Flood Risk and Drainage

The Porter Brook runs along the southern boundary of the application site, which lies in flood zone 2 and has between a 1 in 100 and 1 in 1000 annual probability of flooding (i.e. Medium Probability).

In accordance with current National Planning Practice Guidance, residential uses are defined as 'more vulnerable' uses, which are acceptable in flood zone 2 subject to a robust Flood Risk Assessment (FRA) and the passing of the sequential test.

The aim of the sequential test is to steer development towards areas with the lowest probability of flooding, in this case flood zone 1. However, it is clear that there are no sites that are large enough and available to accommodate the proposal within the search area i.e within the Cultural Industries Quarter (CIQ). Furthermore, the FRA confirms that the site has not been affected by flooding during the main flood incidents recorded in 1973, 1991 and 2007. The proposals are therefore considered to pass the sequential test.

The Environment Agency (EA) welcomed the applicant's proposals to enhance the Porter Brook by providing landscaped amenity areas and a riverside walkway as part of this development, though they queried whether there was an opportunity to enhance this even further and to comply with the Council's aspirations to de-culvert the Porter Brook. The applicant has since confirmed that further de-culverting is not possible due to structural reasons.

## Land Contamination

The application site has been the subject of past industrial activity which poses a medium risk of pollution to controlled waters and human health, in this instance that risk comes in the form of free product (oil) floating on ground water.

The outline remediation strategy provides some detail in respect of possible remedial measures but makes clear that further details will be provided in a detailed strategy, to be reserved by condition. The Environmental Protection Service is satisfied that, subject to agreed remedial measures, the risks to controlled waters and human health can be adequately mitigated.

## Archaeology

The application site has already been evaluated by trial trenching (11 trial pits were excavated in December 2017) and more recently the applicant commissioned archaeological consultants to monitor a phase of geotechnical investigations. This work has confirmed that archaeological evidence from the industrial development of this site – throughout the early 19<sup>th</sup> century the site was occupied by a grinding workshop (Ward's Wheel), coal yard, saw mills, surgical instrument makers and cutlery workshops – is preserved on the western part of the site and so will need to be considered in relation to the impact of any permitted scheme. The eastern part of the site has poor archaeological preservation of archaeological evidence and further work is not recommended here.

The South Yorkshire Archaeological Service agree with these recommendations and so a condition is proposed to secure further investigation and formal recording of below-ground archaeology ahead of any redevelopment works.

### Affordable Housing

Core Strategy policy CS27 (f) (Housing in the City Centre) supports further expansion of City Centre living, with a mix of tenures and sizes of unit, including affordable housing, as part of a mix of uses in the CIQ.

Policy CS40 sets out the Council's specific policy approach to the provision of affordable housing, together with the Supplementary Planning Document on CIL and Planning Obligations. The application site falls in an area of the city centre where there is a requirement to provide up to 10% of the units as affordable housing, subject to a viability assessment.

The applicant's original viability appraisal suggested that they did not consider any affordable housing to be viable, though the Council's independent viability consultant concluded at that time that the scheme was able to provide the full affordable housing payment of circa £2,900,000 (May 2018).

These opposing views were based on many factors, including differences of opinion on:

- The Benchmark Land Value (BLV)

The applicant applied the price paid for the land as the BLV however the correct approach (as determined by case law) is to apply the Existing Use Value Plus (EUV Plus) valuation method, which takes as its starting point the value of the property with its existing use, plus an uplift to reflect the need to incentivise a sale, i.e. the amount above existing use value (EUV) that goes to the landowner.

Use of the EUV Plus approach is also recommended in the revised National Planning Practice Guidance (July 2018). The NPPG emphasises that the premium or 'Plus' should provide a reasonable incentive for a land owner to bring forward land for development while allowing a sufficient contribution to comply with policy requirements.

- Marketing and letting costs
- Debit rates
- Profit allowance
- Purchasers costs
- Build costs

Purchaser's costs – which include the hypothetical agent's fees, sales fees and most significantly the stamp duty applied to selling on the development post construction – were excluded from the applicant's original appraisal.

The applicant subsequently argued that purchaser's costs should be factored into the assessment and, as this is the industry norm for commercial investments, this argument was accepted and the viability of the scheme was again assessed by the Council's consultant. Taking into account purchaser's costs, he recommended that an amended affordable housing contribution in the region of £375,000 could be made.

Discussions continued in relation to build costs, at which point the applicant requested that the consultant undertake a sensitivity analysis exercise.

Two scenarios were considered in this exercise: Scenario 1 applied a build cost of £148 per sq.ft (the median BCIS rate in July), while scenario 2 applied a build cost of £149 per sq.ft (the figure used in the applicant's own viability assessment, minus abnormals which are accounted for elsewhere in the calculations).

It is worth noting that the median BCIS rate fell again in August to circa £146 per sq ft, but at the time it was felt that this was likely to be a short term trend and so this lower figure was not included in the testing.

The sensitivity testing indicated that an affordable housing contribution in the range of £51,265 to £322,235 could be provided.

The applicant's initial response to the sensitivity testing was to confirm that they were not prepared to make any payment towards affordable housing. They then provided two detailed cost plans from potential local contractors by way of supporting evidence of their build costs. However the submitted cost plans were very basic, void of supporting evidence and comprised of quotes, not fixed prices. They also appeared to include some double-counting (of elements allowed for elsewhere in the appraisal). Shortly after, the applicant proposed an affordable housing contribution of £51,265, at the lowest end of the range that followed sensitivity testing and one which equates to a 0.18% contribution, some way short of the 10% policy requirement.

A number of issues need to be highlighted in determining whether this minimal contribution is acceptable, including the price paid for the land and the need for developers to consider local plan policy requirements when making such a purchase.

It should also be noted that, at the time of writing this report, the median BCIS rate has continued to fall and is now £145.40 per sq.ft.

More importantly, Build to Rent involves the construction of dwellings specifically for the rental market, a model of accommodation relatively new to Sheffield and one which generally provides its investors with a stable long term income stream and gives tenants high quality accommodation and reliable management.

That said, the benefits of build to rent – high quality accommodation, long term lets, a range of communal facilities and on-site management – can come at a premium, and the new private rental communities are often, on average, more expensive than rental properties nearby. The accommodation within this development is



therefore unlikely to be considered affordable (as described by national planning policy – ‘Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market’.)

The NPPF (which was revised in July this year) states that, where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, though it goes on to say that exemptions to the 10% requirement should be made where the proposed development provides solely for Build to Rent homes (para 64).

However, the National Planning Policy Guidance (NPPG), which was revised at the same time, confirms that the normal affordable housing provision for Build to Rent schemes should be the provision of units for affordable private rent. It also explains that developers will be expected to comply with Build to Rent policy requirements, and they may propose alternatives to policy such as variations to the discount and proportions of affordable private rent units across a development, and the ability to review the value of a scheme (rent levels) over the duration of its life.

The revised guidance suggests that, when local planning authorities are trying to determine what level of affordable private rental accommodation would be reasonable, the viability testing should include two sets of figures, one based on a Build to Rent and an alternative Build for Sale scheme. This would allow authorities to compare and understand the differences and agree any necessary adjustments to the affordable private rent contribution.

The fact that the revised NPPF and NPPG came into effect during this application, and while negotiations regarding the affordable housing contribution were underway, has complicated the process and, as this is a relatively new housing model, we do not have any specific Build to Rent policies. However, it is clear that while Build to Rent may be exempt from the requirement for at least 10% of the homes to be made available for affordable home ownership, they are not exempt from complying with policy or from making a contribution to affordable housing in the form of units for affordable private rent or, if it can be robustly justified, a financial contribution.

Without both versions of the viability assessment recommended by the up to date NPPG it is difficult to advise Members on the reasonableness of the contribution. However, as it stands, no homes with reduced rents are proposed as part of this development. Moreover, a £51,265 (0.18%) contribution towards affordable housing is considered to be a low offer, though it is within the range that resulted from sensitivity testing.

Any contribution will need to be secured through a legal agreement, but as this is unresolved, Officers will continue to work on the matter with the intention of updating Members in the form of a supplementary report prior to committee.

CIL

The site lies within an area of the city centre where CIL is charged at £30 per square metre.

## SUMMARY AND RECOMMENDATION

Planning Permission is sought for the erection of a 5 to 14 storey Built to Rent scheme in the CIQ Conservation Area with 335 residential units, ancillary communal facilities, ground floor commercial space (A1, A2, A3, A4, A5 and B1 uses) and landscape improvements including the continuation of the riverside walk along the Porter Brook.

Housing is considered to be an acceptable use in land use terms and the small amount of commercial space proposed will support the promotion of business uses in the area. However, a key issue is the quantum of development that the applicant is seeking to achieve, which is considered to result in a scale of development considerably greater than the prevailing scale and massing of buildings within the CIQ.

Amendments made pre-application redistributed the accommodation across the site, resulting in the 14 storey tower in the south west corner of the site where it is likely, in the long run, to be associated with the cluster of larger buildings adjacent the ring road, and where it marks the location of an aspirational area of publicly accessible open space adjacent the Porter Brook, though this is space would lie mainly on the adjoining land.

Despite this, the scheme's suitable layout and the good quality of the architecture, concerns remain that the main body of the development is bulky and will appear overly large in comparison with neighbouring buildings along Mary Street and in longer views in and out of the conservation area. As a result, it is considered that the proposed development does not fully comply with the aims of UDP policies to preserve or enhance the character or appearance of the conservation area, nor the aims of the CIQ Conservation Area Guidelines to respect the scale and form of existing development, and that, as a consequence, the development will cause harm to the character and appearance, and thereby the significance of the CIQ Conservation Area. Given the site's position within the conservation area, this harm could be argued to be less than substantial. This view is upheld by Historic England.

Where development leads to less than substantial harm, the NPPF requires that harm to be weighed against the public benefits of the scheme.

The applicant asserts that the scale of the proposed development is necessary to deliver the extensive public benefits provided by the scheme, including enhancements to the setting of Sylvester Works and a positive impact on the character and appearance of the conservation area – though their own Heritage Statement concludes that 'the increased massing of the proposed scheme as part of the existing streetscene within this part of the Conservation Area will cause less than substantial harm to its significance.' And, neither the local planning authority nor Historic England agree that the proposals will enhance the setting of Sylvester Works.

In addition to the harm caused to the CIQ Conservation Area it should be noted that blocks B and C will cause limited harm to the amenities of some of the existing residents of City Walk and Sylvester Works and that the applicant's contribution of £51,265 (0.18%) towards affordable housing is considered to be on the low side.

It is clear that, in the context of recent amendments to the NPPF and NPPG, the applicant is exempt from providing 10% affordable home ownership, but that is because with Build to Rent, the idea is that the affordable housing contribution should be affordable units for rent. A one off financial contribution can be an alternative and there is no reason why it shouldn't be equivalent to the aforementioned 10%, subject to viability. The viability of the application has been independently assessed, though the separate Build for Sale and Build to Rent viability figures, which we do not have, may be key for us to take a view on the offer.

Conversely, the application site has remained vacant for 10 years now and it is accepted that the existing car park is not a positive feature of the conservation area. Indeed, the car park could be considered to cause significant harm to the character and appearance of the conservation area.

The proposed development will create jobs – both during construction and in the longer term – and it will help to meet the city's housing needs by offering high quality homes for rent in a convenient and easily accessible location.

Moreover, in many respects the design of the proposed development is very positive and the proposals will enhance pedestrian routes through the CIQ, as well as the natural environment, by making improvements to the Porter Brook and its setting.

However, given the lack of resolution in relation to affordable housing, Officers are unable to make a recommendation at present and it is anticipated that, as described above, the matter will be resolved to an extent that a recommendation can be made to Members in the form of a supplementary report prior to committee.

## RECOMMENDATION

To report

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Case Number	18/00762/FUL (Formerly PP-06765348)
Application Type	Full Planning Application
Proposal	Demolition of existing dwellinghouse/garage and erection of replacement single detached dwellinghouse and a 3-storey building to form 3 no. apartments including associated landscaping/works to highway to provide new access
Location	55 Tapton Crescent Road Sheffield S10 5DB
Date Received	21/02/2018
Team	South
Applicant/Agent	Rob Skeet
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:

1704-SKT-OS-DR-A 301 01	Location Plan
1704-SKT-CXT-DR-A 302 Revision 02	Block Plan and context elevation
1704-SKT-ST-DR-A 303 Revision 02	Site Plan and 3D images
1704-SKT-PRJ-DR-A 304 revision 02	Floor Plans
1704-SKT-E-DR-A 305 Revision 02	Elevations as proposed
1704-SKT-E-DR-A 306 Revision 01	Site section, Aspect and Prospect
101-LYR-XX-ZZZ-DWG-L-1001-PLN-07	Landscape Masterplan
101-LYR-XX-ZZZ-DWG-L-1002-COM-01	Softworks

Reason: In order to define the permission.

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

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

Reason: In order to ensure an appropriate quality of development

4. 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.

5. The apartments shall not be occupied unless the hardstanding areas of the site adjacent Tipton Crescent Road are constructed of permeable/porous materials details of which shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved permeable/porous surfacing material shall be retained.

Reason: In order to control surface water run off from the site and mitigate against the risk of flooding.

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

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

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

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

8. Prior to any occupation of the development details of screening of a minimum 1.7metres in height along the east and west elevations of the rear raised terrace to the dwellinghouse (facing towards No. 57 Tipton Crescent Road and towards the apartments approved under this scheme) shall be submitted to and approved in writing by the Local Planning Authority. The approved screening shall be erected prior to occupation of any element of the development, and shall be permanently retained in the approved form thereafter.

Reason: In the interests of the amenities of neighbouring occupiers.

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

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

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

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

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

11. The apartments shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the new means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

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

**Other Compliance Conditions**

12. 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.

13. Any excavation/construction conducted beneath the crown spread of the Ash tree located in the Broomhill Conservation Area close to the south west corner of the site shall be hand dug only.

Reason: In the interests of the health and longevity of this tree of amenity value

14. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

15. There shall be no gates or barriers erected at the means of access to the apartment car parking

Reason: To ensure access is available at all times and to ensure no barriers/gates open over the adjacent footway.

Attention is Drawn to the Following Directives:

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

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

For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk).

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

3. 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](mailto:dawn.jones@sheffield.gov.uk)

4. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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



Tel: (0114) 273 6349

Email: james.burdett@sheffield.gov.uk

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

The notice should be sent to:-

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

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

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

6. 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.
7. 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 relates to a parcel of land which currently forms the domestic curtilage and footprint of a detached dwelling.

The site lies within an allocated Housing Area. The southern boundary of the site lies close to, but not directly adjoining, the Broomhill Conservation Area.

The site lies on a residential street characterised by a variety of house types ranging from very large villas in generous curtilages and substantial apartment blocks to semi-detached dwellings in more modest curtilages.

There is a general fall in natural land levels from north to south in the locality and this is quite pronounced within the site with land levels falling steeply away from the highway of Tapton Crescent Road itself.

The site is currently occupied by a single two storey dwelling (three storeys to the rear as an additional lower ground floor is achieved at the rear of the property through taking advantage of the falling land levels) and a detached garage.

It is proposed to erect a three bedroom dwelling house and a block of three apartments. In the case of the apartments the accommodation would be arranged over three floors with one flat at each of the ground, first and second floor levels. The dwelling house would have floors corresponding to those of the apartments but also feature a lower ground floor/basement level. The buildings would present a two storey aspect to Tapton Crescent Road and a three storey aspect (four in the case of the dwelling house) to the rear elevation, this difference taking advantage of the fall in levels across the site.

The street scene context elevations indicate that the proposed ridge height of the detached dwelling would equal that of No. 57 Tapton Crescent Road.

The taller of the two gables on the apartment block would equal the height of the ridge of No. 53 Tapton Crescent Road.

The front elevation of the buildings would be set back from back edge of footway in order to achieve three off-street car parking spaces for the apartments and two off-street car parking spaces for the dwellinghouse.

The vehicular entrance for the dwelling would be the existing access. The location of the vehicular entrance for the apartment parking would necessitate the removal of a section of boundary wall.

The internal layouts of the three apartments would be identical with main aspect windows occupying the rear elevations, the main bedroom and living rooms of each apartment being served by small balconies.

The design for all elements is contemporary with gables dominating both front and rear elevations.

Proposed principal external materials are as follows:

- A grey/buff brick combination for the main elevations
- Dark grey slate for the roofs
- Natural slate for the roof
- Dark grey aluminium for door and window frames

#### RELEVANT PLANNING HISTORY

Outline permission was granted in 1998 (98/01592/OUT) for the erection of a dwelling house within the curtilage of No.55

Full permission was granted in 1999 (99/01749/FUL) for the erection of a dwelling house (Now number No. 53 Tipton Crescent Road)

#### SUMMARY OF REPRESENTATIONS

8 representations have been received including one from Cllr Eamonn Ward and one from the Broomhill Action Neighbourhood Group.

Cllr Eamonn Ward has made the following comments:

It appears that a lot is being proposed for the site and local residents believe Conservation Area control is being circumvented through the retention of a strip of land for No.53 meaning the site does not directly abut the Conservation Area. Councillor Ward suggests that a committee decision could be appropriate for this application.

The Broomhill Action Neighbourhood Group (BANG) have commented as follows:

The proposed development would change the character of the stretch of road in which number 55 is situated and also cause major damage to the amenity of neighbouring residents by, among other consequences, destroying their existing privacy.

BANG requests that the application be considered by the full Planning Committee and, also, that a report is sought from Sheffield Conservation Advisory Group.

Other representations have raised the following concerns:

The proposal would:

- represent an overdevelopment of the plot
- result in overbearing and overshadowing of the adjacent property at No. 57 Tipton Crescent Road.
- result in an increase in overlooking towards the garden and windows of No. 9 Oak Park due to the increase in the number of rear elevation windows and balconies

- be out of scale and character with the locality
- fill in a gap between properties and will be taller than existing thereby being more visible from the south
- adversely impact on a nearby tree of public amenity value located in the Conservation Area. (Large Ash Tree located close to the southern boundary of the site)
- have insufficient off-street car parking available on a street that already suffers from high levels of on street car parking.
- adversely impact on the habitat of local flora and fauna in the locality
- be out of character as there are no apartment blocks on the south side of Tapton Crescent Road.

Matters raised that are not material

The unusual garden shape allocated to No. 53 is a device to prevent the site adjoining the Conservation Area.

There is nothing wrong with the existing house

The Design and Access Statement makes several statements which relate to a matter of taste in terms of local architecture.

## PLANNING ASSESSMENT

### Policy

#### National Planning Policy Framework (NPPF)

The NPPF advises at Paragraph 124 that planning policies and decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development

At Paragraph 67 it states that Local Planning Authorities should identify and update annually a supply and mix of sites to provide five years' worth of housing against housing requirements

Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

#### Local Policy

The site lies within a Housing Area as defined in the adopted Unitary Development Plan (UDP). The site is also located within an Area of Special Character.

The most relevant UDP and SLP Core Strategy policies are:

- H5 (Flats, Bed-Sitters and Shared Housing)
- H10 (Development in Housing Areas)
- H14 (Conditions on Development in Housing Areas)
- BE5 (Building Design and Siting)
- BE16 (Development in Conservation Areas)
- BE18 (Development in Areas of Special Character)
- CS23 (Locations for New Housing)
- CS24 (Maximising the Use of Previously Developed Land for New Housing)
- CS26 (Efficient Use of Housing Land and Accessibility)
- CS63 (Responses to Climate Change)
- CS74 (Design Principles)

The Supplementary Planning Guidance "Designing House Extensions" provides guidelines for protecting residential amenity. Whilst not relating specifically to new build schemes the guiding principles are considered relevant.

The South Yorkshire Residential Design Guide, whilst not formally adopted by Sheffield City Council, is given the status of Best Practice Guidance and offers guiding principles with regard to design, layout and space about dwelling standards for new build residential proposals.

The demolition of the existing house.

The existing dwelling, whilst by no means a deleterious presence in the street scene, is of no particular architectural merit and it is not considered that its removal from the street scene will adversely impact on the wider street itself. It is considered highly unlikely that the dwelling would be removed unless a re-development were to take place and, even were there to be an interval between the removal and the re-development, it is not felt there would be demonstrable harm to the street scene.

#### Principle and Density

Housing is the preferred land use in accordance with Policy H10 (Development in Housing Areas).

The principle of the single dwelling is therefore established subject to the constraints of Policy H14

H5 'Flats, Bedsitters and Shared Housing' states that planning permission 'will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if

(a) A concentration of these uses would not cause serious nuisance to existing residents.

The apartment element of the scheme is for a limited number of two bedroom self-contained flats for sale or let and, as such, there is no reason to believe that their introduction would cause serious nuisance to existing residents. The immediate area surrounding the application site does not contain a concentration of flats, bedsitters or shared homes. The proposal is considered acceptable in respect of Policy H5 (a) but subject to the requirements of policy H14

Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area and Policy CS24 gives priority to previously developed sites. The proposals are in accordance with these policies.

Policy CS26 specifies density ranges for new housing developments. Subject to protecting the character of an area, at least 30-50 dwellings per hectare are normally expected in Housing Areas such as this. The proposals represent a density of approximately 47 units per hectare. The proposed density therefore lies within the accepted range parameter specified in the Core Strategy.

#### Housing Mix

The proposal provides a single house and 3 two bedroom flats. There is no specific policy requirement for mixed house types in this scale of development and the area already has a good mix of flats, 3, 4 and 5 bedroom properties.

#### Housing Supply

The proposal would undoubtedly contribute towards housing supply as set out in Core Strategy Policy CS22.

There is currently a shortfall in the supply of deliverable sites for housing, the current supply being 4.5 years and the proposal would make a small but welcome contribution to housing supply.

#### Scale and Character

The surrounding area is characterised by a mix of housing types. Immediately opposite on the north side of the street there is a dominance of larger villas in comparable curtilages but to the north east this pattern gives way to an apartment block and thence semi-detached housing.

The south side of the road is characterised, in the main, by detached dwellings in generous curtilages though there is a large care home complex to the west.

Whilst there is no homogenous architectural character within the locality the prevailing scale is that of two storey houses (relative to the highway of Tapton Crescent Road). Some houses feature additional accommodation in the roof space.

In terms of massing the proposed buildings are not considered significantly out of character. The proposed detached dwelling mirrors other individual detached dwellings on the street and the proposed apartment block is not so large as to represent a significant departure from prevailing scale/mass of development on the street overall.

The locating of an additional building within the site would reduce somewhat the open vistas currently enjoyed from the public domain from Tapton Crescent Road but the separation between the apartments and No. 53 would not be significantly different to existing and the gap between the new dwelling and No. 57 would still amount to approximately 8 metres thereby mirroring similar relationships between Nos. 57 and 59 or other properties to the east on the south side of Tapton Crescent Road.

The footprints of the proposed buildings would not depart from the nominal building lines to front and rear with the front elevation of the apartments being set back slightly from the line of the front elevation of No.53 and the rear elevation of the proposed dwelling aligning closely with the rear elevation of No. 57.

Both the proposed dwelling and the apartment block would be set within reasonably sized curtilages not differing greatly from neighbouring properties.

In terms of ridge height this would remain consistent with the general fall in land levels along the street and not vary from the existing roof scape of Tapton Crescent Road as a whole.

In terms of scale and massing the proposals are therefore considered acceptable.

## Design

Relevant policies in the Sheffield Unitary Development Plan are

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

Policy BE 18 'Development in Areas of Special Character' states that in Areas of Special Character the following will be expected:

(c) New development which respects the appearance and character of the Area.

Policy H5 'Flats, Bedsitters and Shared Housing' states:

Planning permission 'will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if:



- (a) A concentration of these uses would not cause serious nuisance to existing residents; and
- (b) Living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours; and
- (c) There would be appropriate off-street car parking for the needs of the people living there.

Policy H14 Conditions on development in Housing Areas' states that in Housing Areas, new development or change of use will be permitted provided that:

- (a) New buildings and extensions are well designed and would be in scale and character with neighbouring buildings; and
- (c) 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;

In addition Policy CS74 'Design Principles' of the Sheffield Core Strategy applies which expects high-quality development, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods

The scheme has been revised since its original submission most notably the following:

- Reduction in the number of apartments in the apartment block from 4 to 3;
- Re-orientation of internal spaces to affect better amenity for future occupants;
- Revision to car parking to front of apartment block.

The elevations are unashamedly contemporary in appearance, but this is not a reason for resisting the proposal provided that the overall character remains generally sympathetic to the context of the street scene which is considered the case here.

The fenestration pattern is regular in style and suffers marginally from the fact that the apartments turn their back on the street and have their main aspect windows located in the rear elevation thereby reducing the scope for more variation. Nonetheless the pattern of glazing achieves reasonable proportions when taken in the context of the elevation overall.

The most dominant features of the design are the prominent gables but these mirror similar features on Nos. 39-45 and No. 57 Tipton Crescent Road.

Stone boundary walls are used consistently along the street to define the front boundary of individual properties at the back of pavement. The removal of a 5 metre section of the existing boundary wall should not adversely impact on the character of the street scene. It should be remembered that, at present, the entirety of the wall could be removed without the need for planning permission.

In conclusion it is considered that, whilst there are elements of design present that are not ideal the design overall is acceptable within the context of the locality and would have no significant adverse impact on the appearance of the street scenes of Tapton Crescent Road or Oak Park.

Given the above it is therefore concluded that the proposal is acceptable in regard of Policies H14, H15, BE5, BE18 and CS74 and the relevant paragraphs of the NPPF

Conservation Area considerations

Policy BE16 'Development in Conservation Areas' states

In Conservation Areas permission will only be given for proposals which contain sufficient information to enable their impact on the Area to be judged acceptable and which comprise:

(a) Development, including erection of buildings and changes of use from originally intended uses of buildings, and built development in open spaces; or

Which would preserve or enhance the character or appearance of the Conservation Area.

These principles will also be material considerations in considering proposals which would affect the setting of a Conservation Area or significant views into, or out of, the Area.

At its closest proximity the Conservation Area boundary to the south (the curtilage of No. 138 Manchester Road) lies 12-14 metres from the proposed buildings and the proposed buildings would lie some 67 metres from the nearest viewing point located within the public domain (to the south east on Oak Park). The buildings would be in an elevated position in both cases.

When viewed from Oak Park the buildings would be seen in juxtaposition with dwellings at Nos. 7 and 9 Oak Park. These properties date from the post war period and are not identified as character buildings within the Conservation Area (i.e. they are not included within the associated Article 4 Direction)

It is not considered that the proposals would adversely impact to any greater degree than existing post war dwellings located along this northern boundary (Nos. 39-49, 53, 57 and 59)

Taking into consideration the above it is not considered that the rear elevations of the proposal will have an adverse impact on significant views out of the Conservation Area.

It is considered that the proposal is acceptable with regard to Policy BE16

Living Conditions of Neighbouring Residents

Overlooking, Overbearing and Overshadowing

With regard to H14 (c) and (d) the general principles outlined in Policy H14 are further supported by Supplementary Planning Guidance 'Design of house extensions' (SPG) which lays out good practice guides for new build structures and their relationship to existing houses. Of these the following are particularly relevant:

SPG guideline 4 states that in most circumstances a minimum distance of 10 metres should be achieved between main aspect windows in the rear elevation and the rear boundary.

SPG guideline 5 states that a two storey structure should not be located closer than 12 metres in front of ground floor windows of a neighbour and that level differences may require this distance to be increased.

SPG guideline 6 states that dwellings should keep a minimum of 21 metres between facing main windows.

The front elevation of both buildings would achieve a separation distance of approximately 37 metres to properties on the opposite side of Tapton Crescent Road, far in excess of required minimum.

To the south and east the nearest properties would be No. 9 Oak Park (approximately 40 metres distant) No.7 Oak Park (52 metres) and No. 138 Manchester Road (48 metres). The proposals would all achieve an elevated position relative to these properties due to the natural fall in land level. In the cases of dwellings on Oak Park the rear elevation windows/balconies would also be set at angles of approximately 45 degrees and 30 degrees respectively. Given the significant separation distances between the new windows and balconies and neighbouring properties added to the existing presence of main aspect windows in Nos. 53 and 55 the relationship is still considered to more than satisfy the requirements of Supplementary Planning Guidance guideline 6.

With regard to No. 57 Tapton Crescent Road, this neighbouring property has both a kitchen and a first floor window in its side elevation that would face towards the side elevation of the proposed dwelling.

The same degree of protection cannot generally be afforded to side facing windows as can be for main aspect windows in principal and rear elevations. Underscoring this is the understanding that side facing windows, though sometimes historically established, effectively borrow amenity from neighbouring curtilages. Nonetheless a due consideration of the impacts on such windows must be given.

In this case the windows would be separated from the new dwelling side elevation by a distance of approximately 8 metres. This is not an insignificant separation distance to a side facing window and it is not considered that the proposal would result in an overbearing presence. It is worthy of note that the General Permitted Development Order now permits two storey extensions to be built as close as 7 metres to a neighbouring boundary without requiring planning permission.

The proposed development would be located to the east of the windows (and side garden) in question and as such any potential marginal overshadowing would be limited to the early morning.

Given the above it is not considered that the level of overbearing or overshadowing towards No. 57 Tapton Crescent Road would be unacceptable.

The proposed raised rear terrace for the new dwellinghouse could have an overlooking implication to flanking curtilages and it is therefore considered prudent to add a condition requiring privacy screens to both flanks. These screens should be a minimum 1.7 metres high and constructed in obscure glass or similar material to prevent casual overlooking.

Given all of the above it is considered that the proposal should not significantly affect existing residential amenity and in this respect is considered to satisfy Policies H5 and H14.

#### Living Conditions of Future Occupiers

In terms of natural light all main habitable rooms should benefit from a reasonable degree of natural lighting. The dwelling house and all the flat's main living areas (Living/Dining/Kitchen) will benefit from significant areas of glazing and all will have good outlook.

The provision of external amenity space for the dwellinghouse satisfies SPG guidance and the combination of balconies and communal external space for the apartments is considered acceptable.

#### Sustainability

##### Location, land use and economic development

The site is not located in a highly sustainable location though frequent bus services run along the nearby A57 Manchester Road to the west (200 metres) and the Broomhill District Shopping Centre lies approximately 600 metres to the south east. Nonetheless, there is a high likelihood that the nature of the development will attract car users and this is an area of high car ownership. The implications of this are discussed in the highways section of this report.

The proposals represent an efficient use of a previously developed site and will assist the economy in terms of providing jobs during the construction process.

The commitment to porous paving of the new hardstanding areas in place of the current concrete is welcomed.

##### Highways considerations

The scheme retains the existing vehicular access point for the proposed dwelling and would create an additional opening in the existing boundary wall for the frontage

parking for the apartments. Neither is considered a cause for concern with regard to highway safety.

The dwelling would be provided with two off-street spaces which is considered satisfactory for a three/four bedroom house. The apartments would be provided with three off-street spaces.

UDP parking guidelines would suggest the provision of one space for a two bedroom flat with an additional space for visitors and so the provision here falls short of these guidelines.

It is also acknowledged that there is often a high degree of on-street parking during the day on Tapton Crescent Road (the numbers often swelled by those working nearby)

In this case there is only a marginal shortfall of the provision compared to that required by UDP guidelines.

Whilst acknowledging the fact that there is a high incidence of on-street parking at certain times of the day on Tapton Crescent Road it is not considered that any additional burden that may be placed on the street as a result of this development would result in significant additional highway safety concerns.

It is therefore considered that the indicated shortfall in off-street provision is acceptable in this instance.

#### Landscape considerations

Policy BE6 'Landscape Design' states that good quality landscape design will be expected in new developments.

The development itself will not result in the loss of any significant publicly accessible open/green space or loss of trees of significant public value.

A large specimen of an Ash tree is located in a neighbouring curtilage to the south. This neighbouring curtilage lies within the Broomhill Conservation Area, thereby affording the tree a degree of protection.

The tree lies close enough to the boundary so that its crown spread extends over the curtilage of the proposed dwellinghouse. However, the maximum extent of the crown spread would achieve a separation of approximately 6-7 metres to the footings of the proposed single dwelling with the main trunk achieving a distance of approximately 15-17 metres. In addition there is a significant step in the existing back garden of No. 55 which significantly reduces the likelihood that the Root Zone extends close to where the construction works would occur.

It is therefore considered unlikely that any damage will accrue to the tree but, in the interests of prudence a condition can be added to any permission requiring that any works beneath the crown spread be hand dug only.

The frontage planting is welcomed and it is considered that these areas will somewhat alleviate the hard appearance of the vehicular areas.

### 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).

In this instance the proposal is located within Zone 3 and is therefore liable for CIL charges at a rate of £30 per square metre.

### Response to representations

Matters relating to scale/massing/architectural design have been addressed in the main body of this report.

Matters relating to residential amenity (overlooking, overbearing and overshadowing) have been addressed in the main body of the report.

Matters relating to the impact on the nearby Conservation Area have been dealt with in the main body of the report.

Matters relating to car parking provision have been dealt with in the main body of this report.

Matters relating to existing landscape features have been dealt with in the main body of the report.

A representation has questioned the exact area of the site. The Case Officer has calculated the proposed density figure in this report on the basis of the area calculator on the Council's Uniform spatial system

The site is domestic curtilage and there is no reason to believe that protected species are present. Any impact on other fauna is likely to be negligible as the proposal is to retain residential use.

It is not considered that this application requires input from SCAG. The application is not in a Conservation Area though the main body of the report addresses the potential impact on views out of the Conservation Area itself.

### Summary and Recommendation

This is a proposal for one dwelling and three, two bedroom flats in a residential area.

The overall architectural approach for the buildings is considered acceptable and in terms of scale and massing the buildings do not vary greatly from other existing examples on the street and are considered acceptable.

Living conditions for future occupiers would be acceptable, and no significant adverse impacts on existing residential amenity should accrue from the development. Despite the slightly limited off-street car parking for the apartment block it is considered that the potential for significant additional impacts on existing highway safety/free flow of traffic are unlikely.

Taking all of the above and taking into consideration as well as due consideration of the city's current shortfall in housing supply it is therefore felt that, the scheme meets the relevant requirements of the NPPF and UDP policies BE5, BE16, BE18, H5, and H14, and Core Strategy policies CS23, CS24, CS26 and CS74.

Accordingly, it is recommended that the application is granted with conditions.

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Case Number	17/03858/FUL (Formerly PP-06347840)
Application Type	Full Planning Application
Proposal	Minor-material amendment to provide alternative access and parking arrangements, including re-surfacing and the erection of acoustic fencing, for a temporary period of 18 months to allow the University to operate the new AGP pitches prior to the provision of the northern car park (Application under Section 73 to vary condition 17. Car parking accommodation provision; as imposed by planning permission 17/00855/FUL)
Location	University Of Sheffield Athletic And Sports Ground Warminster Road Sheffield S8 8PS
Date Received	13/09/2017
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

1. The development must be begun not later than the expiration of three years from the 21 June 2017.

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

## **Approved Plan(s)**

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

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

Drawing number 106 Rev P2 Proposed Coach Drop Off Details  
and  
Temporary car park location plan received on 14/8/2018.

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 the following have been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction works shall only progress in accordance with the approved details:
  - Construction method statement
  - Site safety
  - Any temporary site compound and temporary car parking arrangements for contractors
  - Haulage routes
  - Any times when construction works and movement of construction traffic will be restricted.

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

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

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

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

5. Prior to the artificial grass pitches hereby approved being brought into use, a Community Use Agreement shall be submitted to and approved in writing by the local planning authority, after consultation with Sport England. The

scheme shall include details of pricing policy, hours of use, access by non-university users/non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of the use of the development.

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

6. No development on the rugby artificial grass pitch shall commence until details of the design and layout of the rugby artificial grass pitch have been submitted to and approved in writing by the local planning authority, after consultation with Sport England. The rugby artificial grass pitch shall not be constructed other than in accordance with the approved details before it is brought into use.

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

7. Prior to the development commencing, a detailed Travel Plan specifically covering the site, designed to reduce the need for, and impact of, motor vehicles, increase site accessibility and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Where there has been a previously approved Framework Travel Plan for the proposed development, the detailed Travel Plan shall be developed in accordance with it. The Travel Plan shall include:

- Clear and unambiguous objectives and modal split targets
- An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed
- Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority
- Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets

Upon completion of the ground improvements, the approved Travel Plan shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

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

8. A comprehensive and detailed hard and soft landscape scheme for the site, to include the location replacement trees (including street trees), shall be submitted to and approved in writing by the Local Planning Authority before

the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

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

Reason: In the interests of biodiversity.

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

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

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

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

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

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

13. The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements

which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

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

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

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

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

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

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

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

17. Except for a temporary period of 18 months from the date of this approval, the development shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

In the intervening 18 month period, the development shall not be used unless the temporary car parking accommodation (50 spaces) as shown on the temporary car park location plan (received on 14/8/2018) has been provided in accordance with those plans.

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

18. Prior to the use of the artificial sports pitches commencing, all works detailed in ADT Noise Report (ADT2364 dated 23/2/17), which form part of a scheme

of works to protect the occupiers of nearby dwellings from noise, shall have been implemented and thereafter retained.

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

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

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

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

Reason: To ensure satisfactory and sustainable drainage arrangements.

27. The temporary car parking accommodation (50 spaces) as shown on the temporary car park location plan (received on 14/8/2018) shall be removed, and the land restored to its former condition on or before 18 months from the date of this approval in accordance with a scheme of work to be submitted to and approved in writing by the local planning authority.

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

### **Other Compliance Conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: In the interests of biodiversity.

26. The artificial grass pitches hereby approved shall only be used as follows: - between 0930 hours and 2200 hours Monday to Friday; and between 0900 hours and 1700 hours on Saturdays, Sundays and Bank Holidays.

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

28. The temporary car parking accommodation (50 spaces) and access to it from the pavilion car park shall not be used after 2200 hours.

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

Attention is drawn to the following directive(s):

1. Where conditions require details to be submitted, an Application for Approval of Details Reserved by Condition is required (unless the condition gives the option of implementing the details already submitted). The Local Planning Authority is expected to determine these applications within 8 weeks of being validated, so it is essential to include all the information required. Apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). There are fees, which are also set by the Government.
2. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

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

The notice should be sent to:-

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

Telephone: 0114 273 6677

Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

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



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

5. 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

6. The applicant is advised that the rugby AGP should be built in accordance with RFU guidance note 7: Artificial Rugby Turf and tested bi-annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22.
7. The applicant is advised that a model Community Use Agreement is available on the Sport England website [www.sportengland.org](http://www.sportengland.org). The community use agreement should set out how community use will operate for hockey and rugby, however community use for football on the proposed artificial grass pitches should be limited to student use only.
8. 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

9. 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

10. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
11. You are advised that, in order to form the new vehicular crossing, a lamp column must be relocated at the applicant's expense. Please contact Craig Spafford (Technical Officer) on 0114 2057422 for further information.
12. The applicant is advised to contact Duncan McIntyre (SCC Travel Plan Officer) regarding preparation of the Travel Plan on 0114 2053073.
13. Three highway trees are to be placed within the highway verge fronting the pavilion on Warminster Road to replace those lost due to works within the site boundary. You are advised that these must be provided at the applicant's expense and will include provision, planting and commuted sums for each tree. The provision of the highway trees will also require the relocation of a pole sign at the applicant's expense. Please contact the Environmental Maintenance Team on 0114 2057424 for further information.
14. The applicant is advised that any excavation works adjacent to any highway tree will be required to be hand dug and the use of a mechanical digger will be prohibited.

15. 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](mailto: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.

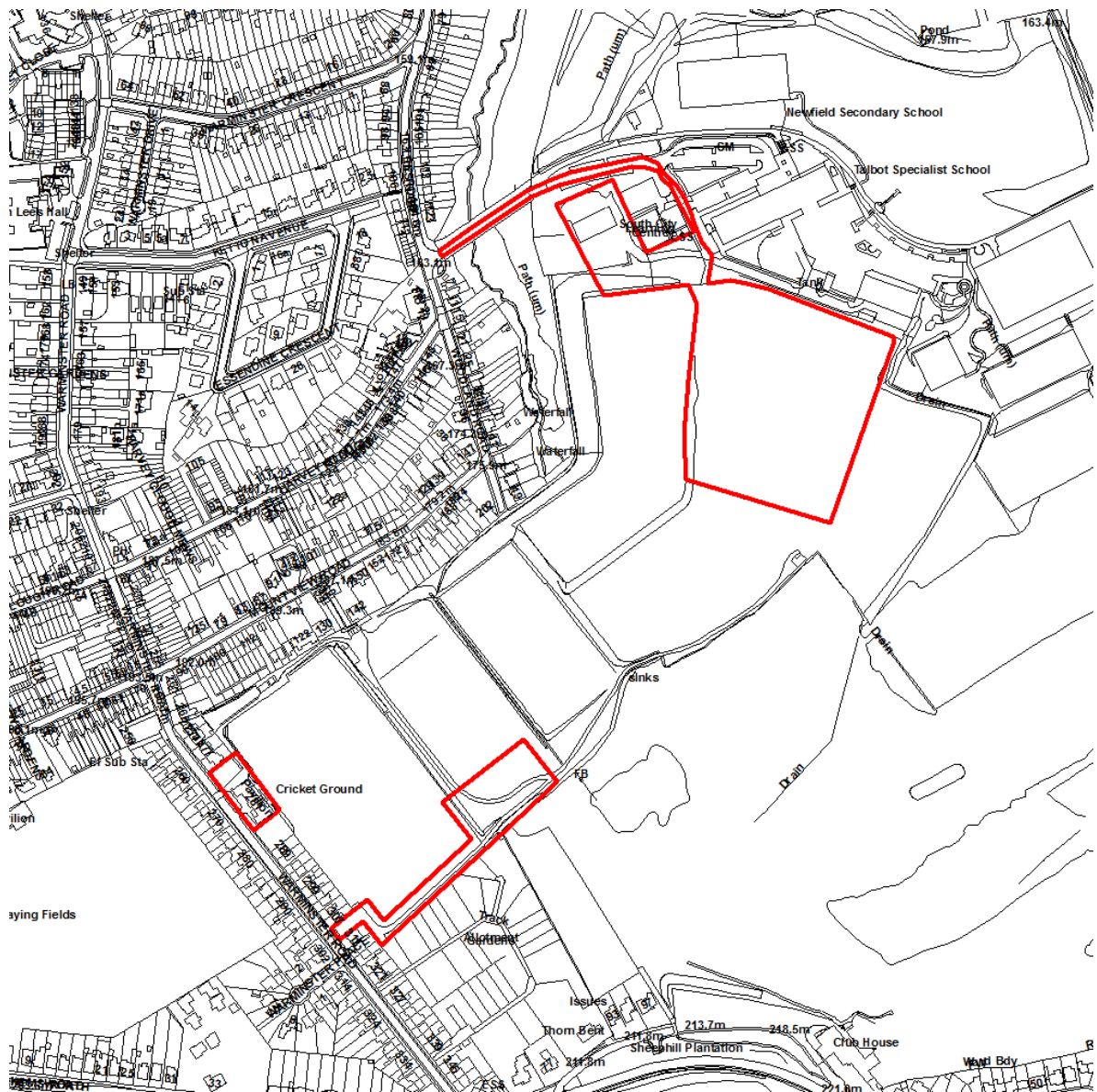
16. The applicant is advised that Japanese knotweed (*Fallopia japonica*) has been identified on site, although it appears to be outside of the potential development boundary. All Japanese Knotweed waste (the plant itself or any material containing parts of the plant) is classed as controlled/special waste and, if found, needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.
17. The applicant is advised that the provision of a raising main may be unnecessary and unsustainable. It should be possible to discharge to the watercourse by gravity from the northern parking area. The discharge route, which would go through SCC land, will need to be investigated.
18. For the avoidance of doubt in line with National Planning Practice Guidance:

Condition 3 has been included on this Decision Notice for completeness and because it remains in force. No further information is required in relation to this condition at this stage subject to the previously agreed details being carried out in accordance with the information approved under Condition Application 17/00855/COND1.

Please note the repeat conditions are listed with the same numbering as the original decision notice.

Please also note that there are a large number of conditions that still need to be complied with.

# Site Location



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## LOCATION AND PROPOSAL

The application site comprises of the University of Sheffield's Athletic and Sports ground at Norton, an established use of the land dating back to the early twentieth century. The sports ground extends over 11 hectares and generally slopes down, away from Warminster Road and towards the north east.

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

The southern end of Woodland Road, to the north, abuts the sports ground around its midpoint but is set back from the north western boundary of the wider site by a wooded valley and Meers Brook.

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

Members may recall that planning permission was granted in June 2017 for the provision of two artificial grass pitches at the north eastern end of the sports grounds, adjacent Newfield School (17/00855/FUL). The proposals included the installation of 15 metre high floodlights, 3 metre high boundary fencing, the erection of a single-storey changing facility/management suite and a covered spectator stand, and the provision of a 79 space car park. In addition, at the south western end of the site adjacent Warminster Road, the scheme included the provision of a coach drop off point/parking area in front of the existing pavilion, boundary fencing, alterations to the existing vehicular access from Warminster Road (between numbers 307 and 313) and the provision of a grasscrete car park for 78 cars adjacent the southern site boundary.

Much of the development is now complete including the artificial grass pitches (AGPs) and associated floodlights, fencing, changing rooms and spectator stand. Similarly, works at the south and western end of the site adjacent Warminster Road, including the grasscrete car park, are also largely complete.

Complications have arisen, however, in relation to the provision of the 79 space car park adjacent Newfield School which, along with the adjoining facilities, is to be accessed via the existing school drive. It is understood that the complications relate to land ownership, but that high level negotiations are underway resolve this matter.

This application, which was submitted in September 2017, originally sought to vary the extant consent to allow delivery of the new Artificial Grass Pitches (AGPs) prior

to the provision of the new 79 space car park by, for a period of 18 months, monitoring user travel patterns and enforcing strict travel plan measures to manage access and parking provision across the site. However, due to restrictions on the hours of use of the grasscrete car park, there were significant concerns that during the lighter summer months in particular, users of both the AGPs and the existing grass pitches would be forced to park on street and that this additional on-street parking would be harmful to highway safety.

Further negotiations ensued and this application, as amended, now seeks consent under Section 73 of the Planning Act to amend application 17/00855/FUL in order to provide alternative access and parking arrangements for a temporary period of 18 months. The temporary arrangements include the provision of two banks of 25 car parking spaces (50 spaces in total) to the south of the new AGPs, to be accessed via the southern access point (between numbers 307 and 313 Warminster Road) up to 1900 hours and via the existing pavilion car park on Warminster Road between 1900 hours and 2200 hours.

The existing access driveway leading from the pavilion car park, which skirts the northern site boundary, will be re-surfaced in smooth running tarmac to reduce noise levels and a 2 metre high solid acoustic fence will be erected to the boundary edge of the access drive to reduce noise from vehicle movements and light pollution from car headlights. The fence, like the car parking spaces, will be a temporary measure and removed once the permanent parking arrangements are in place.

If approved, this arrangement will allow the University to operate the new AGPs prior to the provision of the northern car park and, in turn, begin work on the new Social Science Building – the planning consent for the new Social Science Building is subject to a condition which prevents development from commencing until the AGPs at Norton have been implemented and made available for public use (condition 30 of planning approval 17/00712/FUL). This is because the improved facilities at Norton helped to justify the loss of an AGP on the site of the new Social Science Building.

The applicant anticipates that the necessary agreements will have been reached to allow the northern car park to be provided in accordance with the approved plans, or to provide suitable alternative long term provision, within a period of 18 months from now.

The following condition was attached to the original consent for the two artificial sports pitches adjacent Newfield School:

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

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

Condition 17 will need to be varied in order to facilitate the proposed temporary alternative parking provision.

## RELEVANT PLANNING HISTORY

- 18/00123/FUL      An application for the levelling and remodelling of a grass rugby pitch (Retrospective Application) was approved in April 2014.
- 17/00855/FUL      Planning permission was granted in June 2017 for the provision of two artificial sports pitches with 15m high floodlights and 3m high boundary fencing, the erection of a single-storey changing facility/management suite and covered spectator stand, the provision of car parks, coach drop off point/parking area, boundary fencing and alterations to existing vehicular access from Warminster Road.
- 16/01384/FUL      An application for the re-development of sports ground to provide an artificial (3G) sports pitch, 3m high boundary fencing, provision of car parking area, coach parking area, 8 x 15m flood lights, spectator accommodation, provision of acoustic screen and bund, access drive and alterations to means of access to Warminster Road was withdrawn in January 2017.

## SUMMARY OF REPRESENTATIONS

### Original Submission

The original proposals attracted 7 letters of objection from the occupiers of neighbouring properties as well a letter of objection from Cllrs Steve Ayris and Sue Auckland (Graves Park Ward).

The concerns raised by objectors included:

- Failure to provide adequate car parking, as approved, will result in increased on-street parking and significant highway safety issues.
- The applicant cannot cherry pick items to be brought into use whilst postponing facilities to alleviate the car and coach parking problems that have blighted this area for years.
- The application says that the University will monitor travel patterns and enforce strict travel plan measures but there is no indication as to what that might mean, or what action will be taken.
- Any backtracking on the planning conditions originally set in regard to transport would be a betrayal of local residents.

Cllrs Ayris and Auckland were of the view that any usage of the pitches prior to physical works being undertaken to remodel the proposed northern car park – potentially for a period up to 18 months – was unacceptable as it would prejudice traffic safety and impact detrimentally on the amenities of the locality.

Sport England were consulted and confirmed that they have no comments.

#### Revised Submission

Two representations were received in relation to the amended proposals, 1 neutral comment and 1 raising objections.

The neutral commentator expressed concern that the 'temporary' parking measures will transition into a permanent solution, but that they were not acceptable on a long term basis.

The objector to the amended proposals is concerned by the delay in providing the agreed parking arrangements and the continued lack of active management of traffic when the pitches are in use.

#### PLANNING ASSESSMENT

The majority of the sports ground lies in a designated Open Space Area as defined in the Unitary Development Plan (UDP), though the southern site frontage, adjacent Warminster Road, and the site of Newfield School lie in a designated Housing Area.

Policy H14 of the UDP (Conditions on Development in Housing Areas) seeks to protect residents from development that could harm their amenities, and to secure safe access to the highway network and appropriate levels of off-street parking. Policies H14 and LR5 (Development in Open Space Areas) also expect new development to be in-keeping with the character of the area.

The proposed alternative parking arrangements comprise of a temporary scheme designed to get the now completed AGPs up and running before the 79 space car park adjacent Newfield School can be provided – the applicant expects this to take approximately 18 months.

The alternative proposals are accessed from existing access points on Warminster Road and so will result in some increase in vehicle movements in these locations. Moreover, the number of temporary parking spaces falls 29 spaces short of the full long term provision so some increase in on-street car parking can be expected.

That said, the southern access point (between numbers 307 and 313 Warminster Road) can currently only be used up to 1900 hours and the drive has already been surfaced in smooth running tarmac to reduce noise levels. Fencing and landscaping designed to reduce noise and light pollution to nearby residential properties has also been introduced.

As the grasscrete car park and access to it will continue to operate in accordance with the approved restrictions (i.e. up until 1900 hours), and because the AGPs will only be used by Newfield School, occasional other schools or by the Sheffield Eagles Rugby Club up until 1730 hours Monday to Friday (excluding Wednesday afternoons), it is considered that the increase in car movements using the



southern access point is unlikely to be so significant as to have a harmful impact on the amenities of neighbouring residents, particularly on the proposed temporary basis.

There are historically no restrictions on the use of the existing pavilion car park on Warminster Road and so the intensification of its use is, in theory, uncontrollable. However, the applicant has indicated that it would only be used in association with the temporary car parking spaces between 1900 hours and 2200 hours. As the AGPs will be open from 0930 hours to 2200 hours Monday to Friday and from 0900 hours to 1700 hours on Saturday and Sunday, use of the pavilion car park to access the temporary car parking spaces will therefore be most intense between 1900 hours and 2200 hours Monday to Friday.

Subject to the proposed measures to reduce noise and light pollution along the adjoining access driveway, it is considered that the formal use of the pavilion car park access in association with the temporary car parking spaces for a period of 18 months is also unlikely to have a significant impact, particularly when weighed against the impact of a much more significant increase in off-street parking.

The proposed temporary car parking spaces themselves will be constructed from plastic grid reinforced grass and are set well away from residential properties. They will therefore have little visual impact.

## SUMMARY AND RECOMMENDATION

As described above, it is considered that the impact of the proposed temporary parking arrangements on the amenities of nearby residents, which will operate within restrictions and for a temporary period of only 18 months, will not be significant. The, the number of temporary parking spaces falls 29 spaces short of the full long term provision and so some increase in on-street car parking can be expected. This means that the temporary proposals are not an acceptable long term solution. However, they will enable the now completed AGPs to be brought into use, primarily for rugby and hockey, but also for schools, sports clubs and community groups, with only limited impact on highway safety.

It is therefore recommended that condition 17 be varied as follows:

17. Except for a temporary period of 18 months from the date of this approval, the development shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

In the intervening 18 month period, the development shall not be used unless the temporary car parking accommodation (50 spaces) as shown on the temporary car park location plan (received on 14/8/2018) has been provided in accordance with those plans.

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

In addition, two additional conditions are proposed:

- The temporary car parking accommodation (50 spaces) as shown on the temporary car park location plan (received on 14/8/2018) shall be removed, and the land restored to its former condition on or before 18 months from the date of this approval in accordance with a scheme of work to be submitted to and approved in writing by the local planning authority.

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

- The temporary car parking accommodation (50 spaces) and access to it from the pavilion car park shall not be used after 2200 hours.

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

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



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of City Growth Department

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**Date:** 25 September 2018

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**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

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO PLANNING &  
HIGHWAYS COMMITTEE  
25 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

### 3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection first-floor rear extension to dwellinghouse 84 Burngreave Road Sheffield S3 9DE (Case No 17/05235/FUL) has been dismissed.

Officer Comment:-

The inspector concluded that the proposed first floor rear extension would have an unacceptable overbearing, over dominating and overlooking impact, which would detrimentally affect the living conditions of No.96 Burngreave Road.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for use of office building as residential accommodation North Sheffield Primary Care Trust 89 Green Lane Ecclesfield Sheffield S35 9WY (Case No 17/04529/ORPN) has been dismissed.

Officer Comment:- Officers recommended refusal of this application as future residents were considered to be affected by unacceptable levels of noise disturbance. The Inspector noted that the application site was located in close proximity to a busy road and an established industrial estate; the operations of which give rise to noise and disturbance issues during the day and night. The inspector concluded that the noise mitigation measures proposed by the applicant, which included the reliance on mechanical ventilation and fixed (no openable) windows would result in unacceptable living conditions for future occupants.

### 4.0 APPEALS DECISIONS - ALLOWED

5.0 RECOMMENDATIONS

That the report be noted

Rob Murfin  
Chief Planning Officer

*25 September 2018*

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