

Planning and Highways Committee

Tuesday 18 December 2018 at 2.00 pm

**To be held at the Town Hall, Pinstone
Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

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

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

PUBLIC ACCESS TO THE MEETING

The Planning and Highways Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Recording is allowed at Planning and Highways Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

Planning and Highways Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last.

Further information on this or any of the agenda items can be obtained by speaking to Simon Hughes on 0114 273 4014 or email simon.hughes@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
18 DECEMBER 2018**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 10)
Minutes of the meeting of the Committee held on 27 November 2018.
- 6. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Applications Under Various Acts/Regulations** (Pages 11 - 12)
Report of the Director of City Growth
- 7a. 60 Highfield Rise, Sheffield, S6 6BT (Case No. 18/04178/FUL)** (Pages 13 - 20)
- 7b. Byron Wood Primary School, Earldom Road, Sheffield, S4 7EJ (Case No. 18/03845/FUL)** (Pages 21 - 42)
- 7c. The Hillsborough Arcade And Site Of Former Old Blue Ball Public House, Middlewood Road And Bradfield Road, Sheffield S6 4HL (Case No. 18/03405/OUT)** (Pages 43 - 72)
- 7d. Nambury Engineering Ltd, 56 Penistone Road, Owlerton, Sheffield S6 3AE (Case No. 18/03177/FUL)** (Pages 73 - 104)
- 7e. Land Between Fox Hill Crescent And Fox Hill Avenue, Fox Hill Crescent, Sheffield, S6 1GD (Case No. 18/02830/FUL)** (Pages 105 - 138)
- 7f. 6 Stone Lane, Sheffield, S13 7BR (Case No. 18/02208/FUL)** (Pages 139 - 156)
- 8. Overview of Enforcement Activity** (Pages 157 - 164)
Report of the Director of City Growth

- 9. Enforcement Report** (Pages 165 - 184)
Report of the Director of City Growth
- 10. Record of Planning Appeal Submissions and Decisions** (Pages 185 - 188)
Report of the Director of City Growth
- 11. Date of Next Meeting**
The next meeting of the Committee will be held on 15 January 2019

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

This page is intentionally left blank

Planning and Highways Committee

Meeting held 27 November 2018

PRESENT: Councillors Dianne Hurst (Chair), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Alan Law, Robert Murphy, Zahira Naz, Peter Price, Peter Rippon, Andrew Sangar and Cliff Woodcraft (Substitute Member)

.....

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Roger Davison and Councillor Cliff Woodcraft attended the meeting as the duly appointed substitute. An apology for absence was also received from Councillor Chris Rosling-Josephs, but no substitute was appointed.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

3.1 Councillor Zahira Naz declared a personal interest, as a local Ward Councillor, in

- a) an advertisement consent application for re-signage to building and curtilage at Carbrook Hall Hotel, 537 Attercliffe Common, Sheffield, S9 2FJ (Case No. 18/03646/ADV);
- b) a listed building consent application and a full planning application for the change of use from public house (Use Class A4) to a restaurant/café (Use Class A3) including demolition of a single-storey extension, external alterations including building signs, provision of an outdoor seating area, drive-thru facility, associated access, car parking and landscaping at Carbrook Hall Hotel, 537 Attercliffe Common, Sheffield, S9 2FJ (Case No. 18/03366/LBC and 18/03365/FUL) respectively; and;
- c) a full planning application for the demolition of existing single-storey side extension and erection of a two-storey side extension to dwellinghouse at 127 Bowden Wood Crescent, Sheffield, S9 4ED (Case No. 18/03568/FUL;

3.2 Councillor Naz declared that she had not given an opinion on the applications prior to the meeting and therefore would take part in the discussions and votes.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the previous meeting of the Committee held on 6 November 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. TREE PRESERVATION ORDER NO 422: 1 TYLNEY ROAD, SHEFFIELD, S2 2RX

6.1 The Director of City Growth submitted a report seeking to confirm Tree Preservation Order No.422 at 1 Tylney Road, Sheffield, S2 2RX. A copy of the Order and the Tree Evaluation Method for Preservation Orders were attached to the report now submitted.

6.2 **RESOLVED:** That no objections having been received, Tree Preservation Order No.422, made on 23 August 2018, at 1 Tylney Road, Sheffield, S2 2RX, be confirmed unmodified.

7. TREE PRESERVATION ORDER NO 423: 4 MEADOW BANK ROAD, SHEFFIELD, S11 9AH

7.1 The Director of City Growth submitted a report seeking to confirm Tree Preservation Order No.423 at 4 Meadow Bank Road, Sheffield, S11 9AH. A copy of the Order and the Tree Evaluation Method for Preservation Orders were attached to the report now submitted.

7.2 **RESOLVED:** That no objections having been received, Tree Preservation Order No.423, made on 19 September 2018, at 4 Meadow Bank Road, Sheffield, S11 9AH, be confirmed unmodified.

8. CYCLETRACKS ACT 1984 SECTION 3: CONVERSION OF PUBLIC FOOTPATH TO FOOTPATH/CYCLE TRACK LINKING ROTHERHAM ROAD, MIDDLE OX GARDENS AND DEEPWELL MEWS AT HALFWAY, SHEFFIELD

8.1 The Director of Culture and Environment submitted a report to seek authority to process the Cycle Tracks Order required for converting a public footpath to a shared footpath/cycle track linking Rotherham Road, Middle Ox Gardens and the proposed Taylor Wimpy development at Oxclose Park/Deepwell Drive in the Halfway area of Sheffield.

8.2 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the emergency services, and other relevant bodies, including footpath societies. Ward Councillors had also been informed. No objections had been received at the time of writing the report.

8.3 **RESOLVED:** That (a) no objections be raised to the proposal to convert the public footpath, as shown as a solid black line on the plan now exhibited, to a shared footpath/cycle track. Subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may

be affected; and

(b) Authority be given to the Director of Legal and Governance to-

- i) take all necessary action to convert the footpath to a shared footpath/cycle track under the powers contained within Section 3 of the Cycle Tracks Act 1984;
- ii) confirm the Order as an unopposed order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the Order being confirmed.

9. HIGHWAYS ACT 1980 SECTION 118: PROPOSED CLOSURE OF FOOTPATH SHE/ 346 AT WADSLEY BRIDGE, SHEFFIELD 6

9.1 The Director of Culture and Environment submitted a report to seek authority to refer the City of Sheffield (footpath SHE/346) Public Path Closure Order 2018 to the Secretary of State for Environment, Food and Rural Affairs for confirmation in the light of an objection received.

9.2 Following a comment made by a speaker at the meeting with regards to Don Valley Railway having potential plans to use the footpath in connection with a possible reopening of Wadsley Bridge station, Officers confirmed that they were not aware of such plans for the reopening of the Station at Wadsley Bridge.

9.3 **RESOLVED:** That the proposed closure of public footpath SHE/346 at Wadsley Bridge, Sheffield 6, be deferred pending more investigation into the potential use of the footpath in connection with any reopening of the station.

10. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

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.

10a. CARBROOK HALL HOTEL, 537 ATTERCLIFFE COMMON, SHEFFIELD, S9 2FJ (CASE NO. 18/03646/ADV)

10a.1 Following consideration of representations made at the meeting from a member of the public speaking against the application and the applicant's agent speaking in support of the application, an advertisement consent for re-signage to building and curtilage at Carbrook Hall Hotel, 537 Attercliffe Common, Sheffield, S9 2FJ (Case

No. 18/03646/ADV), be granted, conditionally, for the reasons detailed in the report now submitted.

10b. CARBROOK HALL HOTEL, 537 ATTERCLIFFE COMMON, SHEFFIELD, S9 2FJ (CASE NO: 18/03366/LBC)

10b.1 Following consideration of representations made at the meeting from a member of the public speaking against the application and from the applicant's agent speaking in support of the application, a listed building consent for change of use from public house (Use Class A4) to a restaurant/café (Use Class A3) including demolition of existing garage and store/toilets and erection of a single-storey extension, external alterations including building signs, provision of an outdoor seating area, drive-thru facility, associated access, car parking and landscaping at Carbrook Hall Hotel, 537 Attercliffe Common, Sheffield, S9 2FJ (Case No. 18/03366/LBC), be granted, conditionally, subject to the inclusion of a directive encouraging the applicant to open up the upstairs of the building, if technically feasible, as part of Sheffield's Heritage Open Day programme, for the reasons detailed in the report now submitted.

10c. CARBROOK HALL HOTEL, 537 ATTERCLIFFE COMMON, SHEFFIELD, S9 2FJ (CASE NO: 18/03365/FUL)

10c.1 Following consideration of representations made at the meeting from a member of the public speaking against the application and the applicant's agent speaking in support of the application, a planning application for change of use from public house (Use Class A4) to a restaurant/café (Use Class A3) including demolition of existing garage and store/toilets and erection of a single-storey extension, external alterations including building signs, provision of an outdoor seating area, drive-thru facility, associated access, car parking and landscaping at Carbrook Hall Hotel, 537 Attercliffe Common, Sheffield, S9 2FJ (Case No. 18/03365/FUL), be granted, conditionally, subject to the inclusion of a directive encouraging the applicant to open up the upstairs of the building, if technically feasible, as part of Sheffield's Heritage Open Day programme, for the reasons detailed in the report now submitted.

10d. 127 BOWDEN WOOD CRESCENT, SHEFFIELD, S9 4ED (CASE NO. 18/03568/FUL)

10d.1 Following consideration of the report, a planning application for the demolition of existing single-storey side extension and erection of a two-storey side extension to dwellinghouse at 127 Bowden Wood Crescent, Sheffield, S9 4ED (Case No. 18/03568/FUL) be granted, conditionally, for the reasons detailed in the report now submitted.

10e. DISUSED PUBLIC CONVENIENCE, COMMON SIDE, SHEFFIELD, S10 1GG (CASE NO. 18/03472/FUL)

10e.1 Following consideration of a correction to the report, as outlined in a supplementary report circulated at the meeting, a planning application for planning permission for change of use to restaurant/café (Use Class A3) including new

entrance doors and retention of Use Classes A1 and A2 at a Disused Public Convenience, Common Side, Sheffield, S10 1GG (Case No. 18/03472/FUL) be granted, conditionally, for the reasons detailed in the report now submitted.

10f. 16 LADYSMITH AVENUE, SHEFFIELD, S7 1SF (CASE NO: 18/01572/FUL)

10f.1 Following consideration of a additional representation, as outlined in a supplementary report circulated at the meeting, representations made at the meeting from a member of the public speaking against the application and from the applicant and architect speaking in support of the application, an application for planning permission for alterations to roof including raising the ridge height, provision of solar panels to rear and formation of gable ends to form a first-floor and erection of single-storey front and rear extensions, including replacement of existing brickwork and rendering of existing garage (as per Amended Drawing received 23.10.18) at 16 Ladysmith Avenue, Sheffield, S7 1SF (Case No. 18/01572/FUL), be granted, conditionally, for the reasons detailed in the report now submitted.

11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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

12. DATE OF NEXT MEETING

12.1 It was noted that the next meeting of the Committee will be held at 2.00p.m. on Tuesday 18 December 2018 at the Town Hall.

This page is intentionally left blank



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 18/12/2018

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond/ John Williamson 273 4556/4944

Summary:

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

Recommendations:

Background Papers:

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

Category of Report: OPEN

Application No.	Location	Page No.
18/04178/FUL (Formerly PP-07390370)	60 Highfield Rise Sheffield S6 6BT	
18/03845/FUL (Formerly PP-07294381)	Byron Wood Primary School, Earldom Road Sheffield S4 7EJ	
18/03405/OUT (Formerly PP-07240602)	The Hillsborough Arcade And Site Of Former Old Blue Ball Public House, Middlewood Road And Bradfield Road Sheffield S6 4HL	
18/03177/FUL (Formerly PP-07218947)	Nambury Engineering Ltd, 56 Penistone Road Owlerton Sheffield S6 3AE	
18/02830/FUL (Formerly PP-06040723)	Land Between Fox Hill Crescent And Fox Hill Avenue, Fox Hill Crescent Sheffield S6 1GD	
18/02208/FUL (Formerly PP-07002574)	6 Stone Lane Sheffield S13 7BR	

Case Number	18/04178/FUL (Formerly PP-07390370)
Application Type	Full Planning Application
Proposal	Demolition of existing single-storey rear extension, and erection of a one/two storey rear extension to dwellinghouse
Location	60 Highfield Rise Sheffield S6 6BT
Date Received	05/11/2018
Team	West and North
Applicant/Agent	Coda Studios 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:

as amended on 03.12.18 :- 2744 003- proposed and 2744 001-site location plan

Reason: In order to define the permission.

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

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

Other Compliance Conditions

Attention is Drawn to the Following Directives:

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

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

The site is located within the Stannington district of Sheffield on Highfield Rise which is a cul-de-sac. The application relates to a modest two storey, brick built, semi-detached dwelling house with a gable-end roof and which also benefits from a two-storey side extension, a single storey rear extension and a large rear dormer window. The property has an area of hardstanding to the front, which provides off street parking.

The property is located on the edge of the built up area. The immediate area consists of two storey semi-detached dwellings which are of similar appearance to the subject property. To the rear of the property are open fields that are within the Green Belt.

The area is predominantly residential and although the application site sits on the edge of the Green Belt it is in an allocated Housing Area as defined in the Sheffield Unitary Development Plan (Adopted March 1998- UDP).

Planning permission is sought for the demolition of existing single-storey rear extension and erection of a part single-storey and part two-storey rear extension.

No pre-application advice has been sought.

RELEVANT PLANNING HISTORY

-12/03741/FUL- Single-storey rear extension to dwellinghouse- Granted 05.03.13

-11/00971/FUL- First floor extension to side of dwellinghouse and erection of dormer window to rear (As amended plans received 05.05.11)- Granted 11.05.11

-06/01568/FUL- Single-storey rear/side extension to dwellinghouse, extension to roof to form room in roof space, erection of rear dormer window and erection of front porch- Granted 26.07.06

SUMMARY OF REPRESENTATIONS

Bradfield Parish Council have raised no objections to this planning application.

No other representations have been made to this planning application.

PLANNING ASSESSMENT

Policy

The revised National Planning Policy Framework (NPPF) –July 2018; Paragraph 127 seeks to ensure that new developments (which includes house extensions):

- 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;
d) establish or maintain a strong sense of place and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy H14 (Conditions on Development in Housing Areas) of the Unitary Development Plan supports and accords with the aims of the NPPF and 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 or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood and it would provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

Policy H14 is supplemented by an adopted Supplementary Planning Guidance on Designing House Extensions (guidelines 1-9). This document provides more detailed guidance on matters such as design, overbearing and privacy.

UDP Policy BE5 (Building Design and Siting) expects good overall design and the use of high quality materials. Original architecture is encouraged, but new development should also complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS 74 (Design Principles) reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city.

Design Issues

The proposed ground floor rear extension will project approx. 6.5m to the rear and will run the full width of the existing property. The proposed first floor will project approx. 4m to the rear along the southern boundary but will be set in from the northern boundary by approx. 2.7m. The windows and patio doors to be inserted in the proposed extension are of an appropriate style and proportion, and will align through with the existing rear windows, no openings are shown to the proposed side elevations facing the immediate neighbouring dwellings. Although a traditional tiled roof to match the existing would have been preferred, the proposed extension is to the rear and as such, not visible from the main street scene. The long vistas from the rear to the site in question will also be softened by the existing topography and the open Green Belt areas. It is considered that due to its inconspicuous position, the proposed extension will not be harmful to the character and appearance of the property or the street scene or impact the openness and charm of the Green Belt.

The plans submitted illustrate a contemporary design, which includes a flat roof with roof lights to the rear single storey ground floor part of the proposed development and a flat roof to the rear first floor; it is considered that this modern design, although different from the design of the original dwelling, merges well with the existing. In terms of the design of the proposed extension the proposal is considered to be acceptable.

The proposed scheme accords with the objectives outlined in Policy H14, the adopted Supplementary Planning Guidance on Designing House Extensions (guidelines 1-3 and 9), BE5, Cs74 and the NPPF (para.127).

Amenity issues

The proposed two-storey side extension is not considered to have an adverse impact upon the amenities of the neighbouring properties. The adjacent property, No.62 Highfield Rise, has a similar rear two-storey and single storey extension which extends along the shared boundary, projecting more or less the same as the proposed and as such there will be no detrimental harm to the living conditions of the occupiers of No.62 Highfield Rise in terms of loss of light, loss of privacy or any unacceptable overbearing.

No.58 Highfield Rise, which is the adjoining semi, also incorporates a large rear single storey conservatory extension which is separated by a 2m fence. The proposed rear extension of the subject site will project approx. 0.5m beyond the neighbouring rear single storey conservatory extension. It is considered that although the majority of the proposed single storey rear extension will be screened by the existing 2m high fence, the slight projection beyond the neighbouring extension is considered marginal and will have no significant impact upon overbearing or overshadowing. As such there will be no detrimental harm to the living conditions of the occupiers of No.58 Highfield Rise in terms of loss of light, loss of privacy or any unacceptable overbearing. The proposed first floor rear extension will also not breach the 45 degree line when taken from the rear elevation of No.58 Highfield Rise.

There are no properties directly to the rear, which would be affected by the proposed extension.

The proposal will still retain sufficient external amenity space and the proposed extension will not result in overdevelopment of the plot.

The proposed scheme accords with the objectives outlined in Policy H14 and the adopted Supplementary Planning Guidance on Designing House Extensions (guidelines 4-6).

Highway Issues

Although there is an increase in the number of bedroom from 3 to 4, the existing off street parking to the front of the property will not be affected by the proposed extension and as the road is a cul-de-sac there are no adverse highways implications arising from this proposal.

The proposed scheme accords with the objectives outlined in Policy H14 and the adopted Supplementary Planning Guidance on Designing House Extensions (guideline 8).

SUMMARY AND RECOMMENDATION

The proposed single storey and two storey rear extensions are considered to be acceptable in terms of design, form, and scale, impact upon residential amenity and highways impact and is therefore considered to be in compliance with the guidance contained within the NPPF, Policies H10 and H14 of the Unitary Development Plan and the Supplementary Planning Guidance on Designing House Extensions.

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

This page is intentionally left blank

Case Number	18/03845/FUL (Formerly PP-07294381)
Application Type	Full Planning Application
Proposal	Demolition of existing school building, erection of two-storey primary school building and provision of hard and soft play facilities
Location	Byron Wood Primary School Earldom Road Sheffield S4 7EJ
Date Received	12/10/2018
Team	West and North
Applicant/Agent	GL Hearn
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Site Location Plan YO65421A-JMA-01-ZZ-DR-A-00-0012-S4 P01
Site master plan YO65421A-DHL-Z0-Z0-DR-L-00001 P06 -
Red Line YO65421A-JMA-01-ZZ-DR-A-00-0005-S4 P07
Proposed Block Plan YO65421A-JMA-01-ZZ-DR-A-00-0010-S4 P02
Elevation North and West YO65421A-JMA-01-ZZ-DR-A-00-2001-S4 P10
Elevation South and East YO65421A-JMA-01-ZZ-DR-A-00-2002-S4 P10
Proposed Ground Floor Plan YO65421A-JMA-01-ZZ-DR-A-00-0001-S4 P13
Proposed First Floor Plan YO65421A-JMA-01-ZZ-DR-A-00-0002-S4 P09
Typical Building Section YO65421A-JMA-01-ZZ-DR-A-00-1001-S4 Section P05
Site Cross Sections YO65421A-DHL-Z0-Z0-DR-L-00009 P03
External Levels YO65421A-DHL-Z0-Z0-DR-L-00013 P04

Proposed Roof Plan YO65421A-JMA-01-02-DR-A-00-0003-S4 P03
Phase 1 Construction YO65421A-DHL-Z0-Z0-DR-L-00010_S2 P03
Phase 2 Construction YO65421A-DHL-Z0-Z0-DR-L-00011_S2 P04
Planting Plan YO65421A-DHL-Z0-Z0-DR-L-00003_S2 P03
Landscape Layout Plan YO65421A-DHL-Z0-Z0-DR-L-00002_S2 P10
Trees to be Removed YO65421A-DHL-Z0-Z0-DR-L-00006 P04
Fence and Boundary Treatment Strategy YO65421A-DHL-Z0-Z0-DR-L-00004
P09

Reason: In order to define the permission.

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

3. No development shall commence until a traffic regulation order (TRO) has been approved by the Council to secure temporary arrangements for the egress route of construction traffic from the site. The TRO shall have been implemented as approved and the temporary arrangements shall then be provided prior to the arrival of construction traffic. Upon completion of the project, Earldom Road (from its junction with Catherine Road) shall be returned to its original condition.

Reason: In the interests of the safety of road users and the amenities of the locality

4. Prior to the commencement of development the embankment to the south of the new school building shall be resurveyed by a suitably qualified ecologist to check for the presence/absence of protected species. Should evidence of protected species be found, works shall immediately cease and the Local Planning Authority should be contacted for advice. The development shall only then proceed in accordance with appropriate mitigation measures the details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that protected species, are not adversely affected by the development.

5. In accordance with 'AWA Tree Consultants Arboricultural Method Statement Dwg ref: AWA2381: Tree protection plan' the existing landscaped areas within the site shall be retained and protected from construction activity. 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 protection measures shall be in place prior to the commencement of development and shall not be removed until the completion of the development. Any damage during construction/demolition works shall be made good by reinstating to the condition/appearance prior to the commencement of the works.

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.

6. The construction compound shall not be used unless a porous no dig root protection system (geo web or equivalent) has been installed in the areas shown in the 'AWA Tree Consultants Arboricultural Method Statement Dwg ref: AWA2381: Tree protection plan'. The no dig root protection measures shall be in place prior to the commencement of development and shall not be removed until the completion of the development. Any damage during construction/demolition works shall be made good by reinstating to the condition/appearance prior to the commencement of the works.

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.

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

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate

change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

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

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

9. The existing School Building (Building 1) shall not be demolished until the following additional bat survey work has been undertaken and submitted to and approved in writing by the Local Planning Authority:

A, An internal roof void survey carried out using current best practice guidance by a suitably qualified bat ecologist to confirm the presence and location of any bat roosts/activity (this work can be carried out at any time of the year).

B, A minimum of two dusk emergence or dawn re-entry bat surveys to be completed between May and August.

C, Any necessary mitigation and or avoidance measures.

The development shall be carried out and completed in strict accordance with the approved bat surveys, mitigation and avoidance measures.

Reason: To ensure that bats, a protected species, are not adversely affected by the development.

10. Within 6 months of the commencement of development, or an alternative time scale to be agreed in writing with the Local Planning Authority details of the number, location and specification of bird and bat boxes to be integrated into the development shall have been submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be provided in accordance with the approved details prior to the first occupation of the development.

Reason: In the interest of Biodiversity.

11. Should the clearance of site vegetation and/or trees take place within the bird nesting season (March to August inclusive) a pre site clearance check shall be carried out by a suitably qualified ecologist to establish the presence of nesting birds. If active bird nests are present clearance works can only proceed once all chicks have fledged.

Reason: In order to ensure that nesting birds are not adversely affected by the development.

12. 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.

13. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

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

14. The development shall not be used until a Community Use Agreement has been submitted to and approved in writing by the local planning authority. Thereafter community access to the school shall be afforded in accordance with the approved community use agreement.

Reason: To provide benefits for the community in accordance with policy CF1 of the Unitary Development Plan (Provision of Community Facilities) and in the interests of the amenities of the locality and occupiers of neighbouring properties.

15. Using the submitted Byron Wood Academy Travel plan as a basis, after the first term of occupation, a Bronze Level Travel Plan shall have been achieved using ModeshiftSTARS (www.modeshiftstars.org). After one year of occupation, a Silver Level Travel Plan shall have been achieved using www.modeshiftstars.org. After 3 years of occupation, a Gold Level Travel Plan shall have been achieved, again using www.modeshiftstars.org;

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

16. The Local Planning Authority shall be consulted with and give prior approval in writing to any subsequent improvements or modifications to the Travel Plan, following the submission of progress performance reports as timetabled in the programme of implementation. All future owners/occupants of the site shall operate a Travel Plan and will adhere to the approved Travel Plan unless

otherwise varied and agreed with the Local Planning Authority prior to occupation

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

17. In accordance with approved Silcock Leedham Sustainability Statement August 2018 the predicted energy demands of the building shall be reduced by a minimum of 10% from a fabric first approach. The measures to achieve the 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 of the building. Thereafter the agreed measures shall be retained and maintained for the lifetime of the development.

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

Other Compliance Conditions

18. The development shall be constructed in accordance with the approved Construction Environmental Management Plan (CEMP) ref: Interserve Construction Management Plan Byron Wood PMP (3) received via email 3rd December 2018.

Reason: In the interests of the amenities of adjoining residents.

19. 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 it is essential for these works to have been carried out before the use commences.

20. All teaching rooms shall be designed in accordance with the noise levels and ventilation provision given in Building Bulletin 93 (BB93) and Building Bulletin 101.

Reason: In the interest of the amenities of future users

21. No gates shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

22. The covered and secure cycle/motorcycle/scooter parking shall have been provided in accordance with the approved plans prior to the completion of the development. Thereafter the cycle/motorcycle/scooter parking shall be retained/maintained for the sole purpose intended.

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

23. All vehicle and pedestrian areas within the site shall have been surfaced, sealed and drained to the satisfaction of the Local Planning Authority prior to occupation.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

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

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

25. Noise levels from plant and equipment shall not exceed background noise levels (LA90 10 mins) when measured at the nearest noise sensitive properties.

Reason: In the Interests of the amenities of adjoining residential properties.

26. The development shall be constructed in accordance with the materials and specifications identified on dwg refs: O65421A-JMA- 01 ZZ-DR-A- 00 2002 rev P010 and O65421A-JMA- 01 ZZ-DR-A- 00 2001 rev P010 All render shall be through coloured.

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

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

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. 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.

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

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

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

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

3. In order to secure the egress route for construction traffic, the applicant is advised to discuss a temporary traffic regulation order at the earliest opportunity with gary.greville@sheffield.gov.uk (0114 273 6159).
4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

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

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

5. 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

6. The applicant is advised to contact the Council's Development Services, Land Drainage, Howden House, 1 Union Street, Sheffield, S1 2SH (Telephone Sheffield 2735847) to seek approval for the proposed drainage arrangements, as soon as possible, prior to the commencement of development.
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 noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.
9. The proposed development lies within a coal mining area. In the circumstances applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
10. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or

sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

11. 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 on the Council website here:

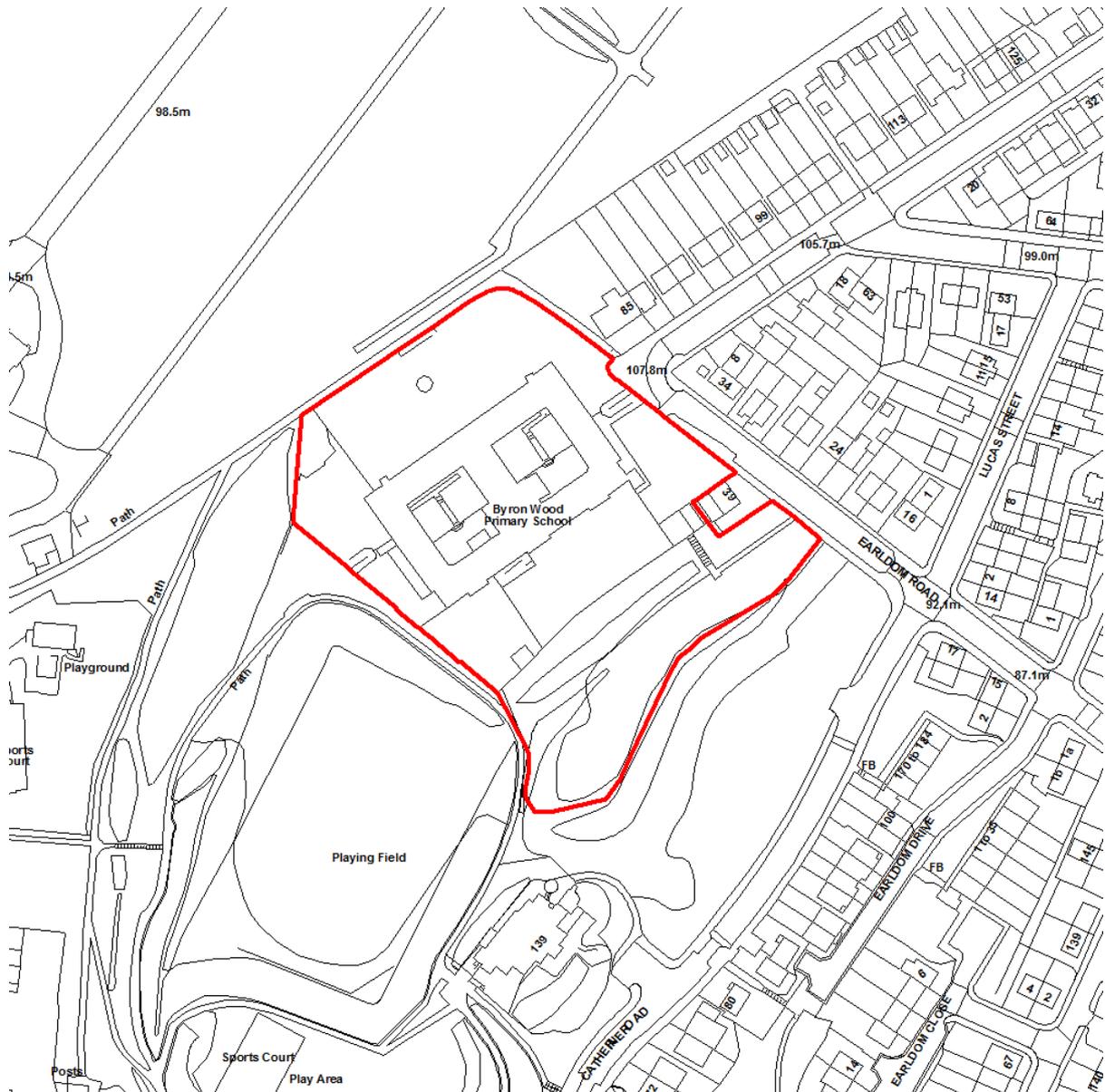
<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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

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

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

This application seeks permission to demolish the existing Byron Wood School and erect a new two storey primary school positioned on the playground to the immediate south of the existing school building. The proposal will require the creation of a cantilever to accommodate the new school building in this location due to the sloping topography of the site.

The application site is approximately 1.3 hectares in area comprising of the existing Byron Wood Academy and its associated hard surfaced playing areas. Immediately to the south of the existing school building is an existing 'Forest School' area which is used by the school for outdoor activities and is located within the existing secure school grounds. The school currently have access to the adjoining playing fields to the west which will remain unaffected by this development.

The site is bounded by Burngreave Cemetery to the north, Earldrom Road to the east, open space to the south and existing playing fields to the west. The surrounding area is predominantly residential in character. The current school is centrally located within the site. Ground levels across the site rise steeply in a northerly direction following the rising gradient of Earldom Road.

The large majority of the existing school site lies in an allocated Housing Area with the exception of the forest school area which falls within in an open space area as defined in the adopted Sheffield Unitary development Plan (UDP).

The proposed school is being delivered through the Priority School Building Programme (PSBP) which is a national strategy for the redevelopment of school sites. PSBP is a privately financed public private partnership programme set up to address schools in most urgent need of repair/replacement. The funding for this project is being allocated by the Education Skills Funding Agency (ESFA).

The existing school is a part two storey/part single storey pitched roofed building organised around two enclosed courtyards. The existing school was constructed in the 1930's as a secondary school, in the 1960's it was converted to a middle school, in 1991 it amalgamated with Ellsemere Nursey to become Byron Wood School; in 2016 the school became an Academy.

The existing school is considered by the applicants to inefficient and oversized for its needs. The school currently provides accommodation for a total of 472 pupils aged between 3 and 11 (inclusive of nursery provision) and employs 57 full time equivalent members of staff. The existing school building has a gross internal floor area (GIFA) of 2,892 sqm. The new school will occupy a reduced footprint of 2,179 sqm. Pupil and staff expansion is not planned as part of the redevelopment proposals.

PLANNING HISTORY

07/04238/FUL - Single-storey extension to school to form toilet block (In accordance with amended plans received 28th January 2008) - Granted Conditionally.

09/00077/RG3 - Two free-standing shelters – Granted Conditionally.

SUMMARY OF REPRESENTATIONS

The application was advertised by way of individual neighbour consultation letter, site notice and newspapers advert.

No representations have been received either in support or objection.

PLANNING ASSESSMENT

Policy Issues

The site is in a Housing Policy area and Open Space area as defined in the adopted Sheffield UDP. Policy H10 identifies education facilities (Use class D1) as acceptable in the policy area.

The NPPF (para 94) identifies that a sufficient choice of school places should be available and Local Planning Authorities (LPA's) should give great weight to the need to create, expand or alter schools through preparation of plans and decision on applications. Para 94 of the NPPF also identifies that LPA's should work with schools promoters, delivery partners and statutory bodies to resolve key planning issues before applications are submitted.

Policy CF1 (Provision of Community Facilities) seeks to promote the provision of community facilities which includes schools particularly where they would be for disadvantaged people, located where there is a shortage and in the community they intend to serve. Policy CS43 (Schools) also seeks to ensure that there is sufficient provision of modern education facilities and indicates that there will be significant investment to upgrade some primary schools in the city. As such the principle of the delivery of a new primary school which will serve the local community it is located in is supported and complies with policy CF1 and CS43.

The development leads to a very minor encroachment into the 'forest school' area, a soft landscaped area associated with the existing school which is in an allocated open space area as defined in the UDP. Policy CS45 (Quality and Accessibility of Open Space) states that the safeguarding and improvement of open space will take priority over the creation of new areas. Policy CS47 (Safeguarding Open Space) states that development of open space will not be permitted where there is a shortage of open space in the area. Although the development encroaches into open space, this space lies within in the operational and secure line of the existing school and is solely dedicated to the schools use. The proposal will therefore not remove open space provision that is currently publically accessible.

The encroachment into the open space is as a result of the need to provide a cantilever structure on which the new school will be sat due to the sloping gradients of the site. The loss of open space is very minor but in this case considered necessary as the proposed building is located on the only feasible part of the site which allows the new school to be constructed, while the existing school remains open and operational. A large majority of the forest school area will be retained once

the development is complete. In light of the above the loss of this small area of open space is considered to be acceptable.

Phasing

The existing school must remain operational during the course of the construction. The new school has been located to the south of the existing school building which is considered to be the only feasible location for the new building which allows it to be constructed while the existing school remains operational and safe to use. The new school will be constructed using crane access from the south where a temporary staff car park will also be located. Following completion of the new build pupils and staff will move into the new building the old school will be fenced off and demolished. The site will then be landscaped, the new playing areas provided and forestry school area reinstated.

Design Issues

UDP Policy BE5 (Building Design and Siting) expects good overall design and the use of high quality materials. Original architecture is encouraged, but new development should also complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS 74 (Design Principles) reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city.

Policy H14 (Conditions on Development in Housing Areas) seeks to ensure that development is well and in scale and consistent with the residential character of the area.

The application site occupies a relatively prominent position largely due to the topography of the area. The proposed development would replace the existing two storey school building, with a smaller school building with a reduced footprint split over two storeys extending to approximately 71 metres in length and 17.5 metres in width.

Due to the need to retain an operational school on site during the construction phase the new school building is located to the south of the existing building on an existing play area and will be partly constructed on a cantilever due to the sloping gradient of the site.

The building is linear in form extending along a majority of the sites southern boundary and incorporates a pitched roof. The proposed building will be visible from the adjoining highways, however its scale is considered consistent with the existing buildings on site and the prevailing character of the area.

The building is to be faced in a cream and blue render and a multi red brick. The proportions of brick have been slightly increased following pre application discussions with the entire eastern of the building which accommodates the hall and is the most visible from the public highway now entirely faced in brick. The eastern

gable end will also include the schools name and logo in order to increase legibility of the building. The remainder of the building is to be faced in render with some brick detailing. It is noted that render is prevalent in the locality and whilst it would be preferable for the entire building to be constructed of brick, for budgetary reason the applicant has indicated that this is not possible and it cannot be insisted on in this case.

Some reconfiguration to the play areas and associated site access for pedestrian and vehicles is required as a result of the amended siting of the school building. These changes are relatively minor and will involve the creation of additional soft landscaping and informal play areas to the rear of the new school. Further landscaping of the forest area is also proposed. The existing large brick and railing boundary wall which defines the school boundary with Earldom Road will be retained as part of the development and amended slightly to accommodate improved emergency vehicle access.

In light of the above the design and layout of the scheme is considered acceptable taking account of the constraints of the site. The scheme therefore complies with BE5 and H14 of the UDP and CS74 of the CS.

Amenity Issues

The application site lies in a designated Housing Area as defined in the Unitary Development Plan (UDP) and policy H14 of the UDP (Conditions on Development in Housing Areas) expects development to safeguard the amenities of neighbouring residents.

The use of the site for educational purposes is established and this will remain the case as result of the development. The changes to the position and location of the school building within the site are not considered to give rise to any increased noise or disturbance over and above the existing use of the site. There are existing play areas to the rear of the existing school and these will simply be remodelled and slightly extended as part of the development. Noise breakout from a more modern building will be reduced in comparison to the existing older school building on site.

Given the proximity of existing residential properties there will be some noise and disturbance during the construction and demolition phases of the development. The applicant has submitted a Construction Environmental management Plan (CEMP) which details a series of measures that will be adhered to in order to minimise any disturbance during the works. Details of the above will be secured by condition.

The former caretakers house located adjacent to Earldom Road no longer forms part of the existing or proposed school site and is currently disused and boarded up . Should this property become occupied in the future the proposal is not considered to give rise to any significantly greater impact on the amenity of future residents than the existing school.

In light of the above the proposal is not considered to give rise to any significant amenity issues.

Highways

Core Strategy Policy CS53 'Management of Demand for Travel' sets out a variety of ways in which the increased demand for travel will be managed across the city including applying maximum parking standards to all new developments to manage the provision of private parking spaces.

Policy H14 part (d) seeks to ensure that development would provide safe access to the highways network and appropriate of street parking and not endanger pedestrians.

A transport statement (TS) has been submitted in supported of this application. The report considers the impact of development traffic on the local highway network, addresses existing public transport and non-car considerations in relation to the overall accessibility of the scheme, and finally draws conclusions.

Byron Wood Academy is a two-form entry primary school with an integrated nursery. The primary school can accommodate up to 420 pupils, with the nursery 52 pupils. Across the site, there are currently 57 full-time equivalent staff. The school currently runs breakfast and after school clubs, which will continue.

As there is no material increase in pupil numbers or staff proposed as a result of the development the proposal is not considered to give rise to any increased or greater material impact on the operation of the adjoining highways network than the existing school. The school is located in the community that it will primarily serve and the TS identifies that nearly 60% of students travel to school by sustainable means (walking, cycling, public transport) with those that travel by car half of them share a lift.

A comprehensive framework travel plan has been submitted with the application, which aligns with the Modeshift STARS Programme, which supports schools with sustainable travel through accreditation and the National School Travel Awards. A condition will be imposed requiring the school to meet certain specified Modeshift STARS standards. Covered and uncovered secure bicycle/scooter parking is also to be provided.

The staff car park would remain in the same location as existing accessed off Earldom Road, it will however be slightly reconfigured and enlarged by two spaces. Access to the existing car parking for students and staff with mobility issues for drop off and pick up will be managed by the school. Parking by staff does occasionally over-spill onto the adjacent roads, but there are still plenty of spaces left for residents. No objections/complaints have been received in relation to staff parking on-street as part of the application.

Servicing will take place from within the retained car park. The vehicular access (off Earldom Road) will be slightly widened to accommodate servicing and fire/rescue vehicles. There's an existing segregated pedestrian route entering the school grounds just to the north of the vehicular access, which leads to entrance/reception area of the new school building. This route will be widened and its alignment has been altered to ease pedestrian flows at the beginning and end of the school day. A

second pedestrian access into the school grounds exists from Burngreave Cemetery; this is proposed to be removed as part of the redevelopment.

The roads surrounding the school have all been traffic calmed by a mixture of humps, cushions, road narrowing's and plateaux's. The website Crashmap has been used to obtain personal injury data for the years 2015, 2016 and 2017. Five injuries were recorded during this period, all slight in nature. The locations of the accidents were spread evenly across the local network, with no particular similarity in causation. The statistics suggest no specific road safety concerns in the local area.

The applicants have submitted some detailed information regarding the proposed construction of the development in light of the sites constraints. The forest school area within the southern part of the school boundary will be used as the contractor's site compound accommodating cabins, parking and storage of construction materials. A 60 metre crane will be erected in this area. There is currently no vehicular access into this area, so a temporary vehicle crossing will be required. The vehicle crossing would be positioned on the one-way section of Earldom Road to the north of the junction with Catherine Road. To avoid construction traffic having to navigate the entire one-way system which currently operates on the highways adjoining the school, a small length of Earldom Road will be converted to two-way operation from Catherine Road up as far as the site compound access. This will allow construction traffic to turn right out of the site, enabling them to leave the area without having to navigate the adjoining residential streets. A temporary Traffic Regulation Order (TRO) will be required to facilitate the two-way operation of Earldom Road. Accommodation works will be required to traffic signs, road markings, bollards and kerbing. Upon construction of the school the temporary site access will be kerbed through and the footway reinstated, the road will be returned to one-way operation.

The proposal is considered to be satisfactory with regard to the aims of Policy CS53 of the Core Strategy and UDP Policy H14. The development is not considered to give rise to any severe residual cumulative impacts on the highways network or detrimentally affect highways safety. As such and in accordance with paragraph 109 of the NPPF it is considered that the development should not be resisted on highways grounds.

Drainage and Flooding

Policy CS67 (Flood Risk Management) identifies that the extent and impact of flooding will be reduced by a number of means including: requiring developments to significantly limit surface water runoff, requiring the use of sustainable drainage techniques on sites where this is feasible and practicable and promoting sustainable drainage management in rural areas.

The site is located in Flood zone 1 where land and properties are considered to be at the lowest risk of flooding; however as the site exceeds 1 hectare a Flood Risk Assessment (FRA) has been submitted in support of the application. The FRA is largely concerned with drainage issues associated with the site. Originally the applicant proposed to use infiltration methods to deal with surface water drainage from the development. The Lead Local Flood Authority (LLFA) raised concerns with

the use of infiltration methods as there is significant risk that surface water will breakout further down slope due to ground conditions and steep site gradients. Surface water breakout downslope would affect land not within the applicant's control. As such the drainage arrangements have been amended and a discharge to the combined sewer is now proposed at a restricted rate as a result of the provision of on-site storage. The LLFA are satisfied with the amended proposals however full details of the drainage design, its management and maintenance and the discharge rate to the combined sewer will be secured by condition.

In light of the above the application is considered acceptable from a drainage perspective.

Sustainability

Policies CS63, 64 and 65 of the Core Strategy sets out the council's approach to dealing with climate change and sustainability. The supporting text to CS64 advises that to satisfy the policy, all new non-residential developments over 500 square metres should achieve a BREEAM rating of 'very good' (or equivalent).

The applicant has submitted a sustainability statement, which confirms that the building will not achieve a 'very good' BREEAM rating as the ESFA financial constraints do not make due allowance for any additional requirements in accordance with BREEAM.

The developer has stated that the following best practice will however be followed in relation to:

- Sustainable sourcing of materials
- Demand minimisation, both in terms of energy and primary resources (gas / water etc.)
- Use of local resourcing, manufacturers and materials where practical
- Community consideration and responsible Contractor delivery

Policy CS65 (Renewable Energy and Carbon Reduction) requires new developments, if it is feasible and viable, to achieve a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy or an equivalent reduction in energy demands is achieved by a fabric first approach. The applicants have indicated that the development will result in excess of a 10% reduction in energy demands achieved through a fabric first approach to construction, using passive design measures to minimise energy consumption.

Overall, it is considered that the proposal is satisfactory with regards the aims of Policies CS63, CS64 and CS65.

Ecology and Landscaping

NPPF paragraph 170 d) states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

UDP Policy GE11 (Nature Conservation and Development) states that the natural environment will be protected and enhanced. Therefore, 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.

An Ecology Report has been submitted in support of the application. This report identifies that the application site is located adjacent to two Local Wildlife Sites (LWS); Burngreave Cemetery and Burngreave Recreation Ground. As the development is confined to the existing site and will be enclosed by fencing and hoarding the proposals are not considered to harm the adjoining LWS's

The existing buildings on site have been assessed for potential bat activity with only the existing main school building (Building 1) considered to have potential bat roosting features. No evidence of bats has been established from external surveys undertaken by the applicant; however there is currently no internal access to any of the roof voids, and so it has not been possible to search for evidence of bats in these locations. A dusk emergence bat survey did not identify any bats using Building 1; however bat activity was recorded on site, in particular along the southern and western tree lined boundaries. As such it is recommended that a further roof void survey and two further emergence surveys are undertaken prior to the demolition of the former school building. Given that the development is to be phased it is possible in this instance to undertake the required surveys prior to demolition of the school building and secure any required mitigation.

Evidence of historic use of the embankment to the south of the site by other protected species has also been identified in the submitted report. The embankment is not considered to be actively used anymore by the protected species concerned, however prior to the commencement of development it is recommended that a further survey is undertaken to confirm the presence/absence of any species, details can again be secured by condition.

An invasive species (cotoneaster) is noted as growing on the site. Cotoneaster is listed under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended), making it an offence to allow this species to spread into the wild. As such the developer will need to take steps to secure its removal.

The ecological report identifies that site clearance should be undertaken outside the bird nesting season (March to September inclusive) unless supervised by a qualified ecologist, bat boxes and bird boxes should be provided and suitable landscaping and tree planting should be integrated into the scheme in order to enhance the biodiversity of the site. In order to ensure net gains for biodiversity in accordance with the guidance contained in paragraph 170 of the NPPF details of the above will be secured by condition.

A tree survey has also been submitted in support of the application which identifies that a number of trees immediately to the south of the existing hard surface play area will have to be removed in order to accommodate the development, primarily as a result of the need to erect a cantilevered structure to support the new school building. The pruning of further trees within the forest school area is also required in

order to accommodate the development and a temporary construction compound. The removal and pruning of these existing trees is not considered to be significant and suitable replacement tree planting and landscaping of the forest school area has been secured by planning condition.

A temporary construction compound and parking area is proposed on the forest school area. This is the only possible location for the compound due to the need to retain the existing school building and associated play areas to the north as an operational school during the construction of the replacement building. Vehicle access to this forest school area is highly constrained due to gradients and existing trees. Construction vehicles will be required to cross the root protection zones (RPZ's) of some mature trees located close to the Earldom Road frontage of the site. The submitted arboricultural report recommends that a no dig root protection system is installed during the construction phase in order to minimise compaction and long term damage to the trees roots. A suitable system of 'no dig' root protection has been submitted by the applicants and is considered to be acceptable by the Councils Environmental Planning section. All other trees located around the perimeter of the construction compound will be protected by suitable root protection fencing to prevent them from being damaged.

Once the existing school is demolished some new soft landscaping areas will be provided within the school ground immediately to the rear of the new school.

In light of the above the proposal is considered acceptable from an ecology and landscape perspective.

Community Use of the Site

Developing and maintaining buildings for community use can be costly and unprofitable. This is especially true in inner city areas where needs are greatest. The UDP states that the Council will use its planning powers to make sure that developments provide a wide range of benefits for the community. Specifically, policy CF1 of the UDP (Provision of Community Facilities) states that the provision of community facilities will be promoted, particularly where they are located within the community they are intended to serve and are easily accessible by public transport.

The planning application indicates that the current school does not benefit from a high degree of public access or activity out of school hours, however there is a significant amount of community integration within school hours where parents meet the teachers throughout the day to enhance their own education and knowledge. The school includes a new hall which could be available for public use. The school has no objection in principle to encouraging Community Use of the new school the detailed arrangements of which will be secured by an appropriately worded condition.

Statement of Community Involvement

The NPPF paragraph 40 encourages developers to engage with the local planning authorities at an early stage and encourage developers to engage with the local community before submitting an application. The Council's policy on pre-application

consultation is set out in the adopted revised Statement of Community Involvement (SCI) August 2014 which encourages developers to undertake pre-consultation in order to involve communities in planning decisions and allow comments to be taken on board at an early stage of the process.

In addition to the Council's statutory consultation process, prior to the formal submission of this application, the applicants engaged in the Councils pre-application advice service and carried out an independent consultation exercise with local residents.

The applicants has stated that public consultation event was held at the existing school on the 12th September which staff, local councillors and parents of current pupils were invited to. A flyer drop was also undertaken inviting all properties within a 50 metres radius of the school to attend the public consultation event.

Display/information boards indicating the proposals where available to view and the exhibition was staffed by the developers representatives. 11 people attended including a local councillor and there was opportunity to leave comments via feedback form. The applicants SCI indicates that a majority of the people who attended were in favour of the development however concerns were raised over parking issues, access to the forest school, the adjoining playing fields and disruption during the construction period. The consultation process is considered too broadly accord with the aims and objectives of the Council's revised SCI.

Ground Conditions

The applicants have submitted a phase 1 and 2 site investigation report and a remediation statement in support of their application. These reports conclude that existing ground conditions will not give rise to any unacceptable risks to future users subject to the inclusion of a suitable clean soil capping layer on all soft landscaping and play areas. The Councils Environmental Protections Services are also satisfied with the conclusions of the submitted reports subject to the provision of the remediation measures specified. Validation of the remediation measures will be secured by condition.

The site is in a High Risk Coal Mining Area. The applicants have submitted a detailed Coal Mining Risk Assessment which has been assessed by the Coal Authority who consider that there are no coal mining legacy issues affecting the development which require further investigation or mitigation.

SUMMARY AND RECOMMENDATION

This application seeks permission to demolish the existing Byron Wood Primary School and erect a replacement new school building on the same site.

The proposed school is being delivered through the Priority School Building Programme (PSBP) which is a national strategy for the redevelopment of school sites. PSBP is a privately financed public private partnership programme set up to address schools in most urgent need of repair. The funding for this project is being allocated by the Education Skills Funding Agency (ESFA).

The existing school building is considered by the applicants to be inefficient and oversized for its needs. The replacement school will accommodate the same number of pupils (472) and staff (57 FTE) as the existing school within a building that has gross internal floor area of 2179 sq. metres, which is approximately 739 sq. metres smaller than the existing school.

The site is in an allocated Housing area and a small section of the existing secure school grounds are in an allocated Open Space area as defined in the adopted Sheffield Unitary Development Plan. The proposal is not considered to result in any harmful loss of open space which is accessible by the general public. The principle of providing a new education facility is supported by policy CS43 of the Core Strategy and CF1 of the UDP.

The design of the scheme is considered to be acceptable and the proposal is not considered to give rise to any harmful amenity and ecology or landscape issues.

Given that the scheme does not result in any material increase in pupil or staff numbers the development is not considered to give to rise to any increased or harmful material impact on the operation of the existing highways network.

In light of the above the proposal is considered to accord with adopted national and local planning policy and guidance and as such it is recommended that planning consent is granted subject to conditions.

Case Number	18/03405/OUT (Formerly PP-07240602)
Application Type	Outline Planning Application
Proposal	Outline application (all matters reserved) for the partial demolition of shopping centre and erection of 5-storey building to provide additional ground floor commercial units (Use Classes A1-A5) and up to 77 Social Housing apartments (Use Class C3), provision of associated parking and service yard and landscaping works (AMENDED DESCRIPTION)
Location	The Hillsborough Arcade And Site Of Former Old Blue Ball Public House Middlewood Road And Bradfield Road Sheffield S6 4HL
Date Received	05/09/2018
Team	West and North
Applicant/Agent	Savills (UK) Limited
Recommendation	G Conditional Subject to Legal Agreement

Time Limit for Commencement of Development

1. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) Access, (b) Appearance, (c) Landscaping, (d) Layout and (e) Scale (matters reserved by the permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

3. Application for approval in respect of any matter reserved by this permission must be made not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

4. The development shall be carried out in general accordance with the following document:-

Design Principles, Concept and Design Code Document

received on the 8 November 2018 from Savills

Reason: In order to define the permission

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

5. Intrusive investigations as recommended in the approved PSA Phase 1 LQA report ref. G2750-GR-01B (03/09/2018) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

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

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

7. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority.

The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

8. Before the use of the development is commenced, Validation Testing of the sound attenuation and 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 attenuation and 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 building

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

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

10. The main Contractor appointed to undertake the development hereby permitted (and any subsequently appointed main Contractor) shall, in liaison with the Local Planning Authority and SCC Environmental Protections Service, undertake the preparation and development of Construction Environmental Management Plan (CEMP) to assist in ensuring that demolition and construction activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses. The CEMP will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control

measures. The CEMP shall include strategies to mitigate any residual effects from demolition and construction phase noise and vibration that cannot be managed to comply with acceptable levels at source.

Reason: In the interests of residential amenity

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

11. 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 it is essential for these works to have been carried out before the use commences.

12. At 70% occupation of the apartments, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Once 70% of the apartments have been occupied, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and 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 the Core Strategy.

13. No development shall commence until details of the construction site accommodation including an area for construction delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage

of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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

14. No above ground works shall commence 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.

15. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

16. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

17. A comprehensive and detailed hard and soft landscape scheme for the site that shall include the planting of a minimum of 35 extra heavy standard trees shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, 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.

18. 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 in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

19. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before 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. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

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

21. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been implemented and thereafter retained;. Such works shall:
- a) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
Bedrooms: LAFmax 45dB (2300 to 0700 hours).
 - b) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

22. A minimum 5m wide landscape buffer shall be provided between the rear gardens of properties along Hawksley Avenue (Nos 5 and 27) and the proposed delivery yard, details of which shall be submitted to and approved in writing by the Local Planning Authority. The approved landscape works that shall include the planting of native trees (minimum extra heavy standards) shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall

be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

23. Privacy screen fencing/panels at a minimum height of 1.7m shall be erected along the perimeters of any raised roof terraces facing the residential properties located along Hawksley Avenue, details of which shall first be submitted to approved in writing by the Local Planning Authority. The privacy screen fencing/panels shall be erected prior to the apartments becoming occupied and thereafter such fencing shall be retained.

Reason: In order to protect the residential amenity of neighbouring properties

24. 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.

25. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.
Acoustic emissions specifications and associated details shall be determined in accordance with a site-wide scheme for mechanical services specification, designed to ensure that total plant noise emissions are maintained within LPA-agreed limits. The details of such a specification shall be submitted to the LPA for written approval prior to the use of any plant commencing.

Reason: In the interests of residential amenity

26. 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.

27. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site (with resident cycle parking to be provided from the access point into any dwellings at first floor level) and short-stay spaces for visitors in locations to be agreed) shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with the UDP for Sheffield Development Framework Core Strategy.

28. The development shall not be used unless provision has been made within the site for accommodation of delivery/service vehicles in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, all such areas shall be retained free of all obstructions, including the storage, display and depositing of materials, packaging or other objects so that the service yard is fully available for the parking, turning and manoeuvring of delivery/service vehicles.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

29. 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 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.

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

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

31. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the development shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

32. 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.

33. 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.

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

- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl.
 - b) Acoustic emissions data for the system.
 - c) Details of any filters or other odour abatement equipment.
 - d) Details of the system's required cleaning and maintenance schedule.
- The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

Reason: In the interests of residential amenity

35. No amplified sound or live music shall be played within the commercial use(s) hereby permitted at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally to the building shall be subject to written approval by the Local Planning Authority prior to installation.

Reason: In the interests of residential amenity

36. Commercial deliveries to and collections from the building (excluding the removal of waste materials, recyclables or their containers in the open air) shall be carried out only between the hours of 0700 to 1900 on Mondays to Saturdays and between the hours of 0900 to 1800 on Sundays and Public Holidays. Deliveries shall at all times be conducted in accordance with a Delivery Management Plan designed to minimise local amenity impacts, which shall have been submitted for written LPA approval prior to deliveries to the revised yard layout recommencing.

Reason: In the interests of residential amenity

Other Compliance Conditions

37. The development shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment (FRA) produced by Weetwood, dated August 2018. Any proposed changes to the approved FRA and/or the mitigation measures identified will require the submission of a revised FRA as part of an amended planning application.

Reason: In order to mitigate against the risk of flooding

38. No doors/gates shall, when open, project over the adjoining footway

Reason: In the interests of pedestrian safety.

39. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried on only between the hours of 0700 to 2300 Mondays to Saturdays and between the hours of 0900 to 2200 on Sundays and Public Holidays

Reason: In the interests of residential amenity

40. All new hard surface areas shall be constructed using permeable/porous materials. 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.

41. No more than half of the units hereby approved shall be occupied by uses falling within Use Classes A4 and A5 without first seeking approval from the Local Planning Authority.

Reason: In the interests of protecting the dominance of retail uses within the Shopping Centre

Attention is Drawn to the Following Directives:

1. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

2. 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

3. The proposed development is located near to the track and overhead line of the South Yorkshire Supertram. The developer is advised that there needs to be close liaison with South Yorkshire Supertram Limited at Nunnery Depot, Woodbourn Road, Sheffield, S9 3LS, (Telephone Sheffield (0114) 2759888). All works carried out on site and within the vicinity of the site need to be in accordance with the "Supertram Code of Practice for Working On or Near the Tramway". This Code of Practice is available both upon request from Supertram, or online at: <http://www.supertram.com/workingonsystem.html>.
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. 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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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

7. Plant and equipment shall be designed to ensure that the total LAr,Tr plant noise rating level (including 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
8. 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
9. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
 - Reference to permitted standard hours of working;
 - o 0730 to 1800 Monday to Friday
 - o 0800 to 1300 Saturday
 - o No working on Sundays or Public Holidays
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - o Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - o Vibration.

o Dust - including wheel-washing/highway sweeping; details of water supply arrangements.

A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.

A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.

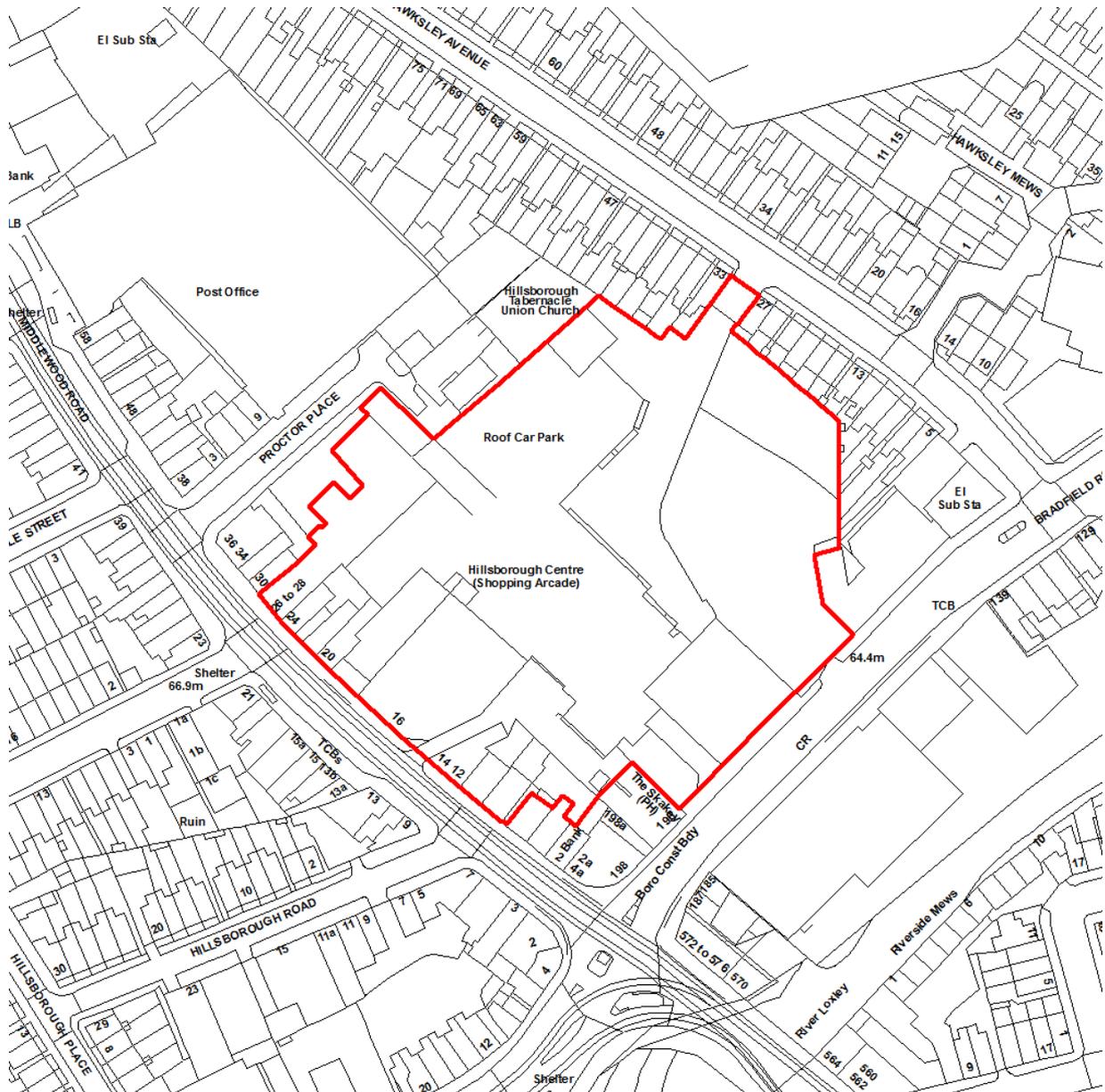
Details of site access & egress for construction traffic and deliveries.

A consideration of potential lighting impacts for any overnight security lighting.

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, or by email at eps.admin@sheffield.gov.uk.

10. When preparing detailed proposals for the development of this site, the developer is advised that the Council will encourage the provision of easily accessible housing, capable of adaptation to meet the needs of various people with mobility impairments. Known as "mobility housing", further details are available together with guidance notes from the Access Officer on (0114) 2734197 or from Planning Enquiries on (0114) 2039183.
11. Some types of commercial use may need a Premises Licence under the Licensing Act 2003. You are advised to contact Sheffield City Council's Licensing Service for advice on Tel. (0114) 273 4264 or by email at licensing@sheffield.gov.uk.
12. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

INTRODUCTION

The application relates to Hillsborough Shopping Arcade, Wilkos and the site of the former Old Blue Ball Public House in Hillsborough.

A pre-application enquiry was submitted in June 2017 seeking informal officers' advice for the part demolition of the Hillsborough Shopping Arcade, demolition of the Old Blue Ball Public House and the erection of a 4-storey building to provide new ground floor retail units and 76 apartments for social housing.

An application to demolish the Old Blue Ball PH was granted in August 2018. This was granted by means of a DPN (Demolition Prior Notification). The PH was demolished soon after the granting of the DPN, and the land cleared and fenced off.

PROCEDURAL ISSUES

A total of 145 properties, both residential and commercial were consulted as part of this outline application giving residents/tenants 21 days to make comment on the application. These were sent out on the 21 September 2018. In addition to the neighbour consultation, a total of 16 site notices were posted along the adjoining streets, including along Hawksley Avenue, Bradfield Road, Middlewood Road and Proctor Place. These site notices were posted on the 8 and 9 October 2018. The application was also advertised in the Sheffield Telegraph.

The applicant's agent has confirmed by e-mail received on the 6 December 2018 that they are agreeable to the attachment of the recommended pre-commencement conditions should outline planning permission be granted. This requirement to obtain confirmation follows new legislation that came into force on the 1 October 2018.

LOCATION AND PROPOSAL

The application site is made up of the Hillsborough Shopping Arcade, the site of the Old Blue Ball PH, service yard area, and the existing Wilkos building. The application site covers an area of some 11,215 square metres and lies within the heart of Hillsborough District Centre. The site is enclosed by roads on four sides, with Hawksley Avenue to its north, Bradfield Road to its east, Middlewood Road to its southwest and Proctor Place to its northeast. The existing shopping centre is effectively a 'T' shaped building that is pedestrian accessed from both Bradfield Road and Middlewood Road. The service yard is accessed off Hawksley Avenue. Roof top parking for 96 vehicles is provided above the shopping centre, which is accessed up a shallow ramp from Proctor Place.

The applicant is seeking outline planning permission for the partial demolition of shopping centre (closest to Bradfield Road) and erection of 5-storey building to provide additional ground floor commercial units (Use Classes A1-A5) and up to 77 Social Housing apartments (Use Class C3), provision of associated parking and service yard and landscaping works.

The applicant has requested that only the principle of the development be considered under this outline application with all other matters (access, appearance, landscaping, layout and scale) reserved for future consideration. The applicant has however provided a full set of drawings including floor plans, elevations, 3D modelling and colour illustrations to demonstrate the full scope of the proposed development. The application has also included a Design Code, which sets out design parameters that the development would have to accord with such as upper height limits and number of apartments. The indicative plans show the apartments would be made up of 36 1-bed, 39 2- bed, and 2 3-bed.

RELEVANT PLANNING HISTORY

17/02878/DPN - Demolition of public house – Granted 14/08/17

17/02399/PREAPP - Pre-application advice for the demolition of existing retail units, entrance and Old Blue Ball public house and erection of 4-storey residential building comprising 76x apartments, retail units, shopping centre entrance, extension to retail units to Bradfield Road and internal reconfiguration – Closed 26/06/18

SUMMARY OF REPRESENTATIONS

Fifteen representations (15) have been received from the residents of neighbouring properties in response to neighbour notification and the posting of 16 site notices. A summary of the comments are listed below:-

The refurbishment and upgrade of Hillsborough Precinct retail area is very desirable;

Parking Issues (1): Parking for the retail aspect of the precinct is not considered to be of concern as there is time restricted parking/residents permit parking along Hawksley Avenue. However, parking for the residential element of the scheme is of concern as only 30 residents spaces is allocated for the proposed 78 apartments. There is not capacity for further residential parking on Hawksley Avenue and this should not be assumed to be a solution. The current residents of the road often cannot park, especially in the evenings. Section 7.1.14 of the transport part of the planning proposal outlines spaces available on Hawksley Avenue, but this is not the case early and later in the day. Many of the residents in Hillsborough have cars (2 or 3 to a house in a number of cases). Therefore, the statement made above has no real weight or reasoning behind it and doesn't solve the issue regarding the lack of available parking for this proposed development. Many of those currently living on Hawksley Avenue, often struggle to park. Looking at the Parking Beat Survey in section 7.1 of the Transport Statement, the survey only covers the hours of 2pm-6pm. Parking is at its most limited in the area between the hours of 6pm and 8.30am.

Parking Issues (2): Insufficient parking for retail customers. Retail parking would be limited to only 60 spaces, which is considered to be insufficient during busy trading periods. Individual stores can have more than 60 customers at any one time, so 60 spaces for the entire centre will not be enough. Such a significant reduction in parking space is likely to result in both parking issues on surrounding residential streets (when shoppers try to find alternative places to park) and a reduction in footfall through the centre.

Using Hawksley Avenue as a parking overspill for the proposed development is not a suitable solution to the parking problems that will most certainly arise if these plans go ahead.

Access/deliveries: Hawksley Avenue is a two-way carriageway and is relatively narrow as it is parked on both sides of the road. Any increase in traffic and deliveries would worsen the problem.

Consultation process: The application was put in in early September, but site notices were put up (in a very limited number of locations) on the street only on October 8th with the consultation period seeming to run only until the 12th October. Insufficient number of persons consulted on the application.

The tenure of the flats: It is considered that the site is inappropriate given the type of residents that would be living there.

Noise disturbance due to early delivery times from HGV trucks. At present delivery gates should be open from 0700 to 1730 hours, but this is not the case with delivery vehicles arriving from 6000 hours and sit with their engine running. If the management cannot keep to delivery times now, what is the situation going to be with the proposed development with more vehicles/deliveries.

Residential Amenity Issues: The development would result in a loss of privacy to those living along Hawksley Avenue. Although the community involvement document states that "there is no significant increase in height and massing when compared with the existing and previous buildings on this site", this may be true in relation to Wilkinsons only. However the shopping centre is much smaller in height than the five storey development than that proposed. The proposed building has windows and balconies facing the properties at Hawksley Avenue. The proposed loading area would be moved closer to the dwellinghouses along Hawksley Avenue, which would result in increased air and noise pollution;

Proposed buffer zone: Little details have been provided about the size and nature of the buffer zone.

Loss of the Old Blue Ball: The demolition of the Old Blue Ball saw the loss of one of the oldest public houses in Hillsborough -circa 1824. It was part of the Great Sheffield Flood. The original Plaque acknowledging this was retrieved, which should be reinstated within the new development.

Design Issues: The building from Bradfield Rd is acceptable but the building would tower above properties on Hawksley Avenue.

Land covenants: The title register for the land previously occupied by the old blue ball contains details of a matter affecting the land, stating the land was conveyed subject to an agreement as to light and air (dated 10th Oct 1919 between the Church Burgesses and the vendor James Snook). Details and consideration of this legal agreement are absent from the application and should be addressed.

Loxley Valley Protection Society (LVPS) has stated that this is a major development for Hillsborough. While we do not object to the improved facilities and welcome much needed social housing, we have concerns that such a scheme so close to a very busy traffic junction with high levels of traffic pollution means the housing on the street side should be constructed in such a way as to protect the residents from/ mitigate the effect of the pollution on the residents.

Concerns are also raised for the residents of Hawksley Avenue. Other concerns voiced included set working times in order to minimise the effect of the building work/ deliveries of materials on the traffic, pedestrians, residents and existing traders. The traffic on Bradfield Rd Holme Lane to Malin Bridge is often crawling nose to tail, and this development will only exacerbate the situation.

It is considered that the new development should commemorate loss of the historic Blue Ball Inn, an 1864 flood survivor. This should be commemorated with at least a plaque.

PLANNING ASSESSMENT

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

- i. The Principle of Development – Policy and Land Use
- ii. Highway Issues;
- iii. Design Issues and its effect on the character and appearance of the surrounding area;
- iv. Effect on the residential amenity of neighbouring properties; and
- v. Ground contamination/Land Quality Issues;
- vi. Flood Risk Issues;
- vii. Landscaping Issues;
- viii. Sustainability Issues:
- ix. Community Infrastructure Levy (CIL); and
- x. Other Issues

i. Principle of Development – Policy and Land Use

The application site is situated in Hillsborough District Centre and will help meet the aims of Unitary Development Plan (UDP) Policies S4 and S7 and Core Strategy Policies CS34 and CS36 by supporting the development of trade in the centre and improving its environment.

Proposals in District Centres are also subject to UDP Policy S10 which covers issues such as amenity of nearby residents, scale and design. These matters are discussed further below.

The existing shopping centre provides approximately 10,359 square metres of commercial/retail floorspace. The proposal involves demolishing part of the shopping centre (approximately 1,996 square metres) and providing 2,634 square metres of new commercial/retail floor space, an uplift of 638 square metres on existing provision.

It is considered that the development would serve to boost the vitality and viability of Hillsborough Centre which is a clear objective for town centres in the National Planning Policy Framework (NPPF). Paragraph 85 of the NPPF details that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation and details at Part f) that residential development often plays an important role in ensuring the vitality of centres and should be encouraged on appropriate sites. The presence of residential above ground floor to provide up to 77 apartments will also serve that purpose.

It is however important that no more than half of the units shall be used for A4 – A5 uses without the prior consent in writing of the Local Planning Authority in the interests of protecting the dominance of retail (A1) uses within the shopping centre.

To ensure the vitality of the Shopping Centre.

ii. Highway Issues

The existing shopping centre has currently 96 car parking spaces accessed via Proctor Place, which would be reconfigured to 88 spaces (30 residential spaces and 58 retail spaces), again accessed from Proctor Place. The residential spaces would be segregated from the retail spaces and accessed by a form of barrier control. The service yard for the shopping centre would be reconfigured, with the access geometry remaining the same off Hawksley Avenue.

The original pre-application submission did not contain any residential parking, but following public consultation exercise carried out by the developer pre-submission, where concerns were raised by local residents, 30 spaces are now proposed. Despite the site location being extremely sustainable with regard public transport options, plentiful local amenities for the new residents to enjoy and lots of customers living within easy walking distance of the improved and slightly enlarged retail space, the focus of the transport statement has been to consider existing parking pressures in the Hillsborough area and whether the granting of planning permission would compound/exacerbate matters. The transport statement highlights the following:

National Planning Policy Framework (NPPF) seeks to encourage opportunities to promote walking, cycling and public transport use. It states that development should be focused in sustainable locations and offer genuine choice of transport modes. This is clearly the case at Hillsborough Corner. Furthermore, NPPF states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Sheffield City Region Transport Strategy 2018 - 2040 aims to improve access to jobs, markets, skills and supply chains, ensuring developments are located in sustainable locations with inclusive access to public transport to reduce car dependency; and to deliver more housing to meet modern day demands.

The development proposal fully accords with the above policy objectives.

Sheffield Council "maximum" parking guidelines for this type of development (outside the city centre) are: Non-food retail is 1 car parking space per 35 square metres up to 1000 square metres of floor area (and 1 space per 20 square metres thereafter). Residential is 1 car parking space per 1 bedroom dwelling and 2 spaces per 2 to 3 bedroom dwelling. Bicycle parking for non-food retail is 1 cycle space per 1000 square metres short stay for visitors and 1 cycle space per 40 staff, which should be long stay. Residential is 1 long-stay cycle space per dwelling. Based on the above figures, the maximum retail car parking allocation is 110 spaces, and the maximum residential car parking allocation is 119 spaces, totalling 229 spaces. The actual development proposal contains a total of 88 spaces.

The above figures are for out of city centre locations. For city centre, only operational parking is permitted. As Members will know, within the city centre numerous car-free residential and commercial developments have been approved in recent years. It could be argued that with the transport interchange in Hillsborough and the range of local amenities, there is scope within this planning application to reduce the amount of on-site car parking provision from the "maximum" permissible.

With this in mind and to demonstrate how accessible the site is, the authors of the transport statement have reviewed the 2011 census: method of travel to work data for Hillsborough. They say the census showed that: 53% of households drive a car or van to work, 6% are passengers in a car/van; 2% cycle; 1% motorcycle; 11% walk; 9% bus; 18% tram; 0% taxi and 1% travel by other means. Most dwellings in Hillsborough are privately owned family homes. The residential element of the development proposal consists of 78 predominantly 1 and 2 bedroomed social housing apartments. Applying 53% equates to 40 car parking spaces. This figure of 53% appears rather a high percentage as when officers referred to the 2011 census, out of 13,813 residents travelling to work from Hillsborough, only 5,064 drove a car or van (36%), which is the percentage indicated in the submitted Travel Plan. Given the lower car ownership profile associated with apartments, officers are satisfied with the proposed provision of 30 car parking spaces for residents. As a precaution against residential overspill onto the public highways, particularly along Hawksley Avenue if planning permission is granted, a condition would be recommended excluding new residents from being eligible for a residential parking permit.

The computer database TRICS has been interrogated to predict the development's likely trip generation. TRICS is the industry accepted tool for this type of work and compares real site survey information from multiple existing sites with the same characteristics of size, use and location (sustainability) as the development proposal. The TRICS analysis for the 78 apartments suggests the following vehicle trips: weekday morning peak 3 arrivals 5 departures; weekday evening peak 4 arrivals 6 departures; Saturday peak (1400 to 1500 hrs) 4 arrivals 6 departures. For the additional 638 square metres of non-food retail, TRICS predicts: weekday morning peak 1 arrival 0 departures; weekday evening peak 6 arrivals 6 departures; Saturday peak (1400 to 1500 hrs) 31 arrivals 30 departures. This level of generation in officers' view will not adversely impact on the performance of the local highway network, or cause any road safety issues. It's also accepted (nationally) that very few retail trips are actually new trips. In this particular instance, it is accepted by officers that most of the visitors to the additional retail space would have already been travelling to the shopping centre, and that the stay or dwell time will simply be extended or linked with trips to other outlets in the same locality.

Lastly, some surveys of current car parking availability have been undertaken within the existing shopping centre car park and on surrounding streets. The existing capacity within the car park is 96 spaces. The surveys were conducted on Friday 1 December. The busiest time within the car park occurred at 12.45 pm, at which point 36 spaces remained unoccupied (37%). There are varying parking restrictions on the streets surrounding Hillsborough. Generally, shoppers/visitors are entitled to a 2 hours stay, with permit holders (residents) entitled to all day parking. The streets were traversed in two separate loops, the first took place between 1400 and 1530 hours, the second between 1530 and 1800 hours. The results were as follows: Loop 1; Hawksley Avenue 10 spare spaces; Cannock Street 8 spare spaces; Cheadle Street 8; Hawksley Avenue 27; Hillsborough Parks private car park (which has a 4 hour maximum stay no return within 4 hours) 36 spare spaces; Middlewood Road 3 spare spaces; Wynyard Road/Dixon Road, 5 spaces; Garry Road/Upwood Road/Minto Road/Leader Road 50% spare capacity to park on-street; Dykes Hall Road 10 spare spaces; Taplin Road/Hawthorne Road/Hunter Road/Roselle Street/Brier Street 10 spare spaces; Walkley Lane & Thoresby Road 50% spare capacity; the Arcade car park 40% spare capacity; Morrison's/Hillsborough Shops car park 50 to 60% spare capacity; B&Q car park 50% spare capacity. The second loop (that took place between 1530 and 1800 hours) showed only slight variations in the above figures.

Fifty-eight (58) car parking spaces are proposed for the retail, which represents 60% of the original 96 spaces, a loss of 38 spare spaces. Based on the above survey/observations within the shopping centre car park (36 spare spaces and 40% spare capacity) the proposed 58 spaces is shown to be sufficient to satisfy the retail demand for most periods of the day. Even though Hillsborough is a vibrant shopping/residential area, the surveys also show some spare capacity to park on the streets and in other car parks surrounding the development site. Officers are therefore satisfied that the supporting Transport Statement has demonstrated compliance with national/local planning policy and that sufficient car parking accommodation is proposed.

The applicant has submitted a framework travel plan for the site, which contains marketing/promotional suggestions, personalised travel planning, signing up for car-share schemes, cycling. Discussions with officers has led to changes to the cycle arrangements, with the amended scheme showing the provision of cycle parking for 78 cycles that would be accessed from the car park. This is considered to be acceptable

From a highway perspective, the development is considered to be acceptable and unlikely to result in any significant demand for on-street parking along the adjoining streets that would justify the provision of further parking in connection with the development.

iii. Design Issues and the effect of the development on the character and appearance of the surrounding area

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

UDP Policy BE7 relate to the design of buildings used by the public. It states that in all buildings, which are used by the public, provision will be expected to allow people with disabilities safe and easy access to the building and to appropriate parking spaces.

Although the application has been submitted in outline with all matters reserved, the applicant has however submitted a number of indicative plans to illustrate the extent of the proposals, which include illustrative plans, CGIs and elevation drawings in order to give a full and comprehensive assessment of the proposal. Members are advised that the plans are for illustrative purposes only and would not form part of the planning permission, but regardless of this, they do however help to provide a good indication of how the site could be built out, a matter that is discussed briefly below.

The proposed building partially replaces a section of the current shopping centre, including the Wilkos store, and fills in the gap up to Lloyds Bank along its Bradfield Road frontage. The indicative drawings show that the redeveloped building will measure approximately 18m in height at roof level on the fifth floor; which will be set back behind the principal façade so that it is not visible at ground floor level from Bradfield Road. The building will also be extended to create one continuous frontage along Bradfield Road, approximately 60m in length.

The proposed massing to the north side of Bradfield Road is comparable to the existing Wilkos store, which is presently one of the larger buildings along Bradfield Road, where the majority of the buildings are two to three storeys in height. The south side of Bradfield Road consists of 1980/90s developments, which in officers' opinion do not necessarily reflect the local vernacular within the area or provide an appropriate benchmark.

It is considered that the proposed layout creates a strong frontage along Bradfield Road, reinforcing the back edge of pavement character found in the area, and is supported from a design perspective.

A Design Code has been produced by the applicant that outlines the maximum heights for any new development on this site. These building heights (up to 5-storeys) have been tested in key views and in long sections in terms of impact on adjacent buildings and are found to be generally acceptable.

The proposed maximum height to Bradfield Road (five-storeys) creates an acceptable enclosure to the street. The top floor of the development along this frontage is to be set back within the footprint such that it will not be clearly visible in the streetscene, mostly read in some of the long views only.

High quality, well-mannered design for the new block is to be expected, utilising brick masonry with grey/black cladding limited to the upper floor only. The colour illustrations indicate the use of light grey/off white brick, which is considered to be acceptable and would form an attractive and striking feature against the predominantly red brick buildings along Bradfield Road.

It is considered that the development would represent an appropriate form of development that would make a positive appearance to the character and appearance of Hillsborough District Centre. UDP Policies BE5 and BE7 and government guidance contained in Paragraphs 184-202 of the NPPF are considered to be met.

iv. Effect on the residential amenity of neighbouring properties

The only properties likely to be directly affected by the development in terms of location to the proposed building are situated along Hawksley Avenue to its northeast (Nos. 5-41). All other residential properties are considered to be adequate distanced from the site, and/or located across an adjacent highway (Bradfield Road) to prevent any significant impact on their residential amenity.

In terms of the dwellinghouses along Hawksley Avenue, these properties are traditional terrace housing that stand along the north-eastern side of the site. These dwellinghouses are two-storey in height, and nearly all have short rear gardens/yard areas that back onto the development site. At present, these properties overlook onto a cleared area of the former Old Blue Ball and former landscape buffer that was cleared as part of the demolition of the PH. The nearest part of the existing building to these properties range between 60m-65m. Two of the properties (Nos 27 and 33) are situated either side of the site's entrance that leads into the delivery/service yard area.

The proposed development involves erecting a 5-storey building that would project out across the full depth of the existing shopping centre, and incorporate a central wing that

would project perpendicular to building's main central core. The proposed building would incorporate two raised terrace areas that would be enclosed by high railings walling along the edge of their perimeter. A distance of 40m would be maintained between the edge of the proposed garden terrace areas and the rear elevation of the nearest dwellinghouse.

With regard to facing main windows, at its closest point, the proposed building would be set back by approximately 50m from the rear elevations of these neighbouring properties', a distance that is considered to be adequate to prevent any unacceptable overlooking. Even when taking account of the difference in heights between the proposed building and the neighbouring terrace housing, this separation distance would significant exceed the recommended distance of 21m that is set out in SPG Designing House Extensions. While this SPG is specifically for house extensions, it is commonly used by the Council as an empirical guide for housing developments such as this to assess acceptable separation distances to prevent unacceptable looking. It is acknowledged that these neighbouring properties would suffer some disamenity as a result of the development, since these properties are not currently overlooked. However, it is considered that the separation distance together with a condition that would secure appropriate boundary enclosures (such as 1.7m high privacy screens) around the proposed garden terrace areas should prevent any unacceptable loss of privacy. It is also considered that the neighbouring properties would not be subject to any significant loss of outlook owing to the separation distances and these properties situated to the northeast of the site.

It is noted that some of the concerns raised relate to disamenity caused from deliveries from HGVs using the rear service yard area. As Members will be aware, this service area is established and is currently being used as part of the existing operations of the shopping centre. The proposed development involves providing an additional 638 square metres of additional commercial floor space, which would equate to an approximate 6% uplift in floorspace on existing provision. While it is acknowledged that the proposal would increase the use of this area through increased deliveries of stock and produce to the commercial/retail units, this is only likely to result in an additional 3 HGV deliveries per weekday and 1 additional delivery on a Saturday, the number is not considered to result in any demonstrable harm to the amenity of residents situated immediately behind the service area. Although it is understood that on occasion, deliveries have occurred before 0700 hours, which has caused some disamenity to neighbouring properties, in line with the recommendations of EPS, it is recommended that a Delivery Management Plan be submitted for approval to minimise local amenity impacts, and commercial delivery/collection times only being permitted between the hours of 0700 to 1900 on Mondays to Saturdays and between the hours of 0900 to 1800 on Sundays and Public Holidays. This can be secured by planning condition.

With the aforementioned condition being attached and properly enforced, it is not considered that the residents of neighbouring properties would be subject to any unacceptable noise disturbance from the redevelopment of the shopping centre. To further mitigate noise disturbance and disamenity from delivery vehicles, the applicant has also agreed to provide a 5m wide landscape buffer around the perimeter of the site between the service yard and the rear gardens of neighbouring properties. This landscape buffer that would include native tree species and dense shrubbery can be properly secured by planning condition.

v. Ground contamination and Land Quality Issues

The Environmental Protection Service (EPS) has advised that the ground contamination report (PSA Phase 1 LQA ref. G2750-GR-01B (03/09/2018)) is suitable for LPA approval and can be referenced in a suitable condition. The report recommends further intrusive site investigations and contamination testing and assessment for soils only. No gas monitoring or deep borehole sampling is advised as required for land quality purposes. EPS recommend that the usual suite of conditions be attached to any grant of planning permission to ensure that any identified contamination is properly dealt with and remediated.

vi. Flood Risk Issues

The application was accompanied by a Flood Risk Assessment (FRA) prepared by Weetwood Planning (dated August 2018). This FRA details that the site is almost entirely located in Flood Zone 1 (low risk of river flooding) with an annual probability of flooding greater than 1 in 1000. Only a small area around the site entrance falls within Flood Zones 2 and 3 (Medium and High risk). Being within Flood Zone 1, the flood risk Sequential Test is therefore deemed to have been addressed and the Exception Test is not applicable.

The FRA details that the primary flood risk to the site is from fluvial flooding from the River Loxley and from surface water flooding. The proposed development may be completed without conflicting with the requirements of planning policy subject to the i) finished ground floor levels to be set at a minimum of 64.6 m AOD and not less than 150mm above adjacent pavement level along Bradfield Road, and ii) none of the proposed apartments being located at ground floor level.

The Environment Agency (EA) has confirmed that they have no objection to the proposal with the supporting FRA demonstrating that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The EA recommends that proposed development should proceed in strict accordance with the FRA and the mitigation measures identified. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA as part of a reserved matters application.

vii. Landscaping Issues

The indicative plans show that the development would include an approximate 4m wide landscaping belt/buffer zone along the edge of the site between the service yard and the rear gardens of Hawksley Avenue. Although no specific details have been provided with regard to the landscaping since landscaping has been reserved, it is considered that this landscape belt would provide an attractive buffer between the service yard and residential properties that would help mitigate noise, and pollution from exhaust fumes as well as providing a natural planting screen to improve outlook from these properties onto the service yard.

Discussions with the applicant's agent have however set out that the landscape buffer would be planted with a rich selection of native trees and shrubs that would create an attractive landscaping belt to the benefit of the area. It should also be noted that the location of the service yard serving the shopping centre is established and is currently the means of servicing a number of the shops within the shopping centre, and while the number of

deliveries is likely to increase as a result of the shopping centre's redevelopment, the landscaping once established would help alleviate any potential disamenity from delivery vehicles.

viii. Sustainability Issues

Core Strategy Policy CS65 seeks that all significant development will be required, unless shown not to be feasible and viable to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. Although not specifically stated in the policy, the Council allows for the 10% energy savings to be achieved through a fabric first approach.

To secure the 10% energy savings, it is recommended that a condition be attached that requires a report to be submitted for approval that demonstrates that the requirements of the policy are met.

ix. Community Infrastructure Levy (CIL)

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

The application site lies in an area where CIL is liable with a charge rate of £30 per square metre. The applicant has signed CIL Form 2: Claiming Exemption or Relief on account of the proposed apartments being for low cost housing as defined by Section 69 of the Housing and Regeneration Act 2008.

x. Other Issues

- Demolition/Construction Phase

The location and scale of the development have clear implications for likely disamenity of neighbouring properties during the demolition and construction phase. This will no doubt be complicated by a need for other considerations to be taken into account, such as commercial interests, health and safety, local infrastructure (road & tram). It is envisaged that controls over working hours to mitigate noise impacts are likely to be compromised by demands required by Building Control, Highways, and partner agencies such as SYPT. The close proximity of sensitive on and off site neighbours will make other impacts such as dust and vibration more challenging also.

On account of these issues, EPS recommend that an early coordinated consultation and the development of an appropriate management plan to deal with environmental concerns will be essential. A directive and condition to secure a Construction Environmental Management Plan (CEMP) is therefore recommended.

- Noise Impact Assessment

The application was accompanied by a Noise Impact Assessment Report' ref. 6474899/R1v4; 31/08/2018 prepared by Bureau Veritas.

This report has been inspected by EPS, who have advised that they are not able to recommend this report for LPA approval in its current issue. They have stated that there are a number of concerns which, whilst minor, in combination are sufficient to remove confidence that the report's recommendations are suitably robust in all respects. EPS therefore consider that they are unable to reference the report in any suggested noise conditions. That said, EPS do however advise that a suitable scheme of works not greatly divergent from that recommended in the report would allow the site to be developed for the purposes outlined without significant detriment to either the amenity of future occupiers, or of existing neighbours. EPS have suggested a number of conditions, which would ensure a suitable noise environment for the future occupants of the apartments.

- Air Quality Issues

The application was accompanied by an Air Quality Assessment (AQA) prepared by Bureau Veritas. The AQA was carried out owing to the development site being located within the citywide Air Quality Management Area, and close proximity to residential dwellings.

The AQA was prepared in consultation with the Council's Environmental Health department with regards to the proposed methodology.

In terms of construction effects, the AQA recommends the imposition of effective mitigation measures, in terms of site management controls imposed by a Construction Environmental Management Plan (CEMP), with such measures in place, the report concludes that the impact upon surrounding land uses as a result of the proposed development is not likely to be significant. The report also concludes that in terms of operational effects, based on the change in traffic flows occurring as result of the development it is predicted that the impact upon air quality would not be significant.

HEADS OF TERMS

A Section 106 agreement is proposed to enable control over the type of residential units provided within the development. The suggested requirements are::

1. The Residential Accommodation shall only be used for Social Housing purposes for an Eligible Purchaser
2. The Residential Accommodation means up to a total of 77 residential units approved pursuant to Outline Planning Permission Reference 18/03405/OUT
3. Social Housing is defined as Residential Accommodation which is either:
 - a. Low cost rental accommodation made available for Affordable Rent; or
 - b. Low cost home ownership accommodation, made available for occupation in accordance with Shared Ownership arrangements or Equity Percentage arrangements.
4. Eligible Purchaser is defined as a person unable to afford to buy a suitable house generally available on the open market who is either:

- a. A tenant of a local authority or Registered Provider of Social Housing
 - b. An owner occupier in need of a home because of a relationship breakdown or house clearing project
 - c. An eligible purchaser through Help to Buy: Shared Ownership or a successor programme
5. Affordable Rent means residential accommodation let by local authorities or private registered providers of Social Housing.
6. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).
7. Shared Ownership means housing owned partly by an Eligible Purchaser and partly by a Registered Provider of Social Housing by arrangements under a lease which provides the Eligible Purchaser (or the Eligible Purchaser's personal representatives) will or may be entitled to a sum calculated by reference to the value of the accommodation and which provides for that part not owned by the Eligible Purchaser to be let to them at a rent equivalent to a maximum of 3% of the value of that part per annum.
8. Registered Provider of Social Housing means either a local authority or a private registered provider of Social Housing.

SUMMARY AND RECOMMENDATION

The application relates to Hillsborough Shopping Arcade, Wilkos and the site of the former Old Blue Ball Public House in Hillsborough.

Outline planning permission is being sought for the partial demolition of shopping centre and erection of 5-storey building to provide additional ground floor commercial units (Use Classes A1-A5) and up to 77 Social Housing apartments (Use Class C3). The applicant is only seeking the principle of the development with all other matters reserved for future consideration.

The application was accompanied by a full set of drawings, not too dissimilar to what would be expected with a detailed scheme in order to demonstrate the scope of the proposed works, although these drawings are for illustration purposes only and would not form part of any outline approval.

The application site is situated in a District Shopping Centre. In these areas, shopping uses (Use Class A1-A5) and residential uses are included within preferred and acceptable uses. The proposed development would therefore accord with UDP Policies S4 and S7 and Core Strategy Policies CS34 and CS36 and would help support the development of trade in the centre and improving its environment.

It is noted that a number of the representations received concern parking issues, the majority being received from the residents of properties situated along Hawksley Avenue. However, as set out within the body of the report, officers are satisfied that the number of parking spaces that would be provided for both shoppers and future residents of the apartments would be satisfactory and unlikely to lead to any significant pressure for parking

along the adjacent highways. While only 30 spaces would be allocated for the apartments, which is less than half the number of proposed units, the site is situated in a sustainable location with excellent public transport links into the city including the Supertram and located within the heart of Hillsborough's District Shopping Centre. A condition would also be attached to any grant of planning permission that would ensure the future residents of the apartments would not have access to the Residential Permit Scheme in Hillsborough, which would largely restrict residents with cars being able to park their cars on the adjoining highways including Hawksley Avenue.

From a design perspective, the proposal is considered to be acceptable with the proposed 5 storey building with upper floor set back creating a strong frontage along Bradfield Road that would reinforce the back edge of pavement character found in the area. Although the plans are indicative only, the applicant has agreed to include the recommendations of officers into the Design Code that would include a double height pedestrian entrance that would give the building more definition and legibility.

It is acknowledged that the dwellinghouses situated along Hawksley Avenue would be overlooked as a result of the development, since the proposed scheme includes apartments that would have their outlook facing north towards these properties. However, it is not considered that these properties would be subject to any significant loss of privacy that would be harmful to their residential amenity to justify a refusal. A separation distance between the nearest habitable window to the existing houses along Hawksley Avenue would be approximately 50m, a distance that should prevent unacceptable overlooking. Even when taking account the difference in heights between the proposed building and these two-storey terrace housing, this distance would significantly exceed the 21m that is recommended should be maintained between main facing windows.

For the reasons set out above, and having regard all other matters, it is considered that the proposal represents an appropriate form of development. It is considered that UDP Policies S4, S7, S10, BE5, BE7, Core Strategy Policies CS34 and CS36 and government guidance contained in the NPPF would be met.

It is therefore recommended that planning permission be granted subject to the applicant entering into a S106 agreement to ensure the apartments are secured for social housing only.

Case Number	18/03177/FUL (Formerly PP-07218947)
Application Type	Full Planning Application
Proposal	Demolition of industrial, office and student accommodation buildings, erection of a 4-11 storey building comprising 222No apartments (Use Class C3) and 2no commercial units at ground floor (Use Class B1) including basement car park and communal amenity space
Location	Nambury Engineering Ltd 56 Penistone Road Owlerton Sheffield S6 3AE
Date Received	17/08/2018
Team	City Centre and East
Applicant/Agent	AAD Architects Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

018001 -AAD-02-00-DR-A-0021 -002 - Location and Block Plan
018001 -AAD-02-B1 -DR-A-0022-002 - Basement
018001 -AAD-02-GF-DR-A-0023-002 - Ground Floor
018001 -AAD-02-UG-DR-A-0024-002 - Upper Ground Floor
018001 -AAD-02-01 -DR-A-0025-002 - First Floor
018001 -AAD-02-02-DR-A-0026-002 - Second Floor
018001 -AAD-02-03-DR-A-0027-002 - Third Floor
018001 -AAD-02-04-DR-A-0028-002 - Fourth Floor

018001 -AAD-02-05-DR-A-0029-002 - Fifth Floor
 018001 -AAD-02-06-DR-A-0030-002 - Sixth Floor
 018001 -AAD-02-07-DR-A-0031 -002 - Seventh Floor
 018001 -AAD-02-08-DR-A-0032-002 - Eighth Floor
 018001 -AAD-02-08-DR-A-0033-002 - Ninth Floor
 018001 -AAD-02-09-DR-A-0034-002 - Tenth Floor
 018001 -AAD-02-10-DR-A-0035-002 - Roof Plan
 018001 -AAD-02-ZZ-DR-A-0036-002 - South West Elevation
 018001 -AAD-02-ZZ-DR-A-0037-002 - North West Elevation
 018001 -AAD-02-ZZ-DR-A-0038-002 - North East Elevation
 018001 -AAD-02-ZZ-DR-A-0039-002 - South East Elevation
 018001 -AAD-02-ZZ-DR-A-0040-002 - Internal South East Elevation
 018001 -AAD-02-ZZ-DR-A-0041 -002 - Internal North West Elevation
 018001 -AAD-02-ZZ-DR-A-0042-002 - Internal North East Elevation
 018001 -AAD-02-ZZ-DR-A-0043-002 - Street Scene Elevation Penistone Road
 018001 -AAD-02-ZZ-DR-A-0044-002 - Section 01 North East
 018001 -AAD-02-ZZ-DR-A-0045-002 - Section 02 South West
 018001 -AAD-02-ZZ-DR-A-0046-002 - Section 03 South East
 018001 -AAD-02-ZZ-DR-A-0047-002 - Section 04 North West
 018001 -AAD-02-ZZ-DR-A-0048-002 - Section 05 Dixon Street
 018001 -AAD-02-ZZ-DR-A-0049-002 - Section 06 Facing Globe Works
 018001 -AAD-01-ZZ-DR-A-0050-002 -Section 07
 018001 -AAD-01-ZZ-DR-A-0051-002 - Section 08
 018001 -AAD-01-ZZ-DR-A-0052-002 - Section 09
 018001 -AAD-01 -ZZ-DR-A-0053-002 - Section 10

Flood Risk Assessment (FRA) compiled by RAB Consultants (RAB: 1984_D Version 1.0) dated 17th August 2018

Blue Tree Acoustics 'Noise Assessment Report'; ref: 02752-870100 (31/07/2018).

2nd issue Phase I Geo-Environmental Site Investigation Report (Eastwood & Partners ref. 42857-001(I2); 22/10/2018)

Reason: In order to define the permission

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

3. Intrusive investigations as recommended in the approved 2nd issue Phase I Geo-Environmental Site Investigation Report (Eastwood & Partners ref. 42857-001(I2); 22/10/2018) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

4. The main contractor appointed to undertake the development hereby permitted (and any subsequently appointed main contractor) shall, in liaison with the Local Planning Authority and SCC Environmental Protection Service, undertake the preparation and development of a Construction Environmental Management Plan (CEMP) to assist in ensuring that demolition and construction activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses. The CEMP will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual effects from demolition and construction phase noise and vibration that cannot be managed to comply with acceptable levels at source. The CEMP shall be submitted to and approved in writing by the Local planning Authority before any demolition or construction works commence.

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 is commenced.

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

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

6. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report

which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

7. 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.

8. 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.

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

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

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

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

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

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

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

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

13. No construction of buildings or other structures shall take place until an Employment and Training Strategy, including an implementation plan has been submitted to and approved by the Local Planning Authority. Thereafter the strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic benefits of the scheme for the local community it is essential that this condition is complied with before any works on site commence

14. Before any works on site commence a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any remedial works will have been completed to the satisfaction of the Local Planning Authority prior to full occupation of the development.

Reason: In the interests of traffic safety and the amenities of the locality it is essential that this condition is complied with before the development is commenced.

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

15. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

- Review/promotion of Traffic Regulation Orders in the vicinity of the development site (waiting/loading restrictions) entailing advertising, making and implementing the Traffic Regulation Order subject to usual procedures (including provision and installation of regulatory traffic signs and road markings).
- Any repositioning of street lighting columns so as not to conflict with windows or door positions.

- Reconstruction of the footways along the site frontages of Penistone Road and Dixon Street in accordance with the Urban Design Compendium.
- Any other accommodation works to traffic signs, road markings, lighting columns, and general street furniture necessary as a consequence of development.

Reason: In the interests of traffic safety and the amenities of the locality, in the interests of the safety of road users, and pedestrian safety.

16. 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

17. The office accommodation shall not be brought into use unless a scheme of sound insulation works has been implemented and is thereafter retained. Such works shall:
- a) Be based on the findings of approved Blue Tree Acoustics 'Noise Assessment Report'; ref: 02752-870100 (31/07/2018).
 - b) Be capable of achieving the following noise level: Noise Rating Curve NR40 (0700 to 2300 hours).
 - c) Include a system of alternative acoustically treated ventilation. [Noise Rating Curves should be measured as an LZeq, T at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

18. 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.

19. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of approved Blue Tree Acoustics 'Noise Assessment Report'; ref: 02752-870100 (31/07/2018).
 - b) Be capable of achieving the following noise levels:

Bedrooms: LAeq, (8 hour) - 30dB & Noise Rating Curve NR25 (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq, (16 hour) - 35dB & Noise Rating Curve NR30 (0700 to 2300 hours);

Bedrooms: LAFmax - 45dB (2300 to 0700 hours) - not typically exceeded.

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 in writing by the Local Planning Authority.

[Noise Rating Curves should be measured as an LZeq, T at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

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

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

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

21. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) compiled by RAB Consultants (RAB: 1984_D Version 1.0) dated 17th August 2018 and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 51.41m above Ordnance Datum (AOD).
2. Details of the surface water drainage are agreed with the LLFA and Yorkshire Water

The mitigation measures shall be fully implemented prior to occupation.

Reason: In order to mitigate against the risk of flooding

22. Surface water run-off from hardstandings (equal to or greater than 800m²) and/or communal car parking areas of more than 49 spaces must pass through an oil, petrol and grit interceptor of adequate design that has been submitted to and approved in writing by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

Reason: To prevent pollution of the aquatic environment and to protect the public sewer network

23. Notwithstanding the information shown on the approved plans 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.

24. 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 in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

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

Windows and doors

Windows reveals (to achieve a minimum reveal of 115mm for all external elevations unless otherwise specified)

Balconies including soffits

Juliette balconies

Feature brickwork detail

Fixings for metal clad areas

External services including ventilation and louvres

External lighting

Signage

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

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

26. 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.

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

Reason: In the interests of highway safety and the amenities of the locality it is essential for this scheme to be in place before the use commences.

28. The development shall not be used unless the car parking accommodation for 61 cars as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

29. 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 any above ground works commence, 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.

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

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

31. 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.

32. Notwithstanding the information on the approved plans, prior to the development being brought into use, full details of bicycle and motorcycle parking accommodation within the site shall be submitted to and approved in writing by the Local Planning Authority. The bicycle and motorcycle parking shall thereafter be provided in accordance with the approved details and retained/maintained for the sole purpose intended.

Reason: In the interests of delivering sustainable forms of transport it is essential for these works to have been carried out before the use commences.

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

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

34. Before any above ground works commence, full details of the proposed servicing arrangements for the commercial units and a refuse collection strategy for the whole development shall have been submitted to and approved in writing by the Local Planning Authority, and thereafter the development shall proceed in accordance with the approved details.

Reason: In the interests of pedestrian safety and the amenity of the locality.

35. Notwithstanding the submitted plans, before the vehicular access is constructed, full details shall have been submitted to and approved in writing by the Local Planning Authority (to include materials/specifications, any drainage implication, tactile paving, demarcation of highway boundary, and the location & type of any vehicle barrier control mechanism). The access shall have been constructed in accordance with the approved details prior to occupation of the development.

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

36. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;

2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and 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 the Core Strategy.

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

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

Other Compliance Conditions

38. All projecting balconies, shall be positioned a minimum of 5.5m above the level of the adjoining highway.

Reason: In the interests of pedestrian safety and to ensure no conflict/impact between balconies and high sided vehicles.

39. No windows or doors shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

40. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

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

41. The commercial units (Class B1) shall only be used between 0730 hours and 2300 hours Monday to Saturday and between 0900 hours and 2200 hours on Sundays and Public Holidays.

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

42. There shall be no building over the 2900mm diameter Don Valley Interceptor Sewer without prior approval from Yorkshire Water and the Local Planning Authority

Reason: In order to allow sufficient access for maintenance and repair works at all time

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
 - (a) Reference to permitted standard hours of working;
 - 0730 to 1800 Monday to Friday
 - 0800 to 1300 Saturday
 - No working on Sundays or Public Holidays
 - (b) Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - (c) A communications strategy for principal sensitive parties close to the site.
 - (d) Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - (e) A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - (d) A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
 - (e) Details of site access & egress for construction traffic and deliveries.
 - (f) A consideration of potential lighting impacts for any overnight security lighting.

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, or by email at eps.admin@sheffield.gov.uk.

3. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
4. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including 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.
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. 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

7. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

8. 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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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

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

10. 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

11. 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

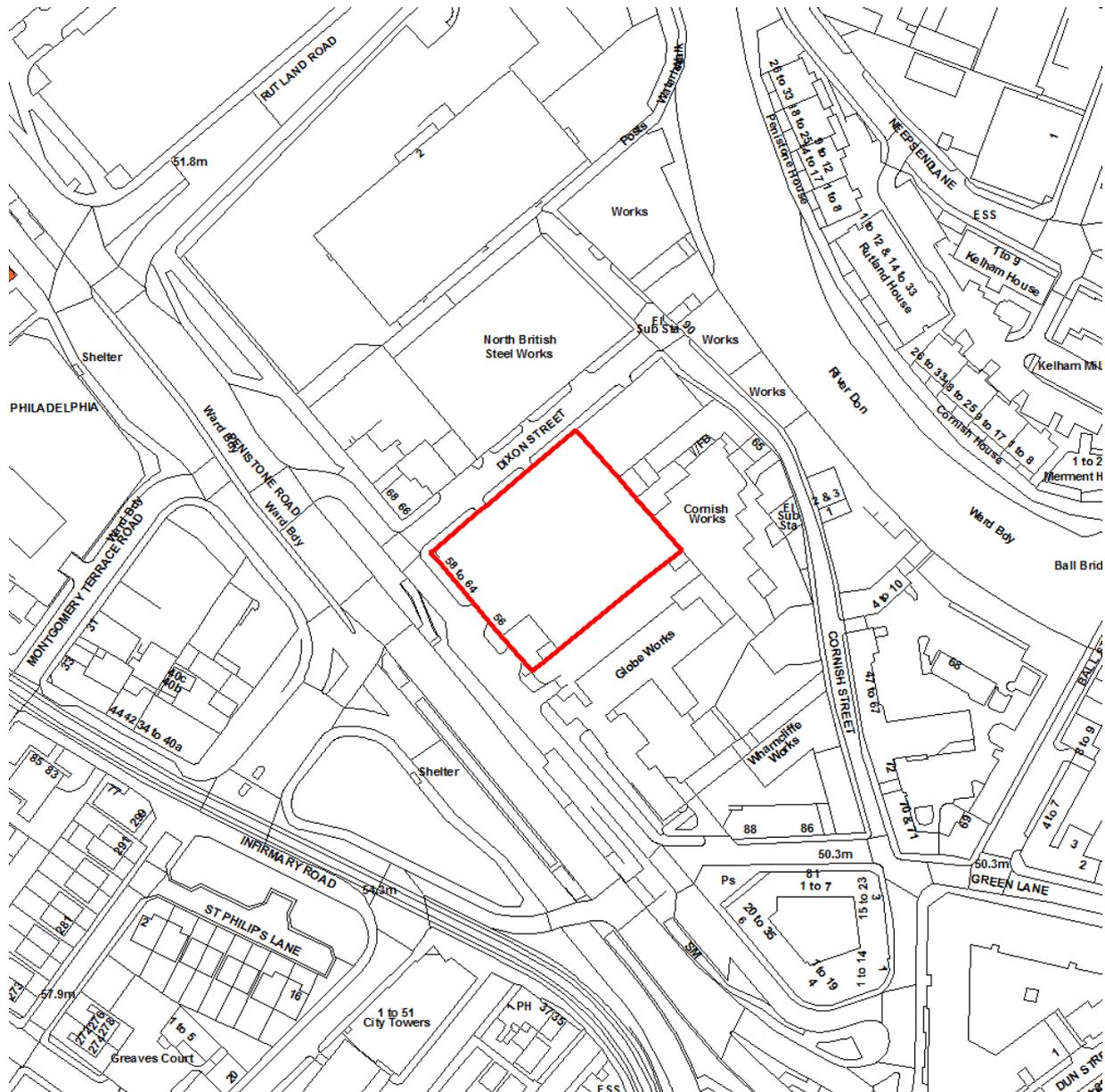
They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

12. The applicant is advised that the balconies on the highway frontages of the development will require a highways over-sailing licence.

Contact Paul Turner on 2736137

Email: highways@sheffield.gov.uk

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

The application site comprises the former Nambury Engineering works, a series of brick built connected industrial buildings and Rutland House a three storey flat roofed building in use as student accommodation which are located on the corner of Dixon Street and the old Penistone Road. The site falls wholly within the Kelham Island Conservation Area and abuts the boundaries with Globe Works, a Grade II* listed building to the south-east and the vacant Cornish Works, a grade II listed building, to the north-east.

Planning approval is sought for the demolition of the existing buildings and for the erection of a 4-11 storey building comprising 222 apartments (109 studios, 82 one bedroom apartments and 31 two bedroomed apartments) and 2 ground floor commercial units (Use Class B1) with associated basement car parking and communal amenity space.

RELEVANT PLANNING HISTORY

The application site was occupied by Nambury Engineering Ltd for many years and is understood to have been vacant for the last the last 4-5 years.

The student accommodation within Rutland House was approved in 1994 under planning applications 94/0170P and 94/1195P.

18/03285/EIA The council has previously issued a screening opinion confirming that the current development does not require the submission of an Environmental Impact Assessment.

SUMMARY OF REPRESENTATIONS

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

Forty-seven representations were received, including 35 letters of objection and 10 letters of support. A letter has been received from Councillor Douglas Johnson who supports the concerns raised by many of his constituents.

The 35 objections, which also include a letter from the Kelham Island Community Alliance, raise concerns that:

- The Kelham Island Action Plan refers to the proud history and sets out clear guidance for the protection of the area's rich heritage and the development of residential and business communities. The action plan recommends a maximum height of five stories for new development in the Kelham Island Conservation Area which would ensure that the setting of the historic buildings in the area is maintained.
- As the development sits next to the historic Globe Works, Cornish Place and Wharncliffe Works, the eleven storey tower and featureless apartments will dwarf and belittle the existing buildings and impact on their setting and detract

from the character and appearance of the Conservation Area. There are no other buildings of this height in the area and approval would set a bad precedent for other tall inappropriate buildings within the area. Furthermore tall buildings are notorious for creating unforeseen winds tunnels

- Whilst the design is more interesting than some of the mundane developments in the area, the development does not relate to its unique historic setting. The site is not a gateway into the City - this has previously been established by the nine storey tower at Daisy Springs Works. There is no justification for a further tall gateway building in the area. The development will result in the whole area losing its historic charm which will be detrimental to visitors, local residents and businesses.
- The development is not compliant with Core Strategy Policy CS41 as 83% of the units will be studios or 1 bed units. Kelham is becoming saturated with small apartments which are most suited to students and other temporary residents rather than encouraging long stay residents who will want to make their home into a community and bring up families. Sheffield has more than enough student accommodation and to build more acts against the need for balanced communities. The area needs affordable housing and facilities to support a growing community such as schools and local shops, and not more small one bed boxes.
- This will become the highest density residential building in the neighbourhood and is nearly twice the density of the next dense residential development at Dun Works. Little Kelham is a wonderful community that will be ruined with all the cheap flats and high rise development which is proposed. This is not the city centre and the area cannot cope with this many people who will not add anything to the area. The local area is in need of green and shared communal space rather than new development to encourage the existing community to interact and prevent social exclusion.
- The proposal and its lack of parking will add to the parking problems in the area increasing the problems for local residents and businesses. The car park does not provide enough spaces for the proposed numbers of additional residential units.
- Large vehicles making deliveries to local businesses along Kelham's many narrow streets and emergency services will struggle if more areas are saturated with parked cars. The existing one way system to the front of the building is dangerous.
- The area already suffers from pollution and is starting to feel dirty. Aside from the litter, traffic fumes are bad and dust from building works is getting worse. This development will exacerbate this.

The letters in support make comment that:

- Sheffield should warmly welcome this new quality designed landmark building to its skyline. Kelham is undergoing rapid change and high density

accommodation together with the commerce this generates is what anchors and will go on sustaining city living.

- The development can only enhance this once very run down area of the city. The developers are taking on a derelict building creating good quality living space. The building is sited on the central main road network where taller developments are the norm.
- Local residents would like to see some taller buildings around the outskirts of Kelham.
- The architectural style of the building and height is considered acceptable for this area and will form part of a high density gateway corridor into the City Centre from the north, which is welcomed.
- The development is in line with the City's commitment towards denser housing in a repopulated city centre with Kelham Island singled out as a location for this. More housing on brownfield sites increases the viability of local and city centre facilities and reduces the need to develop on rural and green belt locations
- The site is close to public transport links. If parked cars are causing problems for necessary commercial traffic then the regulation of on-street parking should be improved.
- The development will create many low cost homes that are desperately needed. The scheme matches the exact demographic requirements for the area and will create jobs for local people.

Historic England

Historic England has confirmed that they have no objection to the principle of redevelopment of the site. Due to the number of designated assets in the vicinity Historic England initially raised concern that the height of the block closest to Globe Works would be harmful to the setting and significance of the Grade II listed building due to the impact on the prominence and high status of the principle elevation. Concern was also raised that the bulk and height of the tower would not accord with the character and appearance of the conservation area and Historic England advised that the plans be amended to reduce the height and impact of the corner block closest to Globe Works, to make the proposed tower more slender and to further articulate the Penistone Road elevation to help reduce the impact on the setting of the listed building and character of the conservation area.

The applicant has taken on board the concerns raised by Historic England and amended the submitted plans to help reduce the impact of the development on both the designated assets and character and appearance of the Conservation Area. Planning Committee will be advised of Historic England's final comments, which have not yet been received, on the amended plans in a supplementary report.

Conservation Advisory Group

CAG considered the application at their meeting on 16th October 2018 and made the following comments (on the originally submitted scheme).

The Group considered that the proposal was not acceptable. The Group felt that the proposal would not preserve or enhance the Conservation area and would erode the setting of a listed building. The Group considered that the proposed tower was too high. The Group felt that the lower building was one storey too high and the proposed materials were too fussy. The Group considered that the proposed Mansard roof was inappropriate.

The Group have not reviewed the revised scheme now under consideration:

PLANNING ASSESSMENT

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

Land Use issues

The site lies in the Kelham Mixed Use area as defined in the Unitary Development Plan. Policy MU9 advises that business (B1), housing (C3) and Leisure and Recreation uses (D2) are the preferred uses of land within this policy area.

UDP Policy MU11 'Conditions on Development in Mixed Use Areas' states new development or changes of use will be permitted provided that, amongst other things, it would preserve or create variety in the character of the neighbourhood.

This approach is retained in Core Strategy Policy CS17(J) which recognises that the Kelham & Neepsend area, which was formerly dominated by industry, is becoming a focus for riverside housing and jobs.

The Kelham and Neepsend Action Plan which was approved in 2007 as a policy background paper is a material consideration in determining planning applications. The action plan identifies the site area as falling within Kelham Riverside, where residential uses have been accepted but notes that residential schemes should be part of a mixed development to help to maintain a commercial presence in the area. This vision was carried forward by the Draft City Policies and Sites document which identified this location as a Business Area where employment uses should be dominant but where residential uses are also acceptable.

It is acknowledged that the application site, being located in close proximity to the main Penistone Road, is not as suited to residential uses as other parts of the Kelham area but that the overall proposal for a residential use of the site with ground floor commercial units does comply with both UDP and Core Strategy requirements. In this respect the proposal is considered acceptable in principle subject to compliance with other policy requirements.

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

Core Strategy Policy CS24 seeks to maximise the use of brownfield sites, and states that no more than 12% of dwelling completions between 2004/05 and 2025/26 should be on greenfield sites. The existing industrial buildings on the site are largely vacant, beginning to fall into disrepair and do little to enhance the character and appearance of the area. Rutland House, although in use for student accommodation, is in need of modernisation. This proposal is an opportunity to maximise the use of these brownfield sites to the benefit of the immediate area.

Core Strategy Policy CS41 'Creating Mixed Communities' aims to promote the creation of mixed communities by providing for a broad range of smaller households in the City Centre. In line with policy requirements the development proposes a mix of studio (49%), one (37%) and two (14%) bedroomed dwellings with accommodation types mixed so no more than half of the units are of a single house type. The plans which were initially submitted also incorporated three bedroomed units but unfortunately these have subsequently been removed when the overall scale of the proposal was reduced. Although comment has been made by local residents that the development should contain more three bedroomed units it is acknowledged that this multi-rise development, adjacent to a main arterial route, is unlikely to be occupied as family accommodation and that a refusal on this basis would not be justified.

The development is solely for the private rented sector and contains no purpose built student accommodation.

The NPPF stipulates that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Based upon the most current information available, a deliverable supply of housing land over the coming 5 years cannot be demonstrated. The Local Planning Authority has identified a 4.5 years of supply, which is a shortfall of 1,185 dwellings, as detailed in the SHLAA Interim Position Paper 2017. The issue of a shortage in housing land availability is a material consideration which supports the principle of residential development at this site and the proposal would provide a helpful contribution to the local supply of housing land, in a sustainable location.

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 998 dwellings per hectare, which is compliant with this policy.

Overall, in policy terms the application is considered to meet the land use policy requirements of both UDP and Core Strategy.

Design and Conservation

The NPPF advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities and that planning decisions should seek to promote or reinforce local distinctiveness and not impose architectural styles or particular tastes.

UDP Policy MU11 'Conditions on Development in Mixed Use Areas' states that new development will be permitted provided that, amongst other things, it would be well designed and of a scale and nature appropriate to the site.

UDP Policy BE5 '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.

In considering this application your officers' have also considered the statutory duty of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

In respect of conserving and enhancing the historic environment the NPPF advises that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation and that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. The NPPF goes on to say that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance.

UDP Policy BE16 'Development in Conservation Areas' advises that development in conservation areas should preserve or enhance the character or appearance of the area, and that the same principle applies when considering proposals which would affect the setting of a conservation area or significant views into, or out of, the area.

UDP Policy BE19 'Development affecting Listed Buildings' requires that proposals which affect the setting of Listed Buildings will be expected to preserve their setting.

The Kelham Island Action Plan advises that new buildings must respect the scale, height, proportion and materials of the existing historic built form to ensure the retention of the area's distinctive character and that generally, building heights will not exceed the existing maximum of 5 storeys.

The Sheffield Urban Design Compendium, which identifies Kelham as a Character Area also refers to new development not exceeding the existing maximum of 5 storeys but does indicate that taller buildings may be developed along the inner ring

road to reinforce this gateway route but that a transitional height of 2-5 storeys should be retained in the remainder of the area.

The existing buildings do not contribute positively to the character of the conservation area and it is agreed that their replacement with high quality development is not inappropriate. On this basis the demolition of the existing buildings is considered to be acceptable.

The application comprises of a U shaped development with an 11 storey 'bookend' tower, built up to the back edges of Old Penistone Road and Dixon Street and located within close proximity to the side boundary of the application site which is shared with Globe Works. The 11 storey tower located on the corner of Penistone Road and Dixon Street forms the focal point of the development with the remainder of the development being stepped down with a maximum height of 5 storeys along Dixon Street and four storeys adjacent to the boundary with Globe Works. The overall scale and massing of the development has been reduced since first submission in line with advice from both Historic England and your Urban Design officers.

The site's primary frontage is along old Penistone Road which is a lane separated from, and parallel to, the ring road at this point. There are oblique views of Globe Works from the ring road, travelling east, into the city centre. The existing 3-storey building within the site on the corner of old Penistone Road and Dixon Lane is viewed from the residential area to the west of Penistone Road, in particular from St Philip's Road.

The development proposes high density on this site and the key design issue has been the need for the resulting change in scale to acknowledge the character of the conservation area and respond to the sensitive clusters of listed buildings abutting the site. The proposed 'bookend' tower is located towards the periphery of the conservation area, responding to views from the south of the site across from the Ring Road and Infirmary Road and forming a gateway structure into the area. The form and design of the tower achieves verticality of proportion, a defined ground, middle section and a top, created using a limited palette of high quality materials.

The massing of the remainder of the development is kept to 4/ 5 storeys to acknowledge the conservation area context and relationship with the listed Globe Works. The blocks are designed to further break down the scale into a number of elegantly proportioned individual buildings, using a limited palette of distinct yet high quality materials. The elevation that creates a backdrop to Globe Works has been designed to achieve a specific response in terms of residential amenity and appropriate aesthetic appearance for the conservation context. The ground floor commercial units facing onto Old Penistone Road will provide an active frontage to the highway.

The scale and massing of the buildings has been interrogated in the City 3D model where the development can be considered in the wider city context. This shows that the development will sit comfortably within the wider city townscape and within the views along the key streets adjoining the site.

In view of the above it is considered that the development does not compromise the character and appearance of the conservation area and responds well to the adjacent listed buildings. It is considered that the overall design and impact of the development is in keeping with the requirements of the Kelham/Neepsend Action Plan, the Local Plan, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

UDP Policy MU11 'Conditions on Development in Mixed Use Areas' states that new development should not cause residents to suffer from unacceptable living conditions, including air pollution, noise or other risk to health and safety.

UDP Policy H5 'Flats, bed sitters and shared housing' seeks to ensure that living conditions would be satisfactory for occupants of the accommodation and their immediate neighbours.

Noise

The site is located in a mixed residential, commercial and industrial environment in close proximity to Penistone Road where there are high volumes of traffic. The site is affected by both traffic noise and noise from Westpack (a company specialising in packaging materials) who operate from both the adjacent and opposite buildings on Dixon Street. Noise from Westpack includes tonal plant noise, machine noise, HGV movements and unloading and loading from fork lift trucks.

A noise assessment has been submitted in support of the application which confirms that the site is affected by high levels of noise from traffic, commercial and industrial sources. The report identifies that a very high standard of sound insulation will be required for the building, with glazing and ventilation requirements of an exacting specification to ensure a suitable level of amenity for future residents.

The Environmental Health Officer has indicated that the site is far from ideal in acoustic terms but confirms that the assessment report references appropriate standards and criteria. The EHO also confirmed that the noise report includes satisfactory assessment of the prevailing environmental noise levels in the vicinity of the development site and makes reasonable outline recommendations for a scheme of sound insulation works and for the purposes of plant noise limits. These include the incorporation of appropriately specified glazing and ventilation provision. As per the conclusions of the report, it is agreed that with the recommended noise mitigation measures in place, an acceptable internal noise criteria can be achieved in the internal habitable spaces. This will be secured by condition.

A suite of standard conditions are proposed, including a validation requirement, to ensure that the outline recommendations of the assessment report are achieved, prior to the use commencing. Subject to these being achieved, it is considered that the development will achieve a commensurate level of protection from environmental noise for future residents and will protect the interest of the adjoining business.

Land Contamination

The applicant has submitted a Phase I Geotechnical and Geo-Environmental report with the application which confirms that the site may be contaminated by its previous use and recommends the carrying out of intrusive site investigation works. The Environmental Health Officer concurs with this recommendation such that conditions requiring the submission of a Phase II Intrusive Site Investigation and a remediation strategy will be added to any subsequent approval.

Privacy and outlook

The development has been designed with a U shaped footprint with two rear wings running at right angles to the main Penistone Road frontage. This results in internal windows facing one another over the shared internal amenity area with a separation distance of approx. 15.5m between habitable windows. The outward facing windows to the northern wing face directly onto Dixon Street with approx. 15m separation distance with residential property within Lancer House to the other side of the highway.

Whilst this level of separation falls short of the recognised standard 21m suburban privacy distance it is acknowledged that this site falls within a central location where back edge of footway development is the norm and privacy standards cannot be expected to be as generous as in a more suburban location. In this respect a relaxation of the privacy standard is considered acceptable. The proposed outlook from the residential units in these parts of the development and those directly onto Penistone Road is considered to be acceptable and with all residential units having large clear window openings they will be adequately lit by natural light.

The residential units located on the outward facing four storey southern wing face directly onto the boundary with Globe Works and will partially rely on light over this neighbouring land. The face of the building will be inset a maximum of 3m from the boundary line and 13.7m from the side elevation of an existing three storey brick range which is located to the rear of Globe Works. The residential units will have external balconies which further reduces separation distances.

In order to reduce the potential for overlooking both of Globe Works and to maintain privacy for future residents the applicant has indicated that the outer edge of the balconies will be screened by vertical metal louvres which will angle views from the residential units towards Penistone Road. The louvres will be positioned to allow maximum levels of light from the south and being of a reflective nature will maximise light to the residential units.

Whilst the proximity to the boundary is not ideal the applicant has demonstrated that this bespoke design solution will prevent overlooking but still retain an acceptable level of outlook from the residential units and enable internal light levels to be maximised. Building up in close proximity to boundaries causes concern that it may sterilise the redevelopment of neighbouring land and isn't generally considered good practice. In this case with the neighbouring land being occupied by a Grade II* Listed building it is highly unlikely to be redeveloped in the future in a manner which would impact on the current development proposals.

Amenity Space

The application proposes a shared courtyard within the centre of the development for use by all residents. A condition will be added to any subsequent approval requiring a detailed hard and soft landscaping scheme to ensure this area is appropriately laid out to ensure it will be used in the future. A small number of the apartments also have external balconies providing a relatively private sitting out area for future residents.

Transport and Highways

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. It requires that safe and suitable access to a site can be achieved for all people, and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of developments are severe.

UDP Policy MU11 requires development to be adequately served by transport facilities and provide safe access to the highway network and appropriate off road parking.

The development site is considered to be in a highly sustainable location. The site is located close to high frequency transport links including Supertram which provide excellent links to the City Centre and railway station and there are a wide range of local services and facilities within walking distance. The development includes a basement car park which will provide 61 parking spaces including 7 disabled spaces which provide off road parking for 27% of the proposed residential units.

A transport assessment has been submitted in support of the application which confirms that this is a good site to promote sustainable travel and reduce the reliance on the private car and where residents would not be reliant on travel by private car for their journeys to work, shopping or leisure activities.

Comment has been made by local residents that there are serious on-street parking problems in the area which are acknowledged by the council. A lot of the parking problems are from commuter car parking which has been drawn to the area as there are currently no parking restrictions. With this in mind the council is due to implement a Controlled Parking Zone within the Kelham Area at some point in the near future which will restrict parking to permit holders. 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 CPZ. Taking this into account and considering the provision of over 60 off road parking spaces the development does not raise any highway concerns.

In line with approved policy cycle storage facilities will be provided within the building

The demolition of the existing industrial units will significantly reduce the numbers of large goods vehicles serving the site. All future deliveries and servicing for the new development will take place off Dixon Street which raises no additional concerns.

A condition requiring the reconstruction of the footways to both road frontages will be added to any subsequent approval.

Climate Change

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

Core Strategy Policy CS 65 Renewable Energy and Carbon Reduction requires new developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy or fabric first approach.

The application, as originally submitted, included provision for a Biomass Boiler. The applicant has subsequently withdrawn this proposal due to concerns regarding potential emissions affecting air quality.

To comply with the requirements of this policy the applicant is looking towards the provision of a green roof and/or the provision of renewables together with an increased specification for the insulation of the building.

A condition will be added to any subsequent approval to ensure compliance with this policy.

Archaeology

The submitted Archaeological Desk Based Assessment has established that there is a high potential for buried archaeological remains to be impacted upon by the redevelopment of the site and that there is the potential for elements of historic buildings to be extant within the existing building complex. In particular there is a high potential for encountering 19th century and modern remains associated with back to back housing and industrial works, and a moderate to low potential for encountering remains of the post medieval field system. Previous excavations in the area have uncovered well-preserved remains of this nature which has led to a good understanding of the archaeology and the level of preservation expected.

The archaeological assessment considers that the harm to the historic environment could be satisfactorily managed through planning conditions to ensure that appropriate recording is carried both before and during the redevelopment of the site.

The South Yorkshire Archaeological Service agree with the conclusions of the archaeological assessment and have recommended a condition to secure further investigation and formal recording of below-ground archaeology ahead of any redevelopment works.

Flood Risk and Land Drainage

Core Strategy Policy CS 63 'Responses to Climate Change' promotes the adoption of sustainable drainage systems (SuDS).

Core Strategy Policy CS67 'Flood Risk Management' requires that to reduce the extent and impact of flooding, all developments limit surface water run-off and use sustainable drainage systems where feasible and practical.

The NPPF follows a sequential risk based approach in determining the suitability for development in flood risk areas with the intention of steering all new development to the lowest flood risk area.

A Flood Risk Assessment has been submitted in support of the application which confirms that the application site is located within Flood Zone 2 where there is a medium probability of flooding. The proposed development is classed as more vulnerable development in accordance with the NPPF Planning Policy Guidance and being located in Flood Zone 2 requires a sequential test.

In carrying out the sequential test the applicant has restricted the search for other sequentially preferable sites to the Kelham Island and Neepsend city quarter to ensure that reasonable transport links with the city centre are maintained. As the majority of this area falls within Flood Zone 2 there are no sequentially preferable sites available and in this respect the proposal is considered to pass the sequential test.

The flood risk assessment recommends that to afford future protection against flooding that finished floor levels are set 150mm above local ground level at 51.AOD and that full details of surface water drainage arrangements are agreed with the Lead Local Flood Authority and Yorkshire Water.

The development proposal provides an opportunity to incorporate sustainable drainage systems and includes green roofs and an internal courtyard which will be covered in a permeable surface with an attenuation tank underneath which will enable flow rates from the site to be reduced. Full drainage details will be secured by condition

In view of the above the proposed development is considered to be consistent with the expectations of Policies CS 63 and 67.

Landscape

The layout of the development enables a resident's courtyard to be provided on the central part of the site views of which will be obtained from Penistone Road. The opening up of this area will also benefit the setting of the Grade II Cornish Works to the NE of the site. Full details of hard and soft landscaping will be secured by condition.

Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. Initial discussions indicated that public

art will be integrated into the building elevations which face onto Penistone Road. Full details will be secured by condition.

Community Infrastructure Levy

For the purposes of the Community Infrastructure Levy, the development is located within Zone 4 where the CIL charge is £50 per square metre.

Affordable Housing

The application site falls within the City Centre Housing Market Area where there is currently a zero rate affordable housing contribution.

Pre-Commencement Conditions

In accordance with Section 100ZA of the Town and Country Planning Act 1990 the council has received the written agreement of the applicant that the proposed pre-commencement conditions are acceptable

SUMMARY AND RECOMMENDATION

Planning approval is sought for a development of 222 residential apartments and a limited amount of B1 Business space which includes an 11 storey tower within the Kelham Island Conservation Area and in close proximity to designated listed buildings.

Housing is considered to be an acceptable use in land use terms and the small amount of commercial space proposed to the ground floor will support the promotion of business uses in the area.

The applicant has worked with Historic England and your officers to ensure that the overall design of the building responds well to its sensitive location. It is considered that the erection of the well-designed 11 storey tower which is sited on the main Penistone Road frontage, on the periphery of the Conservation area, will not detract from the character and appearance of the area.

The development, which provides appropriate levels of amenity for existing and proposed residents, will not lead to an increase in on street parking in the area in the medium term, where a controlled parking zone is due to be implemented.

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

This page is intentionally left blank

Case Number	18/02830/FUL (Formerly PP-06040723)
Application Type	Full Planning Application
Proposal	Erection of 146no dwellings and 21no apartments in 1x stepped three-storey block including associated parking, access and landscaping
Location	Land Between Fox Hill Crescent And Fox Hill Avenue Fox Hill Crescent Sheffield S6 1GD
Date Received	23/07/2018
Team	West and North
Applicant/Agent	Nicol Thomas
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:

PL(00) Site Location Plan rev B
PL(01) Site Layout rev U
PL(02) House Type A rev E
PL(03) House Type A1 rev E
PL(04) House Type B rev E
PL(05) House Type C Plans rev C
PL(06) House Type C Elevations rev D
PL (07) House Type D rev E
PL(08) Proposed Indicative Levels North rev H
PL(09) Proposed Indicative Levels south rev H
PL(10) Proposed Sections rev D
PL(11) Proposed Sections 2 rev E

PL(12) Proposed Sections 3 rev E
PL(13) Proposed Elevations rev D
PL(14) Proposed Elevations 2 rev C
PL(15) Green Belt Elevation rev B
PL(16) Landscaping layout rev H
PL(17) POS Landscaping rev F
PL(18) Material Legend rev E
PL(19) Phasing Layout rev F
PL(20) Proposed Sub Station rev A
PL(21) site layout- Green Belt Boundary rev B
PL(22) Site Layout - Tree Location rev B
PL(23) House Type AAA rev A
PL(24) House Type BB rev A

Reason: In order to define the permission.

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

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

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

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

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

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

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

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

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

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

8. 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.

9. No development shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in

writing by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of QBar based on the area of the development. 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.

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.

10. Prior to the commencement of development details of the finished floor and plot levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the each phase of the development shall be carried out in accordance with the approved details.

Reasons: In the interests of the appropriate development and the interests of the amenities of residential amenity.

11. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document plans and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual environmental or amenity impacts that cannot be adequately controlled at source.

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

12. No development shall commence until a Landscape and Ecological Management and Maintenance Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct landscaped and public open space areas including a strategy for future maintenance of all gabion retaining structures has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management and Maintenance Plan shall thereafter be implemented as approved and maintenance shall be undertaken in accordance with the approved details upon occupation of the development, and for the lifetime of the development.

Reason: In the interests of the amenities of the locality, long term maintenance of the site and to protect the biodiversity of the site. It is essential that this condition is complied with before any other works on site commence.

13. 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.

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

15. Within 3 months of the commencement of development details of the number, location and specification of bird and bat boxes to be integrated into each phase of the development shall have been submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be provided in accordance with the approved details prior to the first occupation of each phase of the development.

Reason: In the interest of Biodiversity.

16. Notwithstanding the phasing details shown on drawing ref: PL(19) rev E, prior to any above ground works commencing details of the phasing and implementation of the on-site public open space area linking Fox Hill Crescent

with the western site boundary shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the open space shall be provided in accordance with the approved phasing.

Reasons: In the interests of the appropriate development of the site.

17. Details of all types of site boundary treatment, including detailed design, materials and specifications of the gabion retaining structures shall have been submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority. The development shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

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

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

19. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before 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. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- a, Window reveals
- b, Cladding (unit sizes, setting out, method of fixing)
- c, Eaves and verges
- d, rainwater goods
- e, bay windows
- f, entrance canopies
- g, brick detailing (apartments)
- h, cills

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

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

21. A comprehensive and detailed hard and soft landscape scheme for the site which shall including a landscape buffer and compensatory tree planting along the western boundary of the application site shall have been submitted to and approved in writing by the Local Planning Authority before any above ground works commence, 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.

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

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

23. Before the apartments are commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient covered and secure cycle parking provision within the curtilage of the apartment block shall have been submitted to and approved in writing by the Local Planning Authority and the apartments shall not be used unless such cycle parking accommodation has been provided in accordance with the approved plans and thereafter such cycle parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

24. Prior to the apartments/flats becoming occupied, illumination shall have been provided within the car parking court in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

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

25. Upon 50% occupation 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 Core Strategy Policies CS63, CS64 and CS65.

26. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the provision and distribution of electrical car charging facilities within the development shall be submitted and approved in writing. Thereafter the electrical car charging facilities shall be provided in accordance with the approved details and retained.

Reason: In the interest of sustainability and minimising the impacts of the development on air quality.

27. The dwellings within the relevant phase of the development shall not be occupied unless details have been submitted to and approved in writing by the Local Planning Authority showing how all vehicle and pedestrian areas within the relevant phase of the development will be surfaced and drained the submitted details shall include details of 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 dwellings in the relevant phase commencing, and shall thereafter be retained.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

28. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered

necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

29. Notwithstanding the submitted plans, before development commences of any of the following elements, full details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the various elements shall be carried out in accordance with the approved details prior to occupation of any of the development:

A, Full construction drawings of the gabion baskets including those flanking Fox Hill Crescent to enable technical approval by Sheffield City Council (Approvals in Principle).

B, Full construction drawings of a masonry highways retaining wall adjacent to Midhurst Road to retain the new public footpath (gabions are not acceptable in this location) to enable technical approval by Sheffield City Council (Approvals in Principle).

C, Long-sections and cross-sections of all roads and footways within the development site (including construction details, drainage and lighting).

D, The network of adopted footpaths and their steps, ramps, illumination, distinguishable paving, easy grasp handrails, corduroy paving, surfacing/construction details as they pass through the various landscaped areas.

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.

30. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use and the development; shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

A, Review of street lighting positions and possible replacement scheme along the Fox Hill Crescent frontage of the development site including specification/design of lighting to be agreed (if required).

B, Re-surfacing of the footways abutting the development site frontage along Fox Hill Crescent.

C, Review/promotion of Traffic Regulation Orders in the vicinity of the development site (waiting/loading restrictions and 20 mph speed limit) entailing advertising, making and implementing the Traffic Regulation Order subject to usual procedures (including provision and installation of regulatory traffic signs and road markings).

D, A review of tactile paving and lowered kerb locations in the vicinity of the development site (and provision of new facilities where necessary) to assist pedestrians crossing the road and to fit with new pedestrian desire lines created by the development.

E, Any other accommodation works to traffic signs, road markings, lighting columns, Statutory Undertakers equipment and general street furniture necessary as a consequence of development.

F, Provision of controlled pedestrian crossing (puffin or such like) on Fox Hill Road (location/position to be agreed) facilitating safe connectivity to local shops, pharmacy, schools, all to the east of Fox Hill Road (the crossing shall be the subject of a Stage 1 Road safety Audit).

G, Upgrades to three bus stops (and possible relocations to give best fit), raised footways, tactile paving, shelters and boarder markings.

H, Provision of new footway along Fox Hill Crescent to connect with northbound bus stop near Fox Hill Drive.

I, Extension of footway westbound along Midhurst Road to connect with public right of way flanking the sites western boundary.

J, New junctions serving the development site.

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 pubic highway.

31. 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.

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

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of achieving the following noise levels:
 - Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
 - Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
 - Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
 - Bedrooms: LAFmax - 45dB (2300 to 0700 hours); normally achieved.
 - External Areas: LAeq (16hour) - 55dB
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

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

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

Other Compliance Conditions

34. Should the clearance of site vegetation and/or trees take place within the bird nesting season (March to August inclusive) a pre site clearance check shall be carried out by a suitably qualified ecologist to establish the presence of nesting birds. If active bird nests are present clearance works can only proceed once all chicks have fledged.

Reason: In order to ensure that nesting birds are not adversely affected by the development.

35. 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.

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

Reason: To ensure satisfactory drainage arrangements.

37. 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.

38. Before the first occupation of plots 73 and 74 the window(s) in the side elevation of the dwelling houses facing north shall be fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

Reason: In the interests of the amenities of occupiers of adjoining property it is essential for these works to have been carried out before the use commences.

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. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including 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.

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

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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

4. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
5. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
6. 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

7. 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

8. 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.
9. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
 - Reference to permitted standard hours of working; 0730 to 1800 Monday to Friday, 0800 to 1300 Saturday, No working on Sundays or Public Holidays.
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site, where appropriate.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - A, Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - B, Vibration.
 - C, Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - D, A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
 - Details of site access & egress for construction traffic and deliveries.
 - A consideration of potential lighting impacts for any overnight security lighting.

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, or by email at eps.admin@sheffield.gov.uk.

10. The Developer should consult with the Lifelong Learning Skills and Communities (LLSC) Service in Sheffield City Council who will be able to provide information and guidance on drafting the Employment and Training Strategy.

For further information, please contact:

Kerry Moon

Investment Support Manager - Sheffield City Council

Lifelong Learning, Skills and Communities | Moorfoot | Sheffield S1 4PL

Tel: 07875009200

Email: kerry.moon@sheffield.gov.uk

11. 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.

12. 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.

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. As the proposed development will involve the closing/diversion of a public path(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the path(s) under Section 257 of the Town and Country Planning Act 1990. This process can take several months to complete.

Principal Engineer, Highway Records
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6301 or 273 6125
Email: highwayrecords@sheffield.gov.uk

15. 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

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

17. The applicants is advised that the submitted Ecology Report notes that an invasive species (cotonester) is growing on the site. Cotonester is listed under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended), making it an offence to allow this species to spread into the wild. The developer will need to take steps to secure its removal.

LOCATION AND PROPOSAL

This application relates to approximately 3.8 hectares of land located to west of Fox Hill Crescent within the established residential suburb of Fox Hill. The site previously accommodated a series of maisonettes, these dwellings were demolished a number of years ago, the site cleared and some land regrading undertaken which has resulted in a substantial volume of unspecified material being deposited at the northern and western boundaries of the site. The site has remained vacant and undeveloped ever since.

Full planning permission is sought to erect 146 dwellings comprising of a mix of 2, 3 and 4 bedroom dwellings and 21 apartments in a single block with associated parking, access and on site open space provision. A total of 167 dwellings are proposed.

The application site is in an allocated Housing Area as defined on the adopted Sheffield Unitary Development Plan (UDP) proposal map. The site is bound to the south by Midhurst Road; to the east by Fox Hill Crescent and an existing block of maisonettes, to the north by established residential properties and to the west by a belt of trees and a public footpath located on the top of 'Back Edge'.

The entire site is in an allocated Housing Area, with the land to the west of the site falling in the Green Belt as defined in the adopted Sheffield Unitary Development Plan.

The application site forms a part of site which was granted consent in January 2007 for the erection of 142 dwelling houses, 64 apartments and 9 bungalows under application ref: 06/03050/FUL. Approximately 18 of the previously approved dwellings, which are located to the west of Fox Hill Crescent, outside of the current application site boundary have been erected and are now occupied. The erection of these dwellings constituted a material start on site and as a result, the application site continues to benefit from an extant planning consent which could be implemented at any time.

The previously permitted scheme was not constructed in its entirety for a number of different reasons including its financial viability. This new application seeks permission to develop out the remaining 3.8 hectares of the site located to the west of Fox Hill Crescent with a revised layout and design.

PLANNING HISTORY

06/03050/FUL - Erection of 142 dwellinghouses, 64 apartments and 9 bungalows with associated car parking and hard and soft landscaping - Granted Conditionally Legal Agreement.

08/01286/FUL - Application to not comply with a scheme for the opening up culverts on sites 2 and 3 - to protect and enhance biodiversity and reduce flood risk - removal of condition 32 as imposed by application 06/03050/FUL (Application under Section 73) - refused.

SUMMARY OF REPRESENTATIONS

The application was advertised by way of individual letter, site notice and press notice.

Three letters of representation have been received.

Councillor Dunn has no objection to the proposal and a local resident has written in support of the application identifying that the site has been neglected and there has been an increase in littering, anti-social behaviour and crime as a result of the site being undeveloped. The redevelopment of the site is welcomed.

Concerns with the condition of the existing site fencing surrounding the site have been noted by a local resident.

Policy Issues

The site is in an allocated Housing Area as defined in the adopted UDP. Policy H10 identifies housing (use class C3) as the preferred use of land in the policy area. As such the principle of the redevelopment of this vacant previously development site for housing purposes is considered to accord with policy H10.

The western boundary of the site is defined by the Green Belt. Policy GE1, GE2, GE3 and GE4 of the UDP and CS74 of the Core Strategy (CS) seek to protect the Green Belt from inappropriate forms of development and to conserve and enhance the landscape and natural environment of the Green Belt. Policy GE4 specifically identifies that the scale and character of development which is not located in but conspicuous form the Green Belt should be in keeping with the area and conserve and enhance the landscape and natural environment.

More up to date guidance on Green Belt development is contained in the NPPF Para 134 identifies that the Green Belt serves five purposes including c) to assist in safeguarding the countryside from encroachment. Para 145 and 146 of the NPPF identifies that the Local Planning Authority should consider development, other than certain forms of development identified in para 145 and 146 as inappropriate development, which is by definition harmful to the Green Belt.

During the course of the application the scheme the application site boundary has been adjusted to ensure the development does not encroach into the Green Belt. The proposal will however be located in close proximity to the Green Belt boundary and will be visible from it due to the surrounding topography. However the development will be viewed in the context of established residential development to the north, south and east of the site which minimises its visual impact from the Green Belt. The site also previously accommodated a series of maisonettes which were of a much larger scale than the proposed development and benefits from extant permission for a residential development of a similar scale. Landscaping will be removed from the western boundary to accommodate the development; however a new landscape buffer is proposed which will help to minimise the visual impact of the development. In light of the above the development is not considered to detrimentally affect the character and appearance of the Green Belt or lead to the encroachment

of urban development into the Green Belt. The development therefore complies with adopted local and national policy.

Housing Land Supply.

The NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer. In addition, Policy CS22 (Scale for the Requirement for New Housing) within the Sheffield Development Framework Core Strategy (CS), sets out Sheffield's housing targets until 2026.

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

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

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

The proposal accords with Core Strategy Policy CS23 (Locations for Housing Development) as this is considered to be suitable and sustainably located site which is located in the existing built up area of Fox Hill.

Efficient Use of Land

Policy CS24 seeks to prioritise the redevelopment of previously developed sites. The site is previously developed and therefore compliant with the aims of policy CS24.

Core Strategy policy CS26 seeks to make efficient use of land for new housing and sets out appropriate density ranges for different locations depending on accessibility. In this location the appropriate density range identified by policy CS26 is 30 - 50 dwellings per hectare. More up to date guidance on the efficient use of land is however contained in the National Planning Policy Framework (NPPF). Para123 of the NPPF identifies that where there is an existing shortage of land for meeting identified housing needs (as is the case in Sheffield) it is especially important that planning decisions avoid development from being built at low densities and ensure that developments make optimal use of the potential of each site.

The proposal for 167 dwellings with a net site area of 3.8 hectares represents a density of approximately 47 dwellings per hectare which accords with the requirements of policy CS 26 and is considered to make efficient use of the land given the sites constraints.

Phasing

The submitted plans indicate that the scheme is to be delivered in three separate phases. Phase 1 is indicated to comprise of 42 dwellings which are located on the southern section of the site fronting Midhurst Road and part of Fox Hill Crescent. Phase 2 comprises of the section of the site largely fronting Fox Hill Crescent and contains a three storey apartment block (21 flats) and a further 48 dwellings. Phase 3 comprises of the western section of the site abutting the Green Belt boundary and comprises of a further 56 dwellings. An area of public open space is also proposed connecting Fox Hill Crescent with the western boundary of the site, it is not clear from the submitted information under which phase the open space will be delivered, details will therefore be secured by condition. Subject to the above the proposed phasing of the site is considered acceptable in principle.

Design and Layout

UDP Policy BE5 (Building Design and Siting) and H14 (Conditions on Development in Housing Areas) expects good overall design of an appropriate scale and the use of high quality materials. Original architecture is encouraged, but new development should also complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS 74 (Design Principles) reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city.

The extant permission on the site was a highly contemporary scheme incorporating flat roofed dwelling faced in stone and render, including rooftop amenity areas all of which were accessed via an informal highways network including home zones and 'green fingers' which connected different parts of the scheme. This application is very different in both design and layout and utilises a more traditional highways layout and a more conventional, albeit contemporary interpretation of the traditional pitched roofed dwellings that characterise the area.

Two points of vehicle access to the site are proposed, both taken from Fox Hill Crescent with the proposed dwellings served by a series of adoptable Cul de sac's off which there are a limited number of private drives. The approach to accessing the site is largely dictated by site levels but is considered to be reasonable and well considered.

Although land level changes are required the sloping topography is taken account of. When viewed from the adjoining highways and from the west across the valley the development will reflect the landform as the blocks of semi-detached and terraced dwelling step to following the landform creating an articulated and varied roofscape which is characteristic of many of Sheffield's suburbs.

The scheme comprises of modern designed semi-detached, detached and terraced dwelling houses. The new houses will be two storeys high with the exception of a block of apartments located centrally within the site which extends to three storeys. The scale of the development is considered appropriate in this location and consistent with the prevailing scale of dwellings and existing blocks of

flats/maisonettes in the locality. House type design includes some variation with a mix in roof styles (pitched and hipped).

The elevations are treated with a contemporary approach and include large vertically proportioned windows. Dwellings are proposed to be faced in two different multi red bricks. Roofs will be in a grey or red slate. There is a variety of materials evident in the locality including red brick, grey and red roof slates as well as some more modern stone and rendered dwellings located immediately on the western side of Fox Hill Crescent. Details of the proposed facing and roofing materials have been submitted as part of the application and in principle the materials and their disposition across the site is considered appropriate and will ensure the development contributes to the character of the area. The inspection of material samples is however required before confirming their acceptability, the details of which will be secured by condition.

A large area of public open space provides a visual break between the higher northern section of the site and the lower southern section of the site. This open space contributes positively to the layout and appearance of the development and contains a series of footpaths linking the northern and southern sections of the site as well as Fox Hill Crescent with the existing public footpath running along the western site boundary.

The scheme has been designed so that where possible properties have main front or side elevations facing the street and specific dwellings have been designed to address corners and public open spaces. Due to the levels issues across the site a number of dwellings will back onto Fox Hill Crescent. These properties will be located between 3 and 5 metres above the level of the public highway and given the vertical separation between the site and the road it is considered that having dwellings back onto the public highway is acceptable in this case. The boundary with Fox Hill Crescent will be formed by a retaining wall constructed of stone filled gabion baskets which will be designed to provide some texture and visual interest through the use of stone coursing. The retaining wall does not extend along the entirety of the Fox Hill Crescent road frontage as the site gradients in the southern section of the site allow dwellings to directly front onto the road and the new public open space allows direct access from Fox Hill Crescent.

Elsewhere within the site high quality boundary treatments are proposed throughout comprising of brick walls with horizontal larch panels, railings and hedge planting. Timber fences are largely located to the rear of dwellings where there visibility will be limited from public vantage points. However due to the topography of the site the western boundary of the site will be visible on the ridge line. In order to minimise the visual impact of the new boundary treatment a substantial landscape buffer will be planted along the ridge, the full details of which will be secured by condition.

Car parking across the site varies depending upon the house type but it is generally proposed to be in-curtilage, to the frontage and down the side of houses where possible which is welcomed as it helps to minimise the visual impact of parked vehicles.

In light of the above the design and layout of the scheme is considered acceptable taking account of the constraints of the site. The scheme therefore complies with BE5 of the UDP and CS74 of the CS.

Amenity Issues

UDP Policy H14 (Conditions on Development in Housing Areas) part (c) seeks to ensure that sites are not overdeveloped or deprive residents of light private or security.

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. It also expects that walls or fences are provided around rear garden areas next to roads, footpaths or other open areas.

Policy H5 seeks to secure suitable living conditions for future occupants and existing neighbours and not result in a concentration of flats that would cause nuisance to existing residents.

The existing topography of the site varies significantly and has been altered as a result of works associated with the previous planning consent and the clearance and demolition of the previous dwellings on site. These works have resulted in the land towards the southern area of the site being scraped and reduced in level particularly adjacent to the western site boundary. At the northern end of the site land levels have increased as a result of the deposition of a large amount of excavated and demolition material.

A large majority of the existing site is located above the level of Fox Hill Crescent, and is retained by a 2/3 metre high masonry wall located at the back edge of the highway. The site rises towards the western site boundary and otherwise follows the rising topography of Fox Hill Crescent.

As a result of the previous works and the existing challenging topography on site substantial earth works are required to form a series of suitable development platforms to accommodate the scheme. This will include the provision of a replacement retaining wall along Fox Hill Crescent which will be extended up to the north boundary of the site. A new retaining wall is also required within the site running in a north/south direction to enable the provision of new areas of public highway. A new area of public space is also proposed connecting Fox Hill Crescent with the western boundary of the site. This open space cuts across the site and as such requires the provision of substantial retaining structures and regrading of the land.

The applicant has submitted levels plans and a series of cross section drawings in order to demonstrate the relationship the proposed dwellings will have with Fox Hill Crescent, neighbouring properties to the north and south and the natural land form to the west. Some substantial engineering works are required however the levels and section drawings show the proposed dwellings located adjacent to the site

boundaries generally being at the indicated ground level of existing properties. As such the proposed works are considered to be acceptable from an amenity perspective.

Adequate privacy distances are provided between existing and newly proposed dwellings and the development is not considered to result in any unacceptable overbearing, overshadowing or overlooking issues. The orientation of properties located adjacent to the northern site boundary has been adjusted during the course of the application to minimise the impact on neighbouring properties and it is considered necessary to obscure glaze side gable windows in these plots (73 and 74) to prevent any harmful overlooking. All garden areas are considered to be adequate and proportionate to the size of the dwellings proposed.

The site is located in an established residential area and future residents are not considered to be exposed to any significant noise issues, details of appropriate glazing specifications will however be secured by condition to ensure appropriate living conditions.

The site is located in close proximity to existing dwellings as such it is considered necessary to secure a Construction Environmental Management Plan (CEMP) to ensure that the developer takes measures to minimise the impacts of the construction phase on adjoining residential dwellings.

In light of the above the proposal is considered to comply with policy of UDP Policy H5, H14 and H15.

Highways

Core Strategy Policy CS53 'Management of Demand for Travel' sets out a variety of ways in which the increased demand for travel will be managed across the city including applying maximum parking standards to all new developments to manage the provision of private parking spaces.

Policy H14 part (d) seeks to ensure that development would provide safe access to the highways network and appropriate of street parking and not endanger pedestrians.

The site will be accessed via two new junctions taken from Fox Hill Crescent, with all properties accessed from a series of new estate roads within the site. The general layout and nature of the proposals have been shaped during various officer pre-app meetings and local consultations. The proposed highway access and layout is considered acceptable.

A full transport assessment has been submitted in supported of this application. The report considers the impact of development traffic on the local highway network, addresses existing public transport and non-car considerations in relation to the overall accessibility of the scheme, and finally draws conclusions.

The site is well served by public transport. The following bus services frequently pass along Fox Hill Crescent, or Fox Hill Road: 32, 35, 85, 86 & M92, along the

following routes: City Centre – High Green (Circle); Sheffield – Meadowhall; Southey Green – Northern General Hospital (Circle); Harley – Chapeltown – Grenoside – Fox Hill (Circle). There are existing bus stops on Fox Hill Crescent. The stops themselves will be improved with raised footways, tactile paving and shelters the details of which will be secured by conditions.

In terms of non-car accessibility to local facilities, the following are within a 400 metre walking distance: two Local Shopping Areas, a Pharmacy, and a Post Office. Within 800 metres walking distance are three schools (Fox Hill Primary, Meynell Primary & Chaucer), a doctors surgery, and Kilner Way retail park.

The vehicle movements anticipated to be generated by the development have been derived from TRICS, a national computer database of actual survey information of different development types, and the vehicular activity associated with them. For the number of dwellings and the mixed tenure proposed, the trip generations in the peak hours are: 0800 to 0900 hrs, 24 cars in, 56 cars out; 1700 to 1800 hrs, 62 cars in, 39 cars out. The level of trips forecasted is not considered to harmfully affect the operation of the immediate local highways network.

It should be noted that the site benefits from an extant planning approval for 215 residential units, which would have obviously generated more trips than this amended scheme. When traffic from the previous scheme was assigned to the local highway network and the junctions modelled to test the impact, they were all found to be working well within capacity. This impact of this scheme, which includes a reduced number of dwellings, is not considered to have a harmful effect on the safe and efficient operation of the highway network.

The application is supported by a framework travel plan aimed at promoting sustainable modes of travel and reducing single occupancy car trips. The framework will form the basis of a detailed travel plan to be submitted for approval prior to 50% occupation of the site.

The scheme proposes a series of retaining structures some of which will support the public highway. A substantial new gabion structure is proposed along Fox Hill Crescent, this will not support the public highway however, owing to its height and proximity to the highway, the gabion baskets will need technical approval (AIP, approval in principle) from the Council.

Gabion baskets will also be deployed in other areas of the site to accommodate level differences, but in those instances they will be further away from the new areas of highway being constructed.

Some retaining structures are required to accommodate new housing adjacent to Midhurst Road and a supporting footway which will be adopted. In this instance, a traditional retaining structure (not gabions) is required by the highway authority which would attract a commuted sum and be maintained by the Council.

The extant scheme had a signed Section 278 Legal agreement which delivered various off site highway improvements. The previously agreed improvements still pertinent to this application are: Review of Traffic Regulation Orders (waiting/loading restrictions) and implementation of 20 mph speed limit (Fox Hill Crescent); Review of

tactile paved dropped crossing locations and provision of new where necessary; Any accommodation works to traffic signs, road markings, drainage, street lighting, Statutory Undertakers equipment, and general street furniture caused by the development; Provision of controlled pedestrian puffin crossing on Fox Hill Road near to Fox Hill Drive facilitating safe connectivity with local amenities including shops and schools, all of which are located to the east of Fox Hill Road; Provision of footway on Midhurst Road connecting with existing public right of way to the west; Provision of footway on the western side of Fox Hill Road connecting with northbound bus stop and; upgrades and possible relocations to three bus stops on Fox Hill Crescent.

An existing public footway which crosses the northern section of the site connecting Fox Hill Crescent with the western site boundary needs to be diverted in order to accommodate the development. A replacement footpath link is proposed as part of the development which retains but realigns this established link.

In terms of car parking two vehicle spaces per dwelling are provided for the majority of properties with some of the smaller two bed units having a single space. The parking spaces are generally provided in the curtilage of the properties on driveways to either the front or side of the property. The overall level of parking provision for the development is considered to be acceptable and the development accords with Council guidelines.

The proposal is considered to be satisfactory with regard to the aims of Policy CS53 of the Core Strategy and UDP Policy H14. The development it not considered to give rise to any severe residual cumulative impacts on the highways network or detrimentally affect highways safety. As such and in accordance with paragraph 109 of the NPPF it is considered that the development should not be resisted on highways grounds.

Air Quality.

The National Planning Policy Framework advises that Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

Core Strategy policy CS66 states that action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken particularly where residential areas in road corridors with high traffic levels are exposed to pollution above national targets. Policy CS51 'Transport Priorities' also identifies that one of the strategic priorities for transport is to improve air quality.

Policy GE23 (Air Pollution) of the UDP states that development will be permitted only where it would not locate sensitive uses where they would be adversely affected by sources of air pollution.

In Sheffield, the health-based national standards and EU limit values for nitrogen dioxide (NO₂) and fine particle (PM₁₀) are breached in specific parts of the city, resulting in the declaration of an urban wide Air Quality Management Area (AQMA) and the production of an Air Quality Action Plan (AQAP).

The AQAP (2015) aims to 'reduce nitrogen dioxide (NO₂) and fine particle (PM₁₀) pollution in Sheffield in order to improve the health of local people; by protecting areas of low air pollution and improving areas where pollution is elevated.'

The applicants Air Quality Assessment (AQA) has been reviewed by the City Councils Air Quality Team. The development will result in the generation of traffic movements during the operational phase which would lead to the generation of air pollutants particularly oxides of nitrogen dioxide (NO_x) and fine particulate matter (PM₁₀) which are largely produced from vehicle engines. The impacts on air quality during the operational phase of the development are considered to be negligible and not significant subject to the inclusion of mitigation measures.

The air quality assessment submitted also considers the potential effects on air quality from dust generation during the construction phase. These impacts have been assessed using the approach described in the latest Institute of Air Quality Management (IAQM) Guidance. The applicant's assessment concludes that there is a predicted high risk of dust soiling during earthworks and construction works. However these effects can be reduced to acceptable levels through the implementation of a series of mitigation measures.

It is the Council's desire to improve air quality at every opportunity and minimise the pollution impacts of proposed developments on local areas, especially in an area where sensitivity with respect to human health is relevant. The NPPF also states that planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones should be consistent with the local air quality action plan.

In relation to the construction phase the air quality impacts can be reduced by applying a series of measures including production of a dust management plan (DWP) and effective management of construction activities via a Construction Environmental Management Plan (CEMP).

In relation to the operational phase a travel plan which will set a series of targets to reduce car movement and promote more sustainable transport options will be required. Electrical car charging points will be provided to further encourage the use of low emission vehicles. The above measures will be secured by conditions which will result in a near neutral impact on air quality as a result of the development.

Drainage and Flooding

Policy CS67 (Flood Risk Management) identifies that the extent and impact of flooding will be reduced by a number of means including: requiring developments to significantly limit surface water runoff, requiring the use of sustainable drainage techniques on sites where this is feasible and practicable and promoting sustainable drainage management in rural areas.

The site is located in Flood zone 1 where land and properties are considered to be at the lowest risk of flooding; however as the site exceeds 1 hectare a Flood Risk Assessment (FRA) has been submitted in support of the application. The FRA is largely concerned with drainage issues associated with the site and identifies that surface water is proposed to discharge to Yorkshire Waters (YW) combined sewer at a restricted rate as a result of the provision on site storage. Yorkshire Water have been consulted on the application and have identified the presence of a culverted water course in the locality that could potentially accept surface water run-off from the site. Yorkshire water require the feasibility of using this watercourse and other sources of surface water management to be investigated further before any discharge into the combined sewer can be accepted. The exact details of the drainage arrangements including discharge rate will be secured by condition as further investigations into existing drainage arrangements are required.

The Councils Drainage section has identified the possibility of providing an off-site storage basin to cater for surface water discharge from the site. Any off-site drainage facility would require a separate planning consent as it falls outside of the current application site boundary, will require substantial engineering operations and the consent of third party land owners. The applicants are considering the potential of this option and should it prove to be feasible and viable a separate application will need to be submitted.

In light of the above the application is considered acceptable from a drainage perspective.

Ecology and landscaping

NPPF paragraph 170 d) states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for biodiversity.

UDP Policy GE11 (Nature Conservation and Development) states that the natural environment will be protected and enhanced. Therefore, 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.

The site is in an Area of Natural History Interest as defined on the UDP proposals map. UDP policy GE13 identifies that development which would damage Areas of Natural History Interest will not normally be permitted.

A phase 1 Preliminary Habitat Survey has been submitted in support of the application. The site is identified as containing areas of rough grassland, scrub, various other vegetation and a strip of tree planting on the western boundary containing semi mature species. An invasive species (cotonester) is noted as growing on the site. Cotonester is listed under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended), making it an offence to allow this species to spread into the wild. As such the developer will need to take steps to secure its removal.

The survey identifies that the site does not contain any habitats or protected species of significant ecological value. The ecological report identifies that site clearance should be undertaken outside the bird nesting season (March to September inclusive) unless supervised by a qualified ecologist, bat boxes and bird boxes should be provided and that suitable landscaping and tree planting should be integrated into the scheme in order to enhance the biodiversity of the site. In order to ensure net gains for biodiversity in accordance with the guidance contained in paragraph 170 of the NPPF details of the above will be secured by condition.

A tree survey has also been submitted in support of the application which identifies that the site contains a group of Category 'A' (high quality) trees. This group of trees are located on part of the elevated western boundary of the site adjacent to the public footpath. The trees are of visual amenity value particularly when viewed from the west across the valley largely due to their position on the ridge. The group contains a mixture species including semi-mature specimens and smaller saplings.

In order to accommodate the development a large majority of the existing trees are to be removed. This is a negative aspect of the scheme, however following discussion with the applicant it has been agreed that a substantial replacement tree buffer will be planted between the application site boundary and the adjoining public footpath. This new landscape buffer will contain a mixture of tree and shrub planting the details of which will be secured by condition. The extant consent for the redevelopment of the site would have required the removal of this group of trees and as such the developer could remove these trees at any time. Taking account of the above and the fact that the development will deliver a substantial number of new dwellings and the Council does not have the required five year housing land supply, in this case the loss of the category 'A' group of trees is outweighed by other material considerations.

In light of the above the proposal is considered acceptable from an ecology and landscape perspective.

Sustainability

Policy CS63, 64 and 65 sets out the Councils sustainability objectives with regard to new development.

The applicants have indicated that they will be adopting fabric first approach in order to meet the requirements of policy CS64 (10% reduction in energy demand). The apartments block will also include a photovoltaic array to reduce emissions from electricity consumption. The final method of achieving the 10% reduction in energy demand will however be controlled by condition to allow flexibility should the identified measures not be possible or alternatives are considered to be more appropriate.

The site is in a sustainable location with good access to local services and facilities and improvements are proposed to public transport infrastructure. Furthermore the development makes efficient use of a brownfield site and is sustainably located.

In light of the above the proposal is considered to be acceptable from a sustainability perspective.

Ground Conditions

The site is not in a Coal Mining referral Area however there is a historic land fill site in the immediate vicinity of the site and it is unclear if the previous demolition and earth works resulted in the importation of material. The proposed development may require the importation of material to form the development platforms. As such it is considered appropriate that conditions are imposed to ensure that residents are protected from potential contamination.

Public Art

UDP Policy BE12 (Public Art) encourages the provision of these works of in places that can be readily seen by the public and as an integral part of the design of major developments. No details have been supplied with the application and will be secured by planning condition.

Statement of Community Involvement

The NPPF paragraph 40 encourages developers to engage with the local planning authorities at an early stage and encourage developers to engage with the local community before submitting an application. The Council's policy on pre-application consultation is set out in the adopted revised Statement of Community Involvement (SCI) August 2014 which encourages developers to undertake pre-consultation in order to involve communities in planning decisions and allow comments to be taken on board at an early stage of the process.

In addition to the Council's statutory consultation process, prior to the formal submission of this application, the applicants engaged in the Councils pre-application advice service and carried out an independent consultation exercise with local residents.

The applicant has stated that public consultation event was held at the local community hub on Wolfe Road between the 8th and 12 April 2017 following a leaflet drop to properties adjoining the site on Fox Hill Crescent.

Display/information boards indicating the proposals were available to view and feedback forms available. The applicants SCI indicates that a majority of the people who attended were in favour of the development; however concerns were raised regarding the provision of a parking court to the rear of properties on Edgewell Drive. As such the plans were amended to remove a flat block and parking area, replacing it with dwellings accessed off a traditional highway.

The consultation process is considered to broadly accord with the aims and objectives of the Council's revised SCI.

Community Infrastructure Levy (CIL) and Affordable Housing

The site falls within a CIL Charging zone and Affordable Housing Area of the city where there is no requirement to make a CIL contribution or provide affordable housing as part of the development.

Archaeology

South Yorkshire Archaeology Service has been consulted on this application and has advised that the archaeological potential of this site is low. For this reason no archaeological work is necessary.

RESPONSE TO REPRESENTATIONS

The applicants have been made aware of the residents' concerns regarding the condition of the existing site fencing. The site will be secured via hoarding or other appropriate boundary treatment during the course of the development.

SUMMARY AND CONCLUSION

This application seeks permission to erect 146 dwellings comprising of a mix of 2, 3 and 4 bedroom dwellings as well as 21 apartments in a single block.

The site benefits from extant planning permission for 214 dwellings permitted under application ref: 06/03050/FUL. This consent remains live as a result of the erection of 18 dwellings on a separate parcel of land to the east of Fox Hill Crescent.

The site is in an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan and is not considered to harm the character and appearance of the adjoining Green Belt. The redevelopment of this long standing vacant brownfield site for a sustainable housing development which will contribute towards delivering the Councils required housing land supply outweighs the loss the existing Category 'A' group of trees on site. Regardless suitable replacement planting is secured by way of condition.

The development will deliver a high quality residential environment, providing an area of usable on site open space available to the general public, as well as new connections to established public footpaths to the west.

The scheme is not considered to give rise to any harmful amenity, highways, air quality or ecology and landscape issues.

The site lies in zero CIL charging area and no affordable housing is required to be provided as part of the development.

In light of the above the proposal is considered to accord with adopted national and local planning policy and guidance and as such it is recommended that planning consent is granted subject to conditions.

This page is intentionally left blank

Case Number	18/02208/FUL (Formerly PP-07002574)
Application Type	Full Planning Application
Proposal	Change of use of commercial building to form 2no. dwellings including provision of a horse riding arena and private stabling
Location	6 Stone Lane Sheffield S13 7BR
Date Received	07/06/2018
Team	City Centre and East
Applicant/Agent	Stainton Planning
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:

ML/SL/LP/01 - Location Plan
ML/SL/PFP/01A - Proposed Floor Plans
ML/SL/PE/A1/01C - Proposed Elevations
ML/SL/RSE/A1/02 - Retained Structure Elevations
743 SEL 03 - Tree Protection Plan
743 SLE 04 Rev C - Landscape Masterplan
Skyline Architectural Fabrications Chisel Eaves Profile

Reason: In order to define the permission.

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

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

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

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

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

5. No development shall be begun until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved plan.

Reason: In the interests of minimising the impact of the development and mitigating its impact on the open space, the Green Belt and Area of Natural History Interest surrounding the site.

6. 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.

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

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

8. 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.

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

9. 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 pedestrian and cycle safety and the amenities of the locality.

10. 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.

11. The existing landscaped areas within the site shall be retained as shown on Tree Protection Plan 743 SEL 03. Any damage during construction / demolition works shall be made good by reinstating to the condition/appearance prior to the commencement of the works.

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

12. 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.

13. Before the dwellings are occupied details of external lighting shall be submitted to and approved by the Local Planning Authority. Thereafter external lighting shall only be installed and operated in accordance with the approved details.

Reason: In the interests of minimising the impact of the development on the green belt and the wildlife using the surrounding woodland.

14. A detailed soft landscaping scheme showing plant species, sizes, densities, maintenance and aftercare proposals for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, 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 and mitigating the ecological impact.

15. 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 it is essential for these works to have been carried out before the use commences.

16. Prior to any of the following works commencing typical 1:20 scale details shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

- 1 Window frames and doors
- 2 Roof lights
- 3 Balustrade

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

17. Prior to the occupation of any of the dwellings details of a barrier on the Stone Lane boundary of the footpath that runs between the building and the paddock to prevent vehicular access but allow for pedestrian access shall be submitted to and approved by the Local Planning Authority. Thereafter the approved barrier shall be erected before any of the dwellings are occupied and retained.

Reason: In the interests of pedestrian safety.

18. Prior to the first occupation of any dwelling the redundant structures, redundant areas of hard surfacing, material storage, and fly tipping shall be removed from the site and existing boundary fencing shall be removed and replaced with the approved boundary fencing.

Reason: In order to reclaim a damaged and derelict site in the interests of the amenities of the locality

Other Compliance Conditions

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. The areas of retained structure as shown on drawing ML/SL/RSE/A1/02 shall not be demolished and shall be incorporated into the building.

Reason: In the interests of ensuring the building is reused and is not in appropriate development in accordance with National Planning Policy Framework Green Belt policy.

21. The development shall be carried out in accordance with the mitigation, compensation and enhancement measures set out in the Ecological Impact Assessment.

Reason: In the interests of minimising and mitigating the ecological impact of the proposal

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

Reason: In the interests of protecting the openness and visual amenities of the Green Belt.

23. The means of vehicular access for demolition/reclamation/construction shall be via the existing vehicular access to the plot containing the building unless alternative access arrangements are approved by the Local Planning Authority. Ingress and egress for such vehicles shall be obtained only at the approved access point.

Reason: In the interest pedestrian and traffic safety and the amenities of the locality.

24. A site compound including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials shall be provided within the plot containing the building and shall be used for these purposes and retained for the period of demolition/reclamation/construction unless an alternative site compound is approved by the local planning authority.

Reason: In the interests of pedestrian and cycle safety and the amenities of the locality.

Attention is Drawn to the Following Directives:

1. The applicant is advised to contact Mick Hanson in the Council's public rights of way section to discuss the surfacing on the footpath between the building and the paddock on 0114 2736117

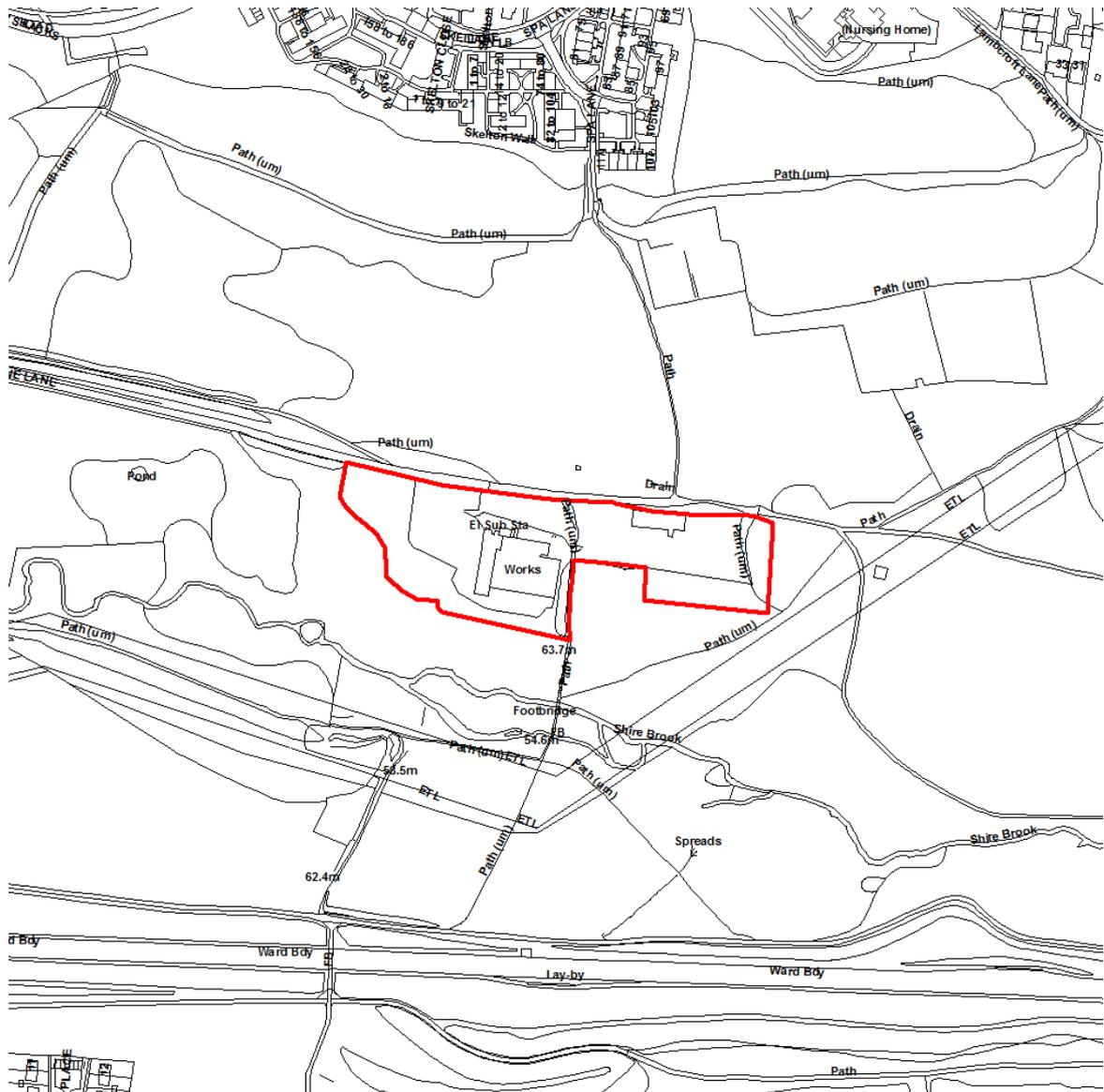
2. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
3. You are advised that this development is liable for the Community 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.
4. The applicant is advised to undertake a photographic survey of the condition of the access track prior to the works commencing and to reach agreement with the Council's Parks and Woodlands section about any reinstatement works that may be required following the completion of construction.
5. 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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

The application site occupies an area of approximately 4 acres and lies within the Shirebrook Valley in an area of Green Belt and Open space which sits between Hackenthorpe to the south and Woodhouse to the north. It is situated in a wooded area accessed from Stone Lane via a road that serves the Shirebrook Valley visitor centre car park at the eastern end and then turns into a gated track primarily used by the public for recreation purposes.

The site is located approximately 1.1 km from the western end of Stone Lane where it meets Coisley Hill. It comprises of a large derelict workshop type building within a fenced compound that incorporates areas of hard standing, a concrete frame of a former industrial building and areas of scattered scrub and trees. To the west, south and east of the fenced compound are areas of broadleaf woodland, scattered scrub, some areas of hard standing and unimproved neutral grassland. These areas are not distinguished from the surrounding Shirebrook Valley open spaces areas. There is a footpath that dissects the eastern end of the site in a north south direction. The applicant has advised that the building was last used as a recycling depot.

The site owners are keen to live on the site with their families. The application is proposing to convert the existing building into 2 large three and four bedroom houses with shared garage, four stables, gym, relaxation area and study. The eastern part of the site will be cleared of scrub and trees and the concrete foundations removed to create a fenced paddock and menage to the east side of the existing footpath. The application states that the main structure is to be retained and refurbished with the building being faced in red cedar cladding with a blue brick plinth. The roof pitch on the north side will be altered by raising the eaves by just over 1m and the roof will be faced in standing seam cladding. Dormer windows will be constructed on the south elevation to serve the bedrooms and roof lights will be introduced to provide additional lighting. Large glazed openings will be introduced into the north east and west elevations.

Much of the existing broadleaf woodland adjacent to the west, southern and eastern boundaries will be retained. The north/south footpath link between the existing building and menage will be maintained. New landscaping comprising of screen planting with native species, wildflower meadow, a pond, tree planting and lawn areas along with slab paved pedestrian and block paved access road and turning areas will be created within the fenced building compound site. Screen planting with native species will be provided around the paddock/menage site.

SUMMARY OF REPRESENTATIONS

One objection, one neutral representation and five representations in favour of the scheme have been received. The comments are summarised below.

Objections

- Additional traffic will take from the rural aspect of the nature reserve and lead to fly tipping and illegal access by motor vehicles.

- The site should be changed to open space and swapped with similar land at the Beighton Road entrance to Linley Bank

Neutral Comments

- Potential conflicts between horses and walkers, particularly those with dogs at the point where the horses cross the path to get to the paddock. Signs could be placed to warn walkers.
- If the gate restricting access along Stone Lane is removed the Lane could be vulnerable to fly tipping. Therefore the gates should be retained or an alternative installed.
- The new owners will need to introduce security measures to protect their property and livestock.

Comments in support

- The Chair of the Trans Pennine Trail supports the application as it creates greater opportunity to use the trail and Linley Meadows and so should reduce anti-social behaviour. Measures should however be taken to prevent fly tipping.
- The equestrian facilities will raise economic activity in the region, raise the profile of this area and could encourage more legitimate users to use this section of the trail.
- The proposal will be a positive addition to the surrounding area and ensure a derelict Brown Field site is regenerated and the development will complement the heritage by retaining the footprint of the current building.

PLANNING ASSESSMENT

Policy

The application site lies within the Green Belt and may also encroach into an Area of Natural History Interest. The building itself lies outside the Local Nature Reserve and Local Nature Site but the site does extend into both of these areas. Local Nature Reserves are of local importance. The Shirebrook Valley is part of the Green Corridor as defined in the Unitary Development Plan.

The National Planning Policy Framework says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Once Green Belts have been established, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

The re-use of buildings (provided that the buildings are of permanent and substantial construction) is not inappropriate development in the Green Belt provided that the development preserves its openness and does not conflict with the purposes of including land within it. The purposes of including land within the Green Belt are:

- To check unrestricted urban sprawl
- To prevent neighbouring towns merging
- To assist in safeguarding the countryside from encroachment
- To assist the setting and special character of historic towns
- To assist in urban regeneration by encouraging recycling of derelict land

Policy GE1 says development in the Green Belt will only be permitted in very special circumstances where it would lead to the criteria for including land in the Green Belt being breached.

Although the primary purpose of the development is residential accommodation it will improve the opportunities for outdoor recreation in the Green Belt by facilitating horse riding and it will also improve the visual amenity of the derelict industrial building and its immediate surroundings by improving damaged and derelict land. However the paddock and Menage area will result in the clearance of a substantial area of regenerating woodland. The impact on the landscape, visual amenity and biodiversity is considered further below.

The re-use of a building of permanent and substantial construction is not necessarily inappropriate development in the Green Belt. In this instance although the former workshop/warehouse building which is to be retained is in a derelict condition it is a permanent construction in that it is not intended to be temporary. Although it is in a poor condition it is of a substantial construction being constructed of brickwork with concrete lintels and having a metal sheeted roof. The applicant has indicated that they will be retaining most of the walls at ground floor level and one gable elevation. However the whole of the roof structure will be replaced, one of the gable elevations above ground floor level and only a small section of the wall on the north elevation will be retained. The National Planning Policy Framework no longer requires the Local Planning Authority to assess whether the building is capable of conversion without major or complete reconstruction. In addition to being of permanent and substantial construction the development must preserve the openness of the Green Belt and not conflict with purposes of including land within it.

In assessing its impact on the openness it is necessary to consider the impact of the building and its surroundings. The footprint of the building will not be increased, although the pitch of the north facing roof slope will be increase so that it will be approximately 1.3m higher at the eaves although it will be no higher at the ridge level. It is considered that the building as altered will not have a significantly greater impact on the openness of the Green Belt than the existing building. The proposed areas of hard standing around the building are considered to be fairly similar to those around the existing building. There would be expected to be vehicle parking, lighting and fencing associated with an industrial building and that associated with the residential use is not expected to be significantly different. To

create the menage and paddock a large area of self-seeded trees will need to be cleared. This will have a different visual impact, however the paddock and menage will still have a largely open character. As the development sits in a heavily wooded valley the site is screened by trees from many viewpoints and consequently it is not prominent in wide and open vistas. This means it is less sensitive to minor changes in character and appearance. Therefore it is concluded that the proposal will preserve the openness of the Green Belt.

The main purpose of the Green Belt in this location is to safeguard the countryside from encroachment. Given the building and the associated hard standings already exist, their retention in substantially the same format will not result in a significant change to the level of encroachment on the countryside. Whilst trees will be removed to create the menage and paddock these uses are still countryside uses, albeit of a different character to woodland. Therefore this part of the development will not have a significant impact on the encroachment on the countryside and will not be contrary to Policy GE1.

Therefore it is concluded that the development is acceptable in principle in terms of Green Belt policy.

Impact on Landscape and Nature Conservation Value

The National Planning Policy Framework (NPPF) says that planning decisions should contribute to and enhance the natural and local environment. This is to be achieved by protecting and enhancing sites of biodiversity value, minimising impacts and providing net gains for biodiversity, remediating and mitigating despoiled, degraded, derelict and contaminated land. If significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, then planning permission should be refused.

Policy GE2 seeks to maintain landscapes of high landscape value and improve poor landscapes in priority areas.

Policy GE4 says the scale and character of development in the Green Belt should be in keeping with the area and wherever possible conserve and enhance the landscape and natural environment.

Policy GE10 says that Green Corridors will be:

- Protected from development that would detract from their mainly green and open character or which would cause serious ecological damage.
- Enhanced by encouraging development which increases their value for wildlife and recreation.

Policy GE12 says that development which would damage Local Nature Reserves will not be permitted.

Policy GE13 says that development affecting Local Nature Sites should wherever possible be sited and designed so as to protect and enhance the most important features of natural history interest. Where development would decrease the nature

conservation value of a Local Nature Site, that decrease must be kept to a minimum and compensated for by creation or enhancement of wildlife habitats elsewhere within the site or local area.

Policy GE15 says the trees and woodland will be encouraged and protected by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

An ecological assessment has been submitted in support of the application. This identifies the fenced area around the building to be largely occupied by building and hard standing with scattered areas of scrub and broadleaf trees. To the south, west and east edges of the site and also within the areas to be used as paddock and menage there are areas of Broadleaf woodland. The paddock/menage area also includes areas of hard standing, unimproved neutral grassland and scattered scrub.

A tree survey has been carried out which shows the majority of the trees on the site are of low quality and of adequate condition that could be retained. The others are unsuitable for retention as they are dead or dying or suffering from significant disease.

The site layout/landscape plan indicates that the majority of the broadleaf woodland to the west, south and east of the site will be retained. The broadleaf woodland, scrub and unimproved grassland will be removed within the paddock/menage areas. Native screen planting is proposed to the edges of the fenced building area and within the paddock and menage plot. Lawn areas, ornamental shrub planting, meadow areas, a pond and individual trees are proposed within the fenced building plot. Management and enhancement of the retained landscaping areas will take place following advice from an ecologist.

The ecological assessment did not identify any protected species within the site although it is used by foraging bats and provides good habitat for nesting and foraging birds. Site clearance will take place outside the bird breeding season or with a qualified ecologist in attendance. Bat boxes and bird boxes are to be provided on the building and in trees as compensation and the lighting will be carefully designed to minimise impacts on the bat activity. The applicant states that the retained woodland will act as a buffer to the surrounding woodland and the surrounding areas will be protected by temporary fencing during construction.

In the absence of mitigation, the ecological assessment concludes that the development would have minor significant residual effects in relation to general habitat loss and habitat loss in relation to reptiles. Compensation proposed includes seeding areas of wildflower meadow, the creation of a pond with reptile hibernaculum, native screen planting, new tree planting to the gardens and a Landscape and Ecological Management Plan to provide management for the new and existing habitats for 5 years. With the mitigation proposed the ecological assessment concludes that the scheme will address the residual negative ecological impacts and as new habitats and native planting will be introduced it will likely result in a positive impact in future years.

The City Ecologist is satisfied that the development will enhance the biodiversity on the site provided the habitats are managed appropriately in the long term. It will enhance the recreation value of the site by restoring a derelict and despoiled site. It will have a significant impact on an open mosaic habitat on previously developed land which is a priority habitat. However it will compensate for this impact by replacing it with 4 high quality managed habitats (woodland, hedgerow, wildflower and pond). It is therefore concluded it is consistent with the NPPF and Unitary Development Plan ecology policies listed above.

The part of the site occupied by the fenced building is an eyesore. It comprises of a derelict building covered in graffiti, hard standing areas, piles of rubble, the frame of a derelict building and is surrounded by industrial palisade fencing. The works to the building will improve its appearance considerably and the new fencing and planting will help to screen and integrate the building better into the woodland context. The site of the paddock/menage does not contain any buildings and the remains of building foundations are not obvious as they are being colonised by scrub and trees. The building foundations will be removed along with the trees and scrub. They will be replaced with a fenced paddock area and menage and although it will not be artificially lit it is likely to contain the paraphernalia associated with horse riding such as jumps. It will be screened around its edges by the existing woodland and new screen planting. However it will have a more formal and managed appearance than the naturally regenerating woodland and in this respect is likely to appear more urban than the naturally regenerating woodland on the site. Taking into account the benefits of the removal of the hard standing and the negative impacts of the replacement of the trees with a formal fenced compound containing horse jumps etc it is concluded that landscaping impacts of this part of the scheme will be moderately harmful. However taken as a whole the landscaping impacts of the proposal associated the regeneration of the derelict building will be overwhelmingly positive. Therefore it is concluded that the proposal will improve the landscape in a priority area, retain the most important area of woodland and compensate for the loss of trees and therefore is consistent with Policies GE2 and GE15.

Access Issues

The accessibility of the site on foot is far from ideal as it is a long walk along an unlit and un-overlooked track. As a result it is not easily accessible by public transport. However it is only a small residential scheme.

Stone Lane is a public bridleway on private land. The part of Stone Lane that runs along the edge of the application site is part of the Trans Pennine Trail which can be used by walkers, cyclists and horse riders.

Stone Lane provides adequate vehicular access for a couple of houses along with occasional use by a horse box. There is sufficient parking and turning space within the site to serve the use.

Stone Lane has been the subject of fly tipping in the past and there are gates along the track preventing vehicular access by non-key holders. There is a concern that allowing the proposal will result in the gates being left open and the area being

vulnerable to fly tipping. Whilst this is a risk, as opening and shutting gates will be an inconvenience to residents, it is also not in their interests to leave the site vulnerable to fly tipping. Should fly tipping occur as a result of the gates being left open the Council may be able to recover clean-up costs from the occupier which is likely to be a significant disincentive to leaving the gate open.

The applicant has advised that they are considering a remotely operated electric gate with an intercom that would communicate with the applicant's phone or dwelling. Post and parcels could be directed to a Post Office Box or to the applicant's business address. The applicant has been discussing this with Parks and Woodlands who manage the wider open space area. Should the applicant seek to make access easier by installing an electric gate this a private matter they will need to agree with colleagues in Parks and Woodlands.

Concern has also been expressed about potential conflicts between horse traffic crossing the footpath between the stables and the paddock/menage area. Whilst there is a small risk this applies generally through the Shirebrook Valley where horses and pedestrians share the same routes. It is not considered to be such a significant concern that the access across the path between the two sites should be precluded. Given that the layout shows 4 stables and involves 2 families, the number of movements across the path should be fairly infrequent.

Sustainability

Whilst the site is not sustainably located it is an existing developed site. The re-use and restoration of brownfield land and the re-use of at least part of the existing building is sustainable.

Flooding/Drainage

The application site lies in flood zone 1 therefore is not at high risk of flooding.

The application seeks to remove areas of hard standing and increase the permeable area of the site. The drainage report says that it is proposed to use soakaways and that this will be investigated further and the possibility of using grey water harvesting as part of the sustainable design of the building. The site is served by a foul sewer and the foul drainage will be connected to this system. A condition is proposed requiring drainage details to be submitted for approval.

Design Issues

Core Strategy policy CS74 says that high quality development will be expected, which would respect, take advantage or and enhance the distinctive features of the city, its districts and neighbourhoods, including:

- The green network, important habitats, woodlands and open spaces

Development should also help to transform the character of physical environments that have become run down and are lacking in distinctiveness.

Unitary Development Plan Policy GE4 says that the scale and character of any development in the Green Belt, or would be conspicuous from it, should be in keeping with the area and, wherever possible conserve and enhance the landscape and natural environment.

The building which is the subject of this application is a utilitarian industrial building. It has brickwork elevations with a corrugated metal roof. The brick elevations have been subject to graffiti and the window frames are missing and have been infilled with blockwork. The roof contains a number of holes. The concrete frame of a former industrial building with no walls and roof sits on the north side of the building and there is building rubble which has been tipped on the site. There are areas of concrete hard standing within the curtilage of the building.

Whilst the site is well screened from the wider area by the surrounding woodland it has a derelict appearance and detracts from the visual amenity of the open space within which it sits.

The applicant's design objective has been to create a contemporary residential development that is sympathetic to the semi-rural location and adjacent nature reserve.

The proposals keep the basic industrial form of the building. The blue brick plinth and grey metal roof are sympathetic to the industrial character of the building. Timber will weather naturally and is often utilised on agricultural buildings. It will help to soften the industrial character and integrate the building better within the woodland context. The design of the new window/door openings has been rationalised and regularised since the original submission which has resulted in a simpler and more coordinated fenestration.

Whilst the design of the building is not an outstanding example of contemporary design it is considered to be satisfactory. Along with the landscaping works the alterations will significantly improve the appearance of the site and transform the immediate locality by removing what is currently a blot on the landscape.

Ground Conditions

A phase 1 risk assessment has been submitted which the Environmental Protection Service consider is satisfactory. This recommends that further site investigations are undertaken and conditions are proposed to secure this.

The applicant has advised that existing hard standing areas are to be removed and any contamination will be remediated as required.

Community Infrastructure Levy

The application site lies in zone 3 where the charge is £30 per square metre.

SUMMARY AND RECOMMENDATION

The proposal is consistent with Green Belt policy in that it will improve damaged and derelict land and remove a significant eyesore in the Green Belt. As it re-uses an existing building it is not inappropriate development. The footprint of the building and the amount of hard surfacing will not increase. The alterations to the roof form will not impact significantly on the scale and massing of the building and the paddock will maintain the open character of that part of the site. Therefore it is concluded that the development will preserve the openness of the Green Belt. It will not undermine the main purpose of this section of Green Belt which is to safeguard the countryside from encroachment.

The negative impacts on the natural environment of the removal of existing landscaping will be mitigated by the planting and ecological management plan. The proposal will enhance the biodiversity value of the site and overall conserve and enhance the natural environment. Whilst the landscaping impacts of removing the regenerating woodland on the paddock site and replacing it with a more formal landscape will cause some harm, this will be outweighed by the positive landscape benefits of the proposal as a whole.

The vandalism and anti-social behaviour problems which affect the site are likely to be significantly reduced. The introduction of a use which will provide some surveillance and policing of the surroundings is likely to benefit the security of the area. The scheme will deliver some economic development but the main benefit will be the restoration of a derelict site in the Green Belt and the improvements in the visual amenity. These benefits significantly outweigh the concerns about the isolation of the site and the loss of trees. Therefore it is recommended that planning permission be granted subject to the listed conditions, which have been agreed with the applicant in line with current government regulations.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Development Services

Date: 18 December 2018

Subject: Overview of enforcement activity

Author of Report: Khalid Mahmood

Summary: To inform members of the planning enforcement work being carried out in addition to the formal cases on the 6 monthly update report and to give an overview of the overall quality of the service provided by planning enforcement.

Reasons for Recommendations:

The purpose of this report is to give Committee Members an overview of planning enforcement work being carried out and the quality of service provided across the City.

Recommendations:

That members note the report.

Background Papers:

Category of Report: OPEN

This page is intentionally left blank

DEVELOPMENT SERVICES

REPORT TO PLANNING AND HIGHWAYS COMMITTEE

18 DECEMBER 2018

OVERVIEW OF ENFORCEMENT ACTIVITY

1. PURPOSE OF THE REPORT

- 1.1 This is the six-monthly report to inform members of the work being undertaken by the Planning Enforcement Team. The period covered runs from 1st April 2018 to 30th September 2018.

2. ACTIVITY DURING THE PERIOD

- 2.1 The Enforcement function is a key element of Development Management that is currently under significant pressure. It receives a high number of complaints about breaches of planning control, and expectations of an efficient, responsive service are high amongst the public and Members. The enforcement team currently has reduced capacity, with fewer (and less experienced) staff members than the in the previous 6 months so they are under extreme pressure.
- 2.2 The following is a small example of some of the cases that have been investigated by the Team.
- 2.3 **Corner of Newbould Lane and Broomfield Lane** - Two large banners had been hung from the building. Section 225 Notices were served, resulting in the removal of one of the banners. A follow up letter and the threat of prosecution resulted in the removal of the second banner.

Before



After



- 2.4 **Derbyshire Lane** - Three complaints were received regarding a high fence which had been erected to the front of a property. The fence measured 2.25m at the highest point (permitted development height for

a fence adjacent a highway is 1m). Letters were sent to both the tenant and landlord of the premises requesting that the fence be reduced to the permitted 1m height. The tenant responded to this stating that the fence was erected for his privacy and was reluctant to remove the fence. Further conversations and letters sent to the tenant and landlord resulted in the fence being removed.

Before

After



2.5 **Ashgate Road** - Two complaints were received on the 29th August concerning copper pipes which were in the process of being fixed to the front of St Marks Church Hall on Ashgate Road in Broomhill, in a Conservation Area. A site visit was conducted on the following day and the contractor was advised that the building was in a Conservation Area, and as it was used as flats had no permitted development rights and these pipes being erected did not have permission. Officers managed to get out on site before the pipework was finished and connected, resulting in the removal and rerouting of the pipes.

Before

After



2.6 **Abbeydale Road South** - Enquiry received to state that a condition requiring the removal of a section of boundary fence had not been complied with and the fence remained in situ. Initial letter sent, along with a section 330 Notice resulted in the fence being removed within 30 days of complaint.

Before



After

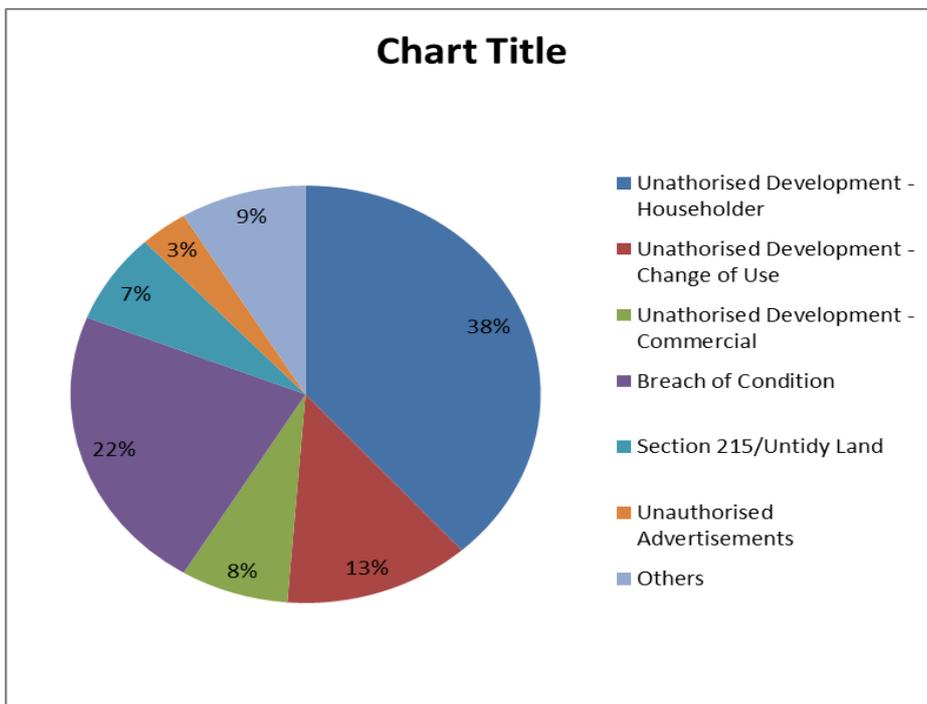


- 2.7 **White Waters – Station Road, Halfway, S20** - Whilst on site, officers noticed a building that had been erected in the Green Belt Area and was being used for residential purposes without planning permission. The owner of the site stated that the building had been used in this way for more than 4 years (if the building has been used as a single dwellinghouse form more than 4 years it becomes immune from enforcement action) and he had evidence to show this. An application for a Certificate of Lawful Development was submitted to show that the building had been used as a dwellinghouse for more than 4 years. The applicant was unable to provide sufficient evidence to demonstrate that the building had been used in this way for more than 4 years and therefore the application was refused with Enforcement action. The two Enforcement Notices were served in parallel to meet any argument, on appeal, as whether the alleged breach of planning control was a material change of use or operational development. Both Notices were appealed against on ground (a) that planning permission should be granted and on ground (g) that the timescale for compliance is too short. However, originally the appellant also appealed on ground (b) that those matters have not occurred and on ground (d) that at the date the notice was served, no enforcement action could be taken, these were subsequently withdrawn. The reason for this was the Council was able to provide strong evidence to show that the building had not been there for more than 4 years. The notices were subsequently upheld. Partial costs were also awarded in respect of the appeal on ground (b), and ground (d). The owner has 6 months to stop the unauthorised use and remove the building.



3 SCALE OF INVESTIGATIONS, INCLUDING MONITORING AND ENFORCEMENT

3.1



3.2 A total of 242 enforcement complaints were received, out of these 59% were concerned with unauthorised development and use, and 22% were failure to comply with planning conditions or approved plans. The number of cases involving Section 215 untidy land/buildings was 7%,

unauthorised advertisements including hoardings were 3% and all other complaints were 9%.

3.3 The number of cases resolved within the target of 6 months was 49% of all the cases closed in the period. This has fallen short of the Service target of 60% for cases closed within 6 months, but it has increased by 8 % from the last 6 months. The low percentage is the effect of a loss of experienced members of staff.. There are currently 567 live cases, which is 27 cases fewer than the previous 6 months.

3.4 The table below shows the number of complaints received in the last year 2017/18 and the previous year 2016/17:-

Year 1 st Oct 2016 – 30 th Sept 2017	Year 1 st Oct 2017 – 30 th Sept 2018
622	433

3.5 There has been a drop in the number of cases received over the last 12 months compared to the previous 12 months. This has mainly been through some ongoing changes and filtering of enquiries on submission, changes such as, requesting that an enforcement enquiry from to be completed in full wherever possible before a complaint is investigated formally, not registering verbal or anonymous complaints, unless there appears to be a significant harm. Furthermore, Officers have not been able to carry out as much proactive enforcement action particularly relating to “To Let” signs as in previous years.

4 WILLINGNESS TO TAKE STRONG ACTION

4.1 The table below shows the number of formal Notices served and prosecutions carried out within the last year 2017/18 and the previous year 2016/17 to show trends: -

Notice type	Year 1 st Oct 2016 to 30 th Sept 2017	Year 1 st Oct 2017 to 30 th Sept 2018
Breach of Conditions	13	1
Discontinuance (adverts)	0	0
Enforcement	16	7
Stop	0	0
Temporary Stop	1	1
Section 215 (untidy land)	1	1
Section 225 (signs)	12	9
Total Notices Served	43	19
Prosecutions	8	4

4.2 The table below shows the number of formal Notices served and prosecutions carried out within this period and the previous three quarters to show trends: -

Notice type	1 st half yearly 1 st Oct 2017 – 31 st Mar 2018	2 nd half yearly 1 st Apr 2018 – 30 th Sep 2018
Breach of Conditions	0	1
Discontinuance (adverts)	0	0
Enforcement	4	3
Stop	0	0
Temporary Stop	1	0
Section 215 (untidy land)	1	0
Section 225 (signs)	3	6
Total Notices Served	9	10
Prosecutions	4	0

4.3 The number of formal Notices that have been served in the last 6 and 12 months has decreased significantly. This has been due to a number of reasons, but mainly because of the significant reduction in experienced staff. Although only limited formal notices were issued, many cases were resolved by negotiation.

5. CONCLUSION

5.1 Ongoing staffing and resources issues have resulted in the six month service target not being met and the number of Notices served and prosecutions carried out have also dropped. Nevertheless, the service continues to respond effectively to the most serious breaches of planning control.

6. RECOMMENDATION

6.1 This report is for noting



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Development Services

Date: 18 December 2018

Subject: Enforcement Report

Author of Report: Khalid Mahmood

Summary: Progress report on enforcement actions authorised by Committee or under delegated powers within the City.

Reasons for Recommendations:

The purpose of this report is to inform Committee members of progress on current enforcement cases in City.

Recommendations:

That members note the current progress on actions

Background Papers:

Category of Report: OPEN

This page is intentionally left blank

UPDATE ON LIVE ENFORCEMENT CASES WHICH HAVE BEEN GRANTED AUTHORITY UNDER DELEGATED POWERS OR BY MEMBERS

Report abbreviations

PP	Planning Permission	EN	Enforcement Notice
PD	Permitted Development	PCN	Planning Contravention Notice
BCN	Breach of Condition Notice	S330	Notice under Section 330 of the Act requiring details of interest in land
S215	Notice under Section 215 of the Act – Land adversely affecting amenity of neighbourhood.	S225	Notice under section 225 of the Act requiring removal of illegally displayed placards or posters
		PO	Planning Officer
		EA	Enforcement Authority
		NFA	No Further Action
TSN	Temporary Stop Notice		

ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

CITY CENTRE & EAST AREA

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
1.	White Cross Vets 155 Retford Road, S13	Illuminated signage	09/11/2018	26/11/2018 – A letter to be sent asking to remove signage, before the matter is reported for prosecution. (18/00105/ENOA – TM)
2.	31 Hinde House Lane, S4	Erection of external staircase	18/09/2018	26/11/2018 – a letter to be sent asking for the staircase to be removed. (17/00331/ENCHU – LB)
3.	36 Jermyn Avenue, S12	Extension to garage to create second storey at the front of the property	10/08/2018	26/11/2018 – EN has been served on 25/09/2018 and an appeal has been made. (15/00347/ENUHD – JB)

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
4.	The Wheel, Plumbley Hall Road, Mosborough	Non-payment of Section 106 monies relating to application 13/03849/FUL	16/08/2018	26/11/2018 – It should be noted that the developer of this scheme has been declared insolvent and, as such, Members are requested to agree to write-off the debt of £7,592 as advised by the Council’s Legal Services Team and in order to ensure that the individual home owners are not bound by this debt. (18/00395/ENS106 - LUB)
5.	236 Main Road, S9	Retrospective planning application (18/02207/HOARD) for digital hoarding refused.	01/08/2018	26/11/2018 – an appeal has been lodged. (18/00275/ENHOA – JB)
6.	13 Birley Moor Avenue, S12 3AQ	Erection of a replacement porch to front of dwellinghouse	26/07/2018	26/11/2018 - Development has now been built as to the original application (17/04881/FUL) that was approved – NFA. Application (18/02107/FUL) has been refused with EA. (18/00148/ENBC – JB)
7.	119 Gell Street, S3	Increase In Roof Height and erection of staircase to form habitable accommodation.	18/04/2018	26/11/2018 – New application to be submitted. 19/04/2018 - Planning application (18/00596/FUL) has been refused with enforcement authority. 17/00550/ENUHD – JB)
8.	81 The Oval, S5	Change of use to a Shop (A1)	06/03/2018	26/11/2018 – the planning application appeal has been dismissed – letter to be sent asking to stop use. 16/04/2018 – Site visit to be done to check if the property is being used as a Shop. (16/00483/ENCHU – KM)
9.	White Waters, Station Road, Halfway, S20	Erection of building and change of use to residential	14/07/2017	26/11/2018 – The appeal has been dismissed and the EN’s served need to be complied with within 6 months. 16/04/2018 – Enforcement Notice has been served and an appeal has been made, to be considered at a Public Inquiry in September 2018. (17/00398/ENCHU – KM)
10.	83 Northern Avenue, S2	Unauthorised erection of a high fence at the front of the property	13/04/2017	26/11/2018 – the owner has agreed to remove the fence by the 11/01/2019. 16/04/2018 – An appeal was made and subsequently withdrawn because the fee was not paid. A

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				letter to be sent asking to comply with Notice.08/08/2017 – EN served on 25/07/2017 with a 12 week compliance period. (15/00346/ENUHD – KM)
11.	Land at Barleywood Road, S9 5FJ	Unauthorised use as a breakers yard and erection of a building	01/11/2016	26/11/2018 – A BCN has been served and most of the required works have been done. We have received assurance from the owner the works will be completed by end of November – Monitor. 16/04/2018 – Planning permission (16/04583/FUL) for retention of building for repair and maintenance of vehicles (Use Class B2) and use of land for storage of car parts (Use Class B8) has been granted with conditions. Site will be monitored to check if the scrapyards use has stopped and conditions are being complied with. 20/04/2017 – EN served 01/11/2016 took effect on 05/01/2017 compliance by 10/06/2017. (16/00434/ENCHU - LB)
12.	142 Devonshire Street, S3	Unauthorised signs and the repainting of the shop front	09/08/2016	26/11/2018 – Checks being carried out to identify new occupiers. 16/04/2018 – The original case officer has left the Council and the case has been reallocated to new Officer for new statement to be done. 08/08/2017 – EN has not been complied with and planning application remains invalid. Statement to be done for prosecution. 20/04/2017 – Listed Building EN has been served on 06/01/2017 took effect on 13/02/2017 16 week compliance period. An application (17/00796/FUL) has also been submitted for the existing sign, which is currently invalid. (15/00068/ENLBD – KM)
13.	126 Birley Spa Lane S12 4EJ	Unauthorised flue, and shipping container, and prevent the unauthorised use as a Fast Food Takeaway.	09/08/2016	26/11/2018 – The business owner was found guilty and fined. A new business owner has taken over the property and a letter has been sent asking him to comply or the matter will be reported for prosecution. Also considering taking direct action to get the industrial container removed. 16/04/2018 – The case was reported for

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				prosecution and the business owner has pleaded not guilty at the first hearing because he states that he was not the business owner at the time we witnessed the breaches. The case is now being heard as a full trial on the 24/05/2018. A letter has also been sent to the new business owner asking to comply with the Notice. 08/08/2017 – The use is still continuing and the container and the flue have not been removed either. Evidence is being gathered for prosecution for non-compliance with EN. 20/04/2017 – A TSN was served and was not complied with. The company and the occupier have been prosecuted and were fined a total of £1988. An EN has also been served on 07/12/2016 (16/00314/ENUD-JB)
14.	15 Westfield Terrace, S1	Signage	17/05/2016	26/11/2018 – The original case officer has left the Council and case has been reallocated to new officer for a new statement to be done. 08/08/2017 – File being prepared for 2 nd prosecution. 20/04/2017 – The company has been prosecuted and fined a total of £1950. A reminder letter to be sent to new company that the signs need to be removed within a reasonable time period and if not the matter will be reported for prosecution again. (16/00110/ENLBD – KM)
15.	25 Moor Valley, S20	Unauthorised fence	26/04/2016	26/11/2018 – The EN required the fence to be removed, in this case the fence has been reduced in height so that it is the same height as the stone wall in front of the fence. Technically this is still breach of the EN, but given the circumstances it is not considered expedient to take further action. 16/04/2018 – The matter was in Court on the 13/03/2018 and was adjourned until 24/04/2018 so that works are done to comply with Notice. 08/08/2017 – Witness statement has been done and file to be sent to Legal Services for prosecution on 09/08/2017. 20/04/2017 – The EN has not been complied with, statement to be done for

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				prosecution. 17/10/2016 – EN has been served on 23/06/2016 and took effect on the 28/07/2016 with a 16 week compliance period. (15/00242/ENBC – KM)
16.	87 High Street, S20	Flue	15/03/2016	26/11/2018 – New photographs to be taken to assess if it is expedient to take further enforcement action. 6/04/2018 – In discussion with legal to determine what is the best way to proceed with this case. 08/08/2017 – Draft EN with legal. (14/00128/ENUD – JB)
17.	261 Staniforth Road, S9	Erection of Marquee	01/12/2015	12/11/2018 – The Marquee has been removed – NFA. 16/04/2018 – The business has been taken over by new owners. A S330 Notice has been served to establish details of new business owner. 08/08/2017 - Statement to be prepared for prosecution. 03/05/2016 - EN has been served on 22/12/2015 and took effect on 26/01/2016 compliance by 17/05/2016. (14/00017/ENUD – LB)
18.	55 Bawtry Road S9	External wall insulation	24/06/2014	26/11/2018 - Statement being done for prosecution. 20/04/2017 – Reminder letter to be sent to installer. 17/10/2016 – Works have begun to comply with Notice – Monitor. 08/02/2016 – An extension of time has been given to resolve the issue until 01/02/2016, No work has been done – chasing progress, if no progress then that matter will be reported for prosecution. 20/10/2015 – Within compliance period. 08/07/2015 - An EN has been served on 25/06/2015 comes into effect on 27/07/2015 unless appeal is made and needs to be complied by 27/11/2015. (15/00058/ENBC – LB)
19.	24 Dundas Road, S9	External wall insulation	24/06/2014	26/11/2018 - Statement being done for prosecution. 20/04/2017- Reminder letter to be sent to installer. 17/10/2016 – Works has begun to comply with Notice – Monitor. 08/02/2015 – The EN has not been complied

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				reminder letter to be sent. 20/10/2015 – Within compliance period. 08/07/2015 – An EN has been served on 25/06/2015 comes into effect on 27/07/2015 unless appeal is made and needs to be complied by 27/11/2015. (15/00059/ENBC – LB)
20.	1 Blackmore Street, S4	Re-roofing of a listed building	16/06/2015	26/11/2018 – In discussions with new owner to resolve the issue. 16/04/2018 – The owner was fined a £1500, £450 costs and £150 surcharge. A timescale has been submitted for the works to be carried out. (14/00207/ENUD – LB)
21.	33 Pavilion Way, S5 6ED	Unauthorised single storey side and rear extension	09/12/2014	12/11/2018 – Planning permission 17/04305/FUL has been granted and has not been implemented yet. EA to be taken against the remaining structure. 08/08/2017 - Seeking legal advice on enforcement options, there are building regulation issues that need to be considered. 20/04/2017 – Appeal against the planning application (15/00183/FUL) was allowed conditionally – Condition requires plastic to be replaced by brickwork. Serious defects with extension have made it impossible to comply with building regulations; therefore this PP cannot be implemented. (16/00121/ENBC – LB)
22.	42 Dundas Road, Tinsley, S9 1SY	Unauthorised external flue	15/10/2013	26/11/2018 – The flue has been removed. NFA 16/04/2018 - Awaiting Police to execute the warrant which was issued on the 13/08/2015. 07/04/14 - EN has been served 3/01/14 comes into effect 07/02/14 and required compliance by 02/05/14. (13/00039/ENUD – LB)
23.	484 Staniforth Road, Darnall, S9 3FW	Unauthorised roof extension	25/01/2010	26/11/2018 – Given that the owner has been prosecuted three times before and the fines have been very small due to the owner's financial circumstances. It is considered that we give a further 2 years to comply with

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				<p>the Notice before reporting the matter for prosecution. 08/08/2017- The owner was found guilty and fined £250, costs £350 and £30 Surcharge. 20/04/2017 – A prosecution statement has been done and the case is due in Court on the 6 June. 17/10/2016 – The owner was found guilty for the 2nd time and was fined £140.00 with £260 costs. A letter has been sent asking for the EN to be complied with – no response received therefore the matter will now be reported for 3rd prosecution. 03/05/2016 – Court hearing on the 9/03/2016 and was subsequently adjourned until 12/05/2016. 08/02/2016 – prosecution file with litigation waiting for court date. 20/10/2015 – 2nd prosecution statements being done. 08/07/11-Fined £200+100 costs, reminder to be sent to comply with EN. 20/01/2011 (10/00384/ENUD – LB)</p>

SOUTH AREA

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
1.	Priory Lodge Hotel, Wostenholm Road, S7	Replacement of windows within Conservation area	19/07/2018	26/11/2018 – EN has been served on the 11/10/2018 and an appeal has been made. (15/00613/ENUD – KM)
2.	1 Carter Road, S8	Extension with balcony	20/03/2018	26/11/2018 – EN served on 25/07/18 and has now been complied with – NFA (15/00347/ENUHD – JB)
3.	19A and 19B Briar Road,	Unauthorised replacement of gutter and fascia board	15/10/2018	26/11/2018 – EN is being drafted and will be served soon. (15/00598/ENART4 – KM)
4.	Abbeydale Road Hand Car Wash, 560 Abbeydale Road, S7	Application 17/05194/ADV has been refused with enforcement authority	20/06/2018	26/11/2018 – The majority of the structure has been removed. The remaining post is considered not expedient to enforce – NFA. (18/00217/ENOA – JW)
5.	6 Osborne Road, S11	Replacement ground floor front bay window	10/04/2018	26/11/2018 – After further checks it appears that the property has been historically used as flats therefore no breach, given that it was a like for like replacement. 16/04/2018 – A letter with 330 Notice to be served.
6.	4 Chantrey Road, S8	Application (17/04140/FUL) has been refused with enforcement authority the building is being used as residential without permission	01/02/2018	26/11/2018 – It appears that the use has stopped, but the property will be monitored from time to time and if found to be a breach then further action will be taken – NFA. 16/04/2018 – A letter to be sent before enforcement Notice is served. (18/00044/ENCHU – JB)
7.	24 Clarkehouse Road, S10	Erection of fence and gates	30/01/2018	26/11/2018 – Some works have been carried out. Further discussions to take place with Conservation to determine if what has been done is considered acceptable. (17/00366/ENART4 – KM)
8.	41 Glen Road, S7	Unauthorised creation of hardstanding	07/07/2017	26/11/2018 – The appeal has not been accepted, the reason for this was that the appeal documents were not

				<p>submitted to the Planning Inspectorate within the deadline. Work is now to be done to comply with the Notice. – Monitor. 16/04/2018 – EN was served on 20/09/2017 which took effect on 25/10/2017 with a 3 month compliance period. An appeal has been made against the Notice. 08/08/2017 – EN is being prepared and will be served shortly. (16/00403/ENART4 – KM)</p>
9.	23 Brincliffe Gardens, S11	Unauthorised erection of relating wall and re-grading of front garden	06/06/2017	<p>26/11/2018 – It appears that the property is not located within the Conservation area. A further assessment has been carried out. The main feature that gives the area and this group of houses their character is the railing detail on the site frontage. All properties are set a similar distance back from the railing with a front garden that is largely green in character – low hedging behind the railing to the r/h side of the Bluecoats site access, and lawn to the l/h side. This property is the exception as it has replaced what was presumably lawn with hard landscaping including the raised beds immediately behind the railing. Whilst they are somewhat at odds with the green character, they are not so prominent in the street scene due to their low height and therefore it has been determined that the harm is not significant enough to pursue further. 08/08/2017 – Retrospective PP (16/04547/FUL) has been refused with enforcement action. (16/00482/ENUHD – KM)</p>
10.	12 – 14 Barber Road, S10 1ED	Breach of condition 3 relating to the fume extraction system fitted without prior approval in connection with planning permission (16/01257/FUL)	17/03/2017	<p>26/11/2018 – Work has been carried out as required – NFA 16/04/2018 – Application has been granted, site visit to be done to check the works required have been implemented. Planning application (17/02056/FUL) has been submitted and is pending consideration, any further enforcement action held in abeyance until application has been determined. 21/04/2017 – A BCN has been served on 10/04/2017, comes into effect and compliance on the 28/05/2017</p>

				(17/00087/ENBC – KM)
11.	12 Croydon Street, S11 8BD	Unauthorised ground floor extension	14/02/2017	26/11/2018 – No response received from family members. No further works have been carried out on site and it appears that the property is empty. Legal advice is that we monitor the property until such time that either the owner is back or we have resources to carry out works in default. 16/04/2018 – The case came before the Magistrates for a second time on the 30/01/2018. It appears that the owner has been detained under the Mental Health Act prior to the hearing. Litigation advice is to withdraw the prosecution. Further contact is to be made with family members in trying to resolve this issue. 08/08/2017 – EN has not been complied with and the matter has been reported for prosecution. 21/04/2017 – EN has been served on 15/03/2017 and takes effect on the 24/04/2017 compliance by 05/06/2017 – SV to be done to check if work has been done. (14/00435/ENUHD – AW)
12.	369 – 373 Abbeydale Road, S7 1FS	Unauthorised canopy	14/02/2017	26/11/2018 – Reminder letter to be sent before statements are done for prosecution. 08/08/2017 – EN was served on 09/05/2017, took effect on 12/06/2017 and has a 16 week compliance period 02/10/2017. 21/04/2017 – EN being drafted and to be served. (16/00362/ENUD – LB)
13.	Broomhill Property Shop, 319 Glossop Road, S10	A fascia sign has been erected on a listed building without consent	10/11/2015	26/11/2018 – The application has been refused. A further, letter to be sent asking to remove sign before reporting for prosecution. 16/04/2018 – An application (17/04783/ADV) for alternative signage has been submitted and is pending consideration, it is considered that it is not expedient to report this for prosecution until the application has been determined and opportunity given to the occupier to replace the signage. 08/08/2017 – The signage has not been removed statement to be prepared for prosecution. 21/04/2017 – A letter to be sent asking to remove the signage within 21 days. (15/00087/ENLBD – KM)

14.	277A Fulwood Road, S10 3BD	Unauthorised replacement of 1st floor windows	13/05/2014	26/11/2018 – The windows have been replaced as required – NFA. 16/04/2018 – The notice has not been complied with. However, it has been agreed with the owner to extend the compliance period until end of June 2018 when the property will be empty so that work can be carried out without disturbing the existing tenants. 08/08/2017 – EN was served 06/04/2017 and took effect on 15/05/2017 with compliance required by 15/11/2017. (13/00710/ENUD – BG)
15.	Vestry Hall 80 Crookesmoor Road, S6 3FR	Untidy Grade 2 Listed building	16/10/2014	26/11/2018 – The property is in the process of being sold – Monitor. 17/10/2016 – The works have not been done and the company has gone into receivership. Legal advice being sought on what action can be taken. 08/01/2016 – The works are in two parts 1 st part should have been completed by 31/01/2016 and 2 nd part by 31/03/2016 – no work has been done yet to comply and the matter is to be reported for prosecution. 22/10/2015 – It has been agreed in Court that the works will be done by 01/2016. 13/07/2015 – Appeal has been lodged and is due in Court on the 11 August for full hearing. 19/01/2015 – A S215 Notice has been served on the 16/10/2014. An appeal has been made. Statements being done for hearing in Court. (11/00127/LGF215- JB)
16.	44 Grange Crescent, Nether Edge, S11 8AY	Unauthorised replacement of windows, roof tiles, guttering, door and repainting of headers, sills and architectural feature	07/02/2011	26/11/2018 – The windows on the ground and first floor have been replaced and painted in an acceptable colour – the 2nd floor windows, guttering and the roof slates still need to be replaced. Continue to monitor site to make sure that rest of the work is done, but considered as a low priority. 16/04/2018 – The case was in court on the 26/09/2017 and the owner was fined £5000, £570 costs and £130 surcharge. The owner has given assurances that work will be done soon. 08/08/2017 – Statement has been prepared and file is with Legal Services. 21/04/2017 – No work has been carried out. Statement to be done for 3 rd prosecution. 03/05/2016 - A new phased deadline has been

				given for the works to be carried out. If the first phase is not carried out before the 25/06/2016 then the matter will be reported for 3 rd prosecution. (10/00370/ENART4 – KM)
17.	166, 223-225, 234, 235, 243-245 and 280 Abbeydale road, S7	Illegal Signs	16/09/2014	26/11/2018 – Some of the signs have been changed and seeking legal advice on whether action can be taken on existing authority granted at Committee for those that remain. 21/04/2017 - Statement to be done for prosecution. 03/05/2016 – Signs at 223- 225 have been removed. Identifying up to date details for properties 166, 234, 235 and 243 -245 before these are reported for prosecution. 08/02/2016 – Serving 330 Notice on new occupiers and prosecution file being prepared for 223-225 Abbeydale Road. 22/10/2015 – No 280 has been prosecuted and fined £420 in total and the signs have been removed. 13/07/2015 – Property no 280 due in Court in August 2015 and with regards to other properties officers are trying to identify the owners before reporting to prosecution. 16/01/2015 – Occupier details being identified before the matter is reported for prosecution. 14/10/2014 - Writing to owners/occupiers to advice of pending prosecution - locating up to date contact details for each property. (13/00164/ENOA – AW – 166) (13/00160/ENOA – AW – 234) (13/00162/ENOA – AW – 235) (13/00161/ENOA – AW – 243-245)
18.	263 Cemetery Road, S11 8FS	Unauthorised replacement of windows to the front and side of 263 Cemetery Road, S11, facing Grange Crescent Road and Cemetery Road, the erection of a new soil	05/11/2013	26/11/2018 – As the company is registered in Isle of Man it is outside of the jurisdiction of the Court and prosecution is not possible until the property is registered in the UK or there are resources available to carry out direct action works at this time. (13/00131/ENUD – KM)

		pipe facing Cemetery Road, a new down pipe adjacent to the bay window facing Grange Crescent Road, the replacement of guttering and the erection of roof felt on the ground floor bay windows.		
19.	204 Chippinghouse Road, Nether Edge, S7 1DR	Unauthorised replacement of windows and door within an Article 4 area	13/08/2012	26/11/2018 – The last remaining window has been replaced as required – NFA. 16/04/2018 – Legal to send letter asking for the last remaining window to be replaced before the matter is reported for the prosecution. 17/10/2016 – New joiner has been appointed and work should be carried out soon as possible to replace the last window. 03/05/2016 – the upstairs windows have been replaced and the old door has been put back. 12/07/13 – EN was served (21/09/12) and took effect on 26/10/12 – 9 month compliance period (26/07/13). No work commenced on site as yet. (12/00106/ENUD – KM)
20.	Ball Inn, Mansfield Road, S12 2AG	Unauthorised Hoarding	21/06/2010	26/11/2018 – No response received from the letter sent. The matter is to be reported for prosecution. 08/08/2017 – A letter to be sent giving a deadline for the hoarding to be removed. 21/04/2017 – Seeking legal advice if action can be taken under the Proceeds of Crime Act. 17/10/2016 – A reminder letter to be sent and then the matter will be reported for prosecution. DN not served as the hoarding has been erected within the last 10 years. 03/05/2016 - Low priority but DN to be served. 22/04/2015 – S330 Notice has been served awaiting response. 16/01/2015 – Letter and S330 Notice to be served. (10/00189/ENHOA – LB)

WEST AND NORTH AREA

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
1.	Al Sultans, 3 Gower Street, S4	Extension to the front of the shop	13/06/2018	26/11/2018 – An appeal has been made against the refusal of planning permission (18/00914/FUL) (18/00064/ENUUD – LB)
2.	Site of Former Chapeltown Glass Co. 1-9 Orchard Court, S35	Condition relating to the works to the footpath have not been complied with as required by PP 15/00485/FUL	10/04/2018	26/11/2018 – A recent site visit has revealed that works have started on site to comply with conditions – Monitor. 16/04/2018 – A BCN has been drafted and is with legal. (17/00530/ENBC – LB)
3.	10 Mowson Drive, S35	Change of use of premises for storage scrap metal and pallets	04/04/2018	26/11/2018 – The EN has been served and has taken effect. The site is being monitored currently it appears that the EN is being complied with. Monitor. 16/04/2018 – EN has been drafted and is with legal. (17/00527/ENCHU – KM)
4.	32 Longley Farm View, S5	Engineering/excavation works	05/04/2018	26/11/2018 – A retrospective application (18/01179/FUL) has been submitted and is pending consideration. (16/00238/ENUHD – LB)
5.	Rhinegold Hollin House Lane, S6	Timber summerhouse for recreation/storage use	10/04/2018	26/11/2018 – The building has been relocated to make it permitted development. – NFA. 16/04/2018 – Planning application (17/00422/FUL) has been refused with EA. The owners are in discussions with PO to relocate the building to alternative part of the site so that it would be PD. (16/00497/ENUHD – BG)
6.	Fulwood Head Farm, Fulwood Head Road, S10	Erection Of House & Barn Conversions	08/01/2018	26/11/2018 – Two applications have been submitted application (18/00113/FUL) remains invalid and application (17/05207/FUL) is pending consideration. – Monitor. 16/04/2018 – A TSN has been served to stop works on the building these works have stopped. An application has been submitted 18/00113/FUL for the conversion of former

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				agricultural barn and erection of building for use as a dwellinghouse, which is currently invalid. Monitor (17/00565/ENOTH – LB)
7.	Garage Site Adjacent to 4 Langsett Avenue, S6	Erection of dwellinghouse	15/11/2017	26/11/2018 – Permission has been granted - NFA 16/04/2018 – A new application has been submitted (18/00250/FUL) which is to be reported to Planning Committee on the 01/05/2018. (16/00626/ENBC – MC)
8.	4 Findon Place	Single storey side extension and a raised balcony attached to the rear of the house.	25/09/2017	26/11/2018 – Both EN have been complied with - NFA 16/04/2018 – Two EN have been served on the 23/03/2018 for the removal of the side and rear extensions (17/00231/ENUHD – LB)
9.	Little Intake Farm, Woodhead Road, Grenoside, S35 8RS	Unauthorised alterations and change of use of barn to a dwellinghouse Unauthorised use of land for storage of builders materials Non-compliance with conditions of planning permission 13/03412/FUL Illegal signage	22/11/2016	26/11/2018 – A new application 17/03187/FUL for the change of use from grazing land to caravan and campsite, erection of building to provide washing facilities, conversion of redundant agricultural buildings to create a reception area, indoor play area and shire horse stud area is pending consideration. 16/04/2018 - The application 13/03412/FUL has not been implemented. The signage has been removed. 08/08/2017 - EN, BCN and S225 Notice being drafted. (16/00190/ENBC – LB)
10.	White Acres Farm, Spout Lane, S6 6EF	Unauthorised alterations and change of use of barn to a dwellinghouse	22/11/2016	26/11/2018 – The Appeal has been dismissed. 18 month compliance period set by the Inspector 03/10/2019 to stop the use as a dwelling and alter the building back to a barn. 08/08/2017 – A Public enquiry has been opened on 13/06/2017 and has been adjourned to 21/11/2017. 21/04/2017 – EN has been served on 06/01/2017 and an appeal has been made against the EN and Planning decision (15/04365/FUL.

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
11.	209 Stannington Road, S6	Unauthorised front extension to house	09/12/2014	<p>(15/00607/ENUHD – LB)</p> <p>26/11/2018 – The EN has been complied with - NFA</p> <p>16/04/2018 – 2 out of 3 quotes received back. Default action to be taken soon. 08/08/2017 – Quotes being requested for direct action. 21/04/2017 – Statements being done for 2nd prosecution. 17/10/2016 – the owner was found guilty and fined £50 with £50 costs. A further letter to be sent requesting that work is carried out as required by the EN if not the matter will be reported for 2nd prosecution. 03/05/2016 – Work has not been carried out as required by the Notice, prosecution file is being prepared. 09/02/2016 – 6 month conditional discharge given in Court. A letter to be sent asking to comply with EN. 26/10/2015 – 1st hearing on the 26/11/2015. EN not complied with, legal proceedings being prepared at 09/07/15. EN served 16/1/15. It requires removal of white plastic extension from the front of house by 11/5/15.</p> <p>(13/00135/ENUD – BG)</p>
12.	290-308 Pitsmoor Road	<p>(1) Use of Ground floor for retail shop, 1st & 2nd floors as HIMO, (11/00050/FUL refused)</p> <p>(2) Canopy to front of Shop refused PP</p>	19/4/2011	<p>26/11/2018 – Application 16/00271/FUL has been granted applications 16/00262/ADV and 11/01912/COND1 pending consideration. 17/10/2016 - Application for signage (16/00262/ADV), condition discharge application (11/01912/COND1) and variation of condition application (16/00271/FUL) have been submitted pending consideration. (14/00535/ENBC – KM)</p>

This page is intentionally left blank



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 18 December 2018

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Marie Robinson 0114 2734218

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE 18 DECEMBER 2018

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

2.0 NEW APPEALS RECEIVED

(i) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for retention of replacement 48-sheet illuminated display unit at 236 Main Road Darnall Sheffield S9 4QB (Case No 18/02207/HOARD).
(ii) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of 2 payphones and installation of 1 InLink system at Telephone Box Outside 11 Fitzalan Square Sheffield S1 2AY (Case No 18/01240/TEL).
(iii) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for siting of two digital LED display screens to InLink system at Telephone Box outside 11 Fitzalan Square Sheffield S1 2AY (Case No 18/01241/HOARD).
(iv) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of 2 payphones and installation of 1 InLink system at telephone box outside 45-47 High Street City Centre Sheffield S1 2GA (Case No 18/01246/FULTEL).
(v) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of 2 payphones and installation of 1 InLink system at telephone box outside 45-47 High Street City Centre Sheffield S1 2GA (Case No 18/01247/HOARD).
(vi) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of 2 payphones and installation of 1 InLink system at outside 10 Barker's Pool Sheffield S1 2HB(Case No 18/01249/HOARD).

(vii) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of two payphones and installation of 1 InLink system at telephone box outside 10 Barker's Pool Sheffield S1 2HB (Case No 18/1248/FULTEL).

(viii) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of three payphones and installation of 1 InLink system outside 24 Pinstone Street Sheffield S1 2HN (Case No 18/01251/HOARD).

(ix) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of three payphones and installation of 1 InLink system at outside 24 Pinstone Street Sheffield S1 2HN (Case No 18/1250/FULTEL).

(x) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of two payphones and installation of 1 InLink system at site outside 117 Pinstone Street Sheffield S1 2HN (Case No 18/1252/FULTEL).

(xi) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of two payphones and installation of 1 InLink system outside 117 Pinstone Street Sheffield S1 2HN (Case No 18/01253/HOARD).

3.0 APPEALS DECISIONS – DISMISSED

4.0 APPEALS DECISIONS - ALLOWED

5.0 ENFORCEMENT APPEALS - DISMISSED

6.0 RECOMMENDATIONS

That the report be noted.

Rob Murfin
Chief Planning Officer

18 December 2018

