

# **Planning and Highways Committee**

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**Tuesday 23 April 2019 at 2.00 pm**

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

**The Press and Public are Welcome to Attend**

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## **Membership**

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

## **Substitute Members**

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

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## **PUBLIC ACCESS TO THE MEETING**

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

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

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

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

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

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## **FACILITIES**

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

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

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## PLANNING AND HIGHWAYS COMMITTEE AGENDA

### 23 APRIL 2019

#### Order of Business

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 8)  
Minutes of the meeting of the Committee held on 2 April 2019.
- 6. Site Visit**  
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Tree Preservation Order No. 426: 36 Thornsett Road, Sheffield, S7 1NB** (Pages 9 - 16)  
Report of the Director of City Growth
- 8. Applications Under Various Acts/Regulations** (Pages 17 - 20)  
Report of the Director of City Growth
- 8a. Purdy's Kitchens, 103 Furnace Lane, Sheffield, S13 9XD** (Case No: 19/00161/FUL) (Pages 21 - 30)
- 8b. On The Brink Co-housing Community Ltd, Brincliffe House, 90 Osborne Road Sheffield, S11 9BB** (Case No: 18/04599/FUL) (Pages 31 - 48)
- 8c. Sytner Sheffield Ltd, Hollis Croft And Broad Lane City Centre, Sheffield, S1 4BU** (Case No: 18/03977/FUL) (Pages 49 - 94)
- 8d. Land At The Rear Of 13 And 42 Coppice Close, Sheffield, S36 1LS** (Case No: 18/03869/FUL) (Pages 95 - 118)
- 8e. Land To The Rear Of 21 To 87 Beacon Road And Adjacent 131 Sandstone Road, Beacon Road, Sheffield, S9 1AB** (Case No: 18/00146/OUT) (Pages 119 - 150)
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 151 - )

Report of the Director of City Growth

**10. Date of Next Meeting**

The next meeting of the Committee will be held on 14 May 2019.

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

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

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

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

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

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

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# Agenda Item 5

SHEFFIELD CITY COUNCIL

## Planning and Highways Committee

Meeting held 2 April 2019

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

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### **1. APOLOGIES FOR ABSENCE**

1.1 There were no apologies for absence.

### **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 Rob Murphy declared a personal interest as a local Ward Councillor in an application for planning permission for Bakers Yard, Sheffield, S3 8BY (Case No. 18/03659/FUL). Councillor Murphy declared that he had not given an opinion or declared his position on the application prior to the meeting and would therefore take part in the discussion and vote thereon.

3.2 Councillor Zahira Naz declared a personal interest as a local Ward Councillor in an application for planning permission for Land adjacent to 101 Ferrars Road, Sheffield, S9 1RZ (Case No. 18/03367/OUT). Councillor Naz declared that she had not given an opinion or declared her position on the application prior to the meeting and would therefore take part in the discussion and vote thereon.

### **4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of the Committee, held on 12 March 2019, 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. CYCLE TRACKS ACT 1984: CONVERSIONS OF PART OF A PUBLIC FOOTPATH TO SHARED PUBLIC FOOTPATH/CYCLE TRACK AT HALFWAY, SHEFFIELD**

- 6.1 The Director of Culture and Environment submitted a report seeking to refer the city of Sheffield (Rotherham Road to Deepwell Drive) Cycle Track Conversion Order 2018 to the Secretary of State for Environment, Food and Rural Affairs for confirmation in the light of objections received.
- 6.2 An email from an objector had been circulated to Members and whilst it raised no further objections to those outlined in the report, the report stated that a meeting had taken place on site with an objector at 'the objectors request' and it was noted that this should read at 'the officers request'. No further comments or objections had been received.
- 6.3 **RESOLVED:** That the Director of Legal Services refers the City of Sheffield (Rotherham road to Deepwell Drive) Cycle track conversion Order 2018 to the Secretary of State for confirmation.

**7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

- 7.1 **RESOLVED:** That the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder, 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.

**7a. 1 ECCLESALL ROAD SOUTH, SHEFFIELD, S11 9PA (CASE NO: 18/04104/FUL)**

- 7a.1 Having noted (i) an additional representation and amended conditions 34 and 49, as detailed in the supplementary report circulated at the meeting and (ii) having heard representations from local residents speaking against the proposed development, a representative of the Banner Cross Neighbourhood Group who supported the proposed development in principle but made representations relating to highway safety, and from the applicant's representative speaking in support of the proposed development and following a site visit and (iii) subject to additional conditions regarding a traffic safety survey and the turning circle and amending a condition to secure suitable screening to the upper storeys of Plot 1 to prevent overlooking of an existing dwelling, the wording of the additional/amended conditions to be formulated by the Planning Officer in conjunction with the Co-Chairs of the Planning Committee, an application for planning permission be granted, conditionally, for alterations to car showroom and workshop (Use Class Sui Generis) to allow use as two commercial units (A1/A3), gym (D2) and offices (B1), erection of 8 dwellings (C3), provision of associated parking for all uses, landscaping and access works (as per amended drawings) at 1 Ecclesall Road

South, Sheffield, S11 9PA (Case No. 18/04104/FUL)

**7b. 245 OWLER LANE, SHEFFIELD, S4 8GD (CASE NO: 18/04049/FUL)**

- 7b.1 An application for planning permission be granted, conditionally, for use of ground floor of dwellinghouse (Use Class C3) as a retail unit (Use Class A1) including erection of shop-front (As per amended plans received on 20 March 2019) – amended description at 245 Owler Lane, Sheffield, S4 8GD (Case No. 18/04049/FUL)

**7c. BAKERS YARD, SHEFFIELD, S3 8BY (CASE NO: 18/03659/FUL)**

- 7c.1 Having noted (i) an amended condition 12 and an additional condition, as detailed in the supplementary report circulated at the meeting and (ii) having heard representations from local residents and a representative of the Residents Association speaking against the proposed development and from the applicant's representative speaking in support of the proposed development and following a site visit and (iii) subject to an additional condition regarding a construction environment management plan, the wording of the additional condition to be formulated by the Planning Officer in conjunction with the Co-Chairs of the Planning Committee, an application for planning permission be granted, conditionally, for erection of a five-storey block comprising ground floor retail unit (Use Class A1) and 2 apartments above (Use Class C3) at Bakers Yard, Sheffield S3 8BY (Case No. 18/03659/FUL)
- 7c.2 On being put to the vote, the motion was tied at 5 in favour of approving the application, 5 against and with 3 abstentions. The Chair then used his casting vote in favour and the motion was carried.

**7d. LAND ADJACENT 101 FERRARS ROAD, SHEFFIELD, S9 1RZ (CASE NO: 18/03367/OUT)**

- 7d.1 Having noted (i) an amended condition 29 and (ii) proposed amendments to the heads of terms for a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990, both of which were detailed in the supplementary report circulated at the meeting and (iii) having heard from the applicant's representative speaking in support of the proposed development, an application for planning permission be granted, conditionally and subject to the completion of a legal agreement in accordance with the amended heads of terms detailed in the supplementary report, for outline planning permission (all matters reserved except for access) for the erection of circa 91 dwellinghouses at land adjacent to 101 Ferrars Road, Sheffield, S9 1RZ (Case No. 18/03367/OUT)

**8 RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

- 8.1 The Committee received and noted a report of the Chief Planning Officer detailing new planning appeals received and appeals dismissed by the Secretary of State.

**9. DATE OF NEXT MEETING**

- 9.1 It was noted that the next meeting of the Committee would be held at 2.00pm on Tuesday 23<sup>rd</sup> April 2019 at the Town Hall.



## SHEFFIELD CITY COUNCIL

### Planning & Highways Committee Report

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

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**Date:** 23 April 2019

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**Subject:** Tree Preservation Order No.426  
36 Thornsett Road, Sheffield S7 1NB

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**Author of Report:** Jez Platts, Urban and Environmental Design Team

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**Summary:** To seek confirmation of Tree Preservation Orders No. 426

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#### Reasons for Recommendation

To protect two trees of visual amenity value to the locality

**Recommendations** Tree Preservation Orders No. 426 should be confirmed.

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**Background Papers:** A) Tree Preservation Orders No. 426 and map attached  
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment for TPO 426.

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**TREE PRESERVATION ORDER NO. 426  
36 THORNSETT ROAD, SHEFFIELD, S7 1NB**

**1.0 PURPOSE**

- 1.1 To seek confirmation of Tree Preservation Order No. 426.

**2.0 BACKGROUND**

- 2.1 Tree Preservation Order No.426 was made on 16<sup>th</sup> October 2018 to protect a Beech tree and Sycamore tree located in the rear garden of 36 Thornsett Road. A copy of the order with its accompanying map is attached as Appendix A.
- 2.2 The trees were under possible threat of removal as a section 211 Notice proposing works to remove the trees was received.
- 2.3 I conducted a condition inspection of the trees and found both trees to be in normal health. No significant defects and obvious health and safety reasons requiring major intervention were found. A TEMPO assessment was carried out following the inspection and supported the protection of the trees.
- 2.4 No objections to the order have been received.

**3.0 VISUAL AMENITY ASSESSMENT**

- 3.1 The Beech & Sycamore trees are seen as being visually prominent and of significant amenity value when viewed from Sharrow Lane and Huntingdon Crescent. They are considered to contribute to the visual amenity value of the Nether Edge conservation area.
- 3.2 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by the Planning Tree Officer and is attached as Appendix B. The assessment produced a clear recommendation for protection.

**4.0 EQUAL OPPORTUNITIES IMPLICATIONS**

- 4.1 There are no equal opportunities implications.

**5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS**

- 5.1 There are no environmental and property implications based on the information provided.
- 5.2 Protection of the trees detailed in Tree Preservation Order No.426 will benefit the visual amenity of the local environment.

**6.0 FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications.

## **7.0    LEGAL IMPLICATIONS**

- 7.1**    A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (section 198, Town and Country Planning Act 1990).
- 7.2**    A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.
- 7.3**    The local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 7.4**    A local authority may only confirm an order after considering any representations made in respect of that order. No such representations have been received in respect of Tree Preservation Order No.426.

## **8.0    RECOMMENDATION**

- 8.1**    Recommend Provisional Tree Preservation Order No.426 be confirmed.

Rob Murfin, Chief Planning Officer

18<sup>th</sup> December 2018

**Tree Preservation Order**

**Town and Country Planning Act 1990**

**The Tree Preservation Order No 426 (2018)**

**36 Thornsett Road & Sharrow Lane, Sheffield S7 1NB**

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

**Citation**

1. This Order may be cited as Tree Preservation Order No 426 (2018) – 36 Thornsett Road & Sharrow Lane, Sheffield S7 1NB

**Interpretation**

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

**Effect**

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

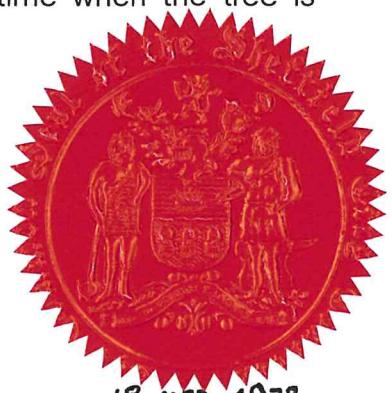
**Application to trees to be planted pursuant to a condition**

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

Dated this 17<sup>th</sup> October 2018

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

SARAH BENNETT  
Digitised Signatory



## SCHEDULE

### Specification of trees

#### Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Sycamore (Platanus)	OS Grid Reference: SK436632 386533
T2	Beech (Fagus)	

#### Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>

#### Groups of trees

(within a broken black line on the map)

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

#### Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>

**NOTES / REVISIONS:****Notes:**

The use of this data acts as agreement to the following statements:

a. Copyright Sheffield City Council, All rights reserved in Chapter IV of the Copyright, Designs and Patents Act 1988 have been generally asserted

© This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Crown copyright and database rights Ordnance Survey 100018816 2018

**TREE SCHEDULE**

Trees specified individually.  
(Encircled in black on the plan)

T1 Sycamore

T2 Beech

Trees specified by reference to an area - None

Trees specified by reference to a group - None

Trees specified by reference to a woodland - None

SK 436632 386533

Measurements shown approximate

SHEFFIELD CITY COUNCIL  
PLACE  
PLANNING SERVICE CITY GROWTH

SCHEME:  
**TREE PRESERVATION ORDER**  
No. 426

TITLE:  
36 THORNSETT ROAD  
SHEFFIELD

SCALE:  
1:1250 @ A4

Drawn by: HT	Checked by:	Date: 05/10/2018
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Drawing No:

A4/UED/808/426



18.10.18.979

# TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

## SURVEY DATA SHEET & DECISION GUIDE

Date: 12/9/18

Surveyor: Jez Platts

### Tree details

TPO Ref: Tree/Group No: Species: Beech & Sycamore  
Owner (if known):  
Location: Rear garden of 36 Thornsett Road

### Part 1: Amenity assessment

#### a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- |                         |                         |
|-------------------------|-------------------------|
| 5) Good                 | Highly suitable         |
| 3) Fair                 | Suitable                |
| 1) Poor                 | Unlikely to be suitable |
| 0) Dead/Dying?Dangerous | Unsuitable              |

#### Score & Notes

3 – Both crowns have full vitality. Beech is twin-stemmed with a fair union.

\* Relates to existing context and is intended to apply to severe irremediable defects only

#### b) Remaining longevity (in years) & suitability for TPO:

Refer to 'Species Guide' section in Guidance Note

- |           |                 |
|-----------|-----------------|
| 5) 100+   | Highly suitable |
| 4) 40-100 | Very suitable   |
| 2) 20-40  | Suitable        |
| 1) 10-20  | Just suitable   |
| 0) <10    | Unsuitable      |

#### Score & Notes

4

\* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

#### c) Relative public visibility & suitability for TPO:

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- |  |                         |
|--|-------------------------|
| 5) Very large trees, or large trees that are prominent landscape features  | Highly suitable         |
| 4) Large trees, or medium trees clearly visible to the public              | Suitable                |
| 3) Medium trees, or larger trees with limited view only                    | Just suitable           |
| 2) Small trees, or larger trees visible only with difficulty               | Unlikely to be suitable |
| 1) Young, v. small, or trees not visible to the public, regardless of size | Probably unsuitable     |

**Score & Notes**  
4 – large trees  
visible from  
Sharrow Lane and  
Huntingdon

#### d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- |  |
|--|
| 5) Principal components of arboricultural features, or veteran trees     |
| 4) Members of groups of trees important for their cohesion               |
| 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual        |
| 1) Trees with none of the above additional redeeming features            |

**Score & Notes**  
1

### Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify; refer to Guidance Note

- |  |
|--|
| 5) Known threat to tree                    |
| 3) Foreseeable threat to tree              |
| 2) Perceived threat to tree                |
| 1) Precautionary only                      |
| 0) Tree known to be an actionable nuisance |

**Score & Notes**  
5 – section 211 notice received

### Part 3: Decision guide

- |       |                       |
|-------|-----------------------|
| Any 0 | Do not apply TPO      |
| 1-6   | TPO indefensible      |
| 7-10  | Does not merit TPO    |
| 11-14 | TPO defensible        |
| 15+   | Definitely merits TPO |

**Add Scores for Total:**  
17

**Decision:**  
Definitely merits TPO

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# Agenda Item 8



## SHEFFIELD CITY COUNCIL Planning and Highways Committee

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Report of: Director of City Growth Department

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Date: 23/04/2019

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Subject: Applications under various acts/regulations

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Author of Report: Lucy Bond and John Williamson 2039183

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Summary:

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### Reasons for Recommendations

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

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Recommendations:

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### Background Papers:

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

Category of Report: OPEN

Application No.	Location	Page No.
19/00161/FUL (Formerly PP-07554479)	Purdy's Kitchens 103 Furnace Lane Sheffield S13 9XD	
18/04599/FUL (Formerly PP-07457680)	On The Brink Co-housing Community Ltd Brincliffe House 90 Osborne Road Sheffield S11 9BB	
18/03977/FUL (Formerly PP-07344895)	Sytner Sheffield Ltd Hollis Croft And Broad Lane City Centre Sheffield S1 4BU	
18/03869/FUL (Formerly PP-07329658)	Land At The Rear Of 13 And 42 Coppice Close Sheffield S36 1LS	
18/00146/OUT (Formerly PP-06657754)	Land To The Rear Of 21 To 87 Beacon Road And Adjacent 131 Sandstone Road Beacon Road Sheffield S9 1AB	



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Case Number	19/00161/FUL (Formerly PP-07554479)
Application Type	Full Planning Application
Proposal	Use of retail unit (Use Class A1) as a micro-pub (Use Class A4)
Location	Purdy's Kitchens 103 Furnace Lane Sheffield S13 9XD
Date Received	17/01/2019
Team	City Centre and East
Applicant/Agent	Mr Alex Purdy
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 received 13.02.19  
Floor plan received 15.02.19  
Noise Management Plan 1323616\_28\_03\_19

Reason: In order to define the permission.

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

3. The unit shall not be brought into use unless and until the Local Planning Authority has been advised in writing of the first opening date of the micro pub. The use of the micro pub shall thereafter cease 12 months after the first opening date unless prior approval is first obtained from the Local Planning Authority.

Reason: In order that the use of the building can be monitored in the interests of the amenities of the locality and occupiers of adjoining property.

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

4. Before the commercial use hereby permitted commences, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:
  - a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey;
  - b) Be capable of restricting noise breakout from the commercial use to the street to levels not exceeding the prevailing ambient noise level when measured:
    - (i) as a 15 minute LAeq, and;
    - (ii) at any one third octave band centre frequency as a 15 minute LZeq.
  - c) Be capable of restricting noise breakout from the commercial use to all adjoining residential accommodation to levels complying with the following:
    - (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
    - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
    - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
    - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

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

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

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

5. 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.

6. Before the commercial use hereby permitted commences, full details of suitable inclusive access and facilities for disabled people to enter the building and within the

curtilage of the site, shall have been submitted to and approved in writing by the Local Planning Authority and the building shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

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

7. 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.

8. Before the commercial use commences full details of the layout of the forecourt area, including boundary treatment thereof shall be submitted to and approved in writing by the Local planning Authority. The approved details shall be implemented before the use commences.

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

9. Before the development is brought into use full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with the National Planning Policy Framework.

10. 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 the amenities of the locality and occupiers of adjoining property.

### **Other Compliance Conditions**

11. The premises will operate in compliance with the submitted approved Noise Management Plan (NMP). The NMP will not be altered without the prior written consent of the Local Planning Authority.

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

12. Commercial deliveries to and collections from the building shall be carried out only between 0800 hours and 1800 hours Mondays to Fridays and between 0800 hours and 1400 hours on Saturdays, with no servicing on Sundays or Bank Holidays.

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

13. No customer shall be permitted to be on the premises outside the following times:

Monday to Thursday 16:00 - 21:00hrs;  
Friday 15:00 - 22:00hrs;  
Saturday 12:00 - 22:00hrs;  
Sunday 12:00 - 21:00hrs.

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

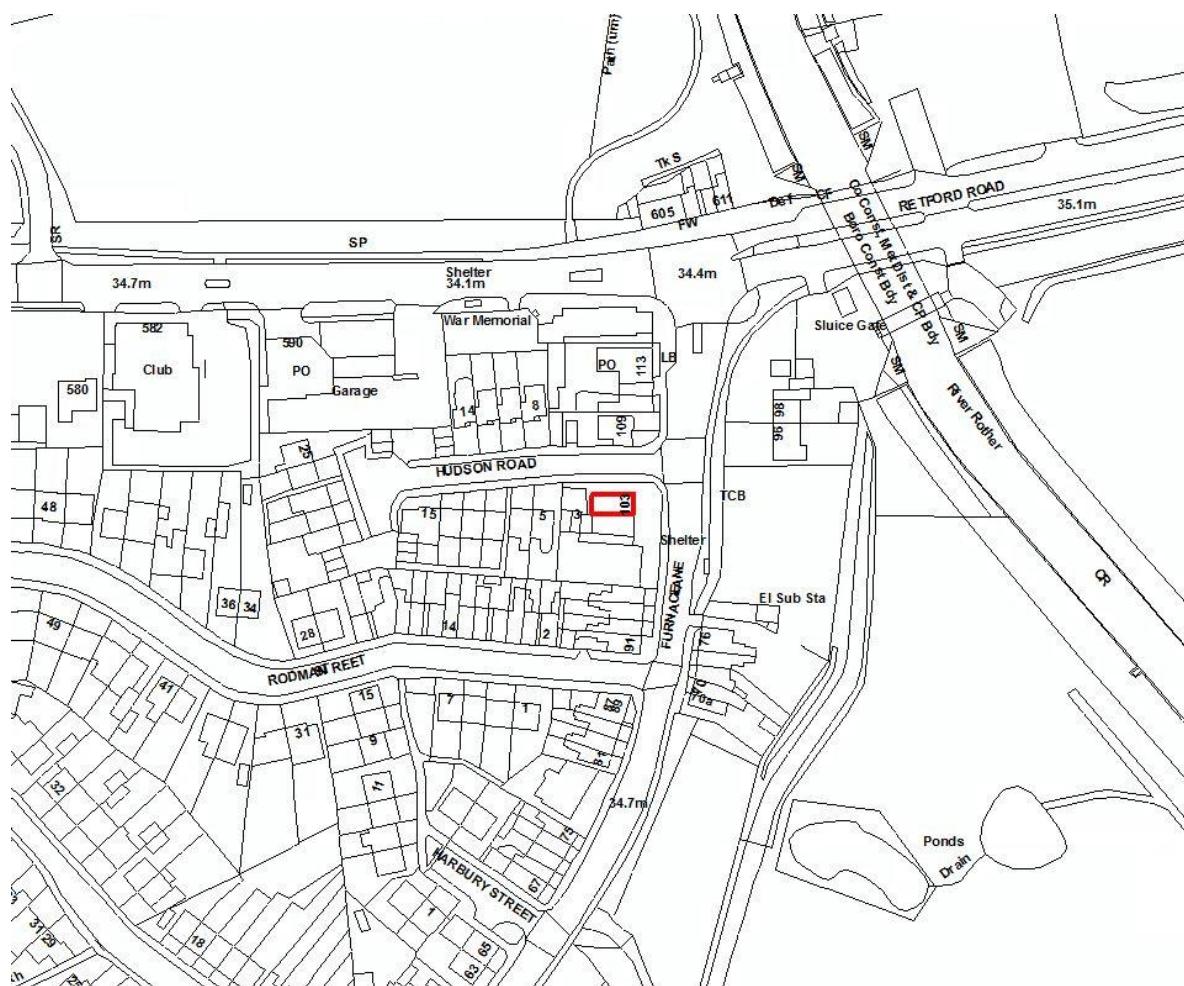
14. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between 0900 hours and 1800 hours.

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. 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.
3. You 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) 2734264 or by email at [licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk).

## Site Location



## LOCATION AND PROPOSAL

The application relates to a vacant retail shop located on the corner of Furnace Lane and Hudson Road within the Woodhouse Mill area of Sheffield, close to the junction with Retford Road. The vacant unit which is located within a semi-detached building is one of three neighbouring retail properties on this road frontage, the other two being in use as a hairdressers and DIY store. The upper floors of the semi-detached building are in residential use and the existing open yard to the rear is used by the neighbouring DIY store for the storage of bagged building materials.

In the wider area to the north on Retford Road there is a petrol station with a retail store, a used car sales plot and a building in use for yoga and pilates. The Princess Royal Public House is located approx. 400m to the north-east along Retford Road. The remainder of the surrounding area is residential in nature.

The application is seeking permission to use the ground floor of the building as a micro pub which would be open from 4pm to 9pm Mondays to Thursdays, 3pm to 10pm on Fridays, Noon to 10pm on Saturdays and Noon to 9pm on Sundays. The building has a small internal area which will limit the numbers of customers. No external alterations to the building are proposed. The upstairs flat, although owned by the applicant is in independent use and will not be used in connection with the micro pub.

The applicant in his submission indicates that micro pubs strive for a welcoming, low key atmosphere, where patrons can come and have a quiet beverage and a chat.

## RELEVANT PLANNING HISTORY

9A/0595P Use of ground floor of premises as a fish and chip shop. Application refused in January 2001 due to the noise and general disturbance which would be generated by the use.

## SUMMARY OF REPRESENTATIONS

Seven letters of concern have been received from local residents, raising the following issues:

- Concerns that the proposal would generate excessive noise and create disturbance to local residents, including residents of the first floor flat, especially when customers are leaving the premises late at night. Comment is made that although the Noise Management Plan does indicate that customers will be asked to be considerate to neighbours on leaving, this cannot be effectively controlled.
- There are existing parking problems in the area with concerns that the use will aggravate the situation causing problems for local residents.
- Comment is made that the siting of the drinking establishment close to a bus stop which serves local schools and also close to many children's homes is not appropriate.

- Comment is also made that there has been a serious crime at the premises recently which is concerning for local residents as alcohol consumption increases the chance of anti-social behaviour resulting in more stress and anxiety for local residents.

## PLANNING ASSESSMENT

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

### Land Use

The application site lies within a Housing Policy Area as defined by the Unitary Development Plan. UDP Policy H10 identifies the preferred use in this policy area as housing although food and drink uses are listed as acceptable.

Policy H14 (i) states that non-housing uses will be permitted in housing areas where they occupy only a small area and not lead to a concentration of non-housing uses which would threaten the residential character of the area. Given that the ground floor of the building does not have an existing residential use the proposal will have no greater impact on the residential character of the surrounding area than currently exists.

Policy H14 (l) states that non housing uses should be on a scale consistent with the residential character of the Area or meet primarily local needs. This is reinforced by the NPPF which seeks to ensure that planning decisions help to provide the social, recreational and cultural facilities and services that communities need and identifies community facilities such as public houses as uses which can enhance the sustainability of communities and residential environments.

Woodhouse Mill is located over 1.4km from the closest retail centre at Woodhouse and has limited local facilities. The use of the building as a micro pub will provide a welcome community facility within the locality.

In view of the above it is considered that the use of the ground floor of the building as a Class A4 micro pub is acceptable in principle subject to other policy requirements.

### Amenity Issues

UDP Policy H14 (k) states that non-housing uses will be permitted in housing areas provided they would not lead to air pollution, noise, smell, excessive traffic levels or other nuisance, or risk to health and safety for people living nearby.

The immediate area surrounding the application property, apart from the two adjoining retail premises, is residential in nature and has low background noise in the evening and late at night. The use of the property as a micro pub raises concerns that there will be noise breakout and structure-borne noise from the ground floor use

which could impact on the first floor residential use. In addition, the use which will potentially involve people leaving the premises late into the evening and potentially gathering outside (for smoking), may be detrimental to the quiet residential amenity of residents in the wider area.

In order to reduce the potential for disturbance and to comply with the advice of the Environmental Health Officer the applicant has agreed to reduce the intended opening hours from those originally applied for (11pm Mon – Friday and 11.30pm Sat and Sun) to ensure that customers have left the building by 9pm Sunday to Thursday and 10pm on Friday and Saturday. In addition it has been agreed that appropriate sound attenuation will be installed to prevent noise breakout impacting on the external areas and structure borne noise impacting on the first floor residential unit.

The applicant has indicated that the external area to the front of the building will not be used as an external drinking area but will solely have provision for smokers.

The applicant has produced a Noise Management Plan which clearly outlines his policy for dealing with any noise issues which may arise in connection with the use. The Environmental Health Officer recommends that approval is initially granted for a twelve month period so that the use can be monitored and that conditions are added to ensure that associated deliveries and sorting of waste are not carried out after 6pm.

The applicant has confirmed that no hot food will be prepared on the premises and as such there is no requirement for any external fume extraction system to be installed.

Suitable space will be provided internally to store bins.

With the above safeguards in place and bearing in mind the limited size of the building and consequently numbers of customers, it is considered that the proposal will not unduly impact on the amenities of local residents to an extent that would warrant refusal of the application.

#### Highways

UDP Policy H14 (d) requires development to provide safe access to the highway network and appropriate off road parking and to not endanger pedestrians.

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.

There are currently no parking restrictions along Furnace Lane. The existing forecourt to the building is used as an off road parking area in connection with the adjoining commercial properties whilst they are open during the daytime.

The micro pub is intended to serve local people. Given the nature of the proposal it is considered that most customers will walk from the adjoining residential areas. The micro-pub will largely be open when the adjacent retail units are closed and its limited size will restrict the numbers of potential customers at any time (maximum 25 customers and two staff). A condition requiring the provision of a couple of cycle stands within the front forecourt will be added to any subsequent approval to further encourage sustainable modes of transport in line with NPPF requirements.

In this respect the proposal is considered acceptable from a highways point of view

#### Access Issues

UDP Policy BE7 states that in all buildings which are to be used by the public, provision will be expected to allow people with disabilities safe and easy access to the building and that access to existing buildings should be improved as opportunities arise to enable all users to move around with equal ease.

The retail unit does not currently have level access. It is recommended that an external ramp be provided within the forecourt area to improve access for all users. As no changes are being made to the shop front as part of this application it would be unreasonable to require significant alterations to the existing access arrangements over and above the provision of a ramp. Internally the applicant is intending to provide toilet facilities. Full details of access arrangements and facilities will be conditioned for subsequent approval.

#### Response to Representations

The applicant is aware of the concerns raised by local residents and has reduced the intended opening hours to a reasonable level which will reduce the potential for late night noise throughout the week. Conditions will be imposed requiring sound attenuation measures to be installed to prevent noise breakout to the street and upper floor residential accommodation. In addition deliveries and servicing will not be permitted to take place after 6pm. The use will be monitored for a 12 month period to ensure it is not creating a nuisance to local residents.

The micro pub is intended to serve local people and given the nature of the proposal it is expected that the majority of users will walk to the building. This together with the limited capacity will reduce the potential for any impact on the existing parking within the area. The impact on the highway network can also be reviewed after the recommended 12 month temporary period.

Whilst the concerns in respect of visibility to children are understood it would be unreasonable to resist the proposal for this reason. There are many public houses throughout Sheffield located close to schools and residential properties and no adverse link has been established.

Anti-social behaviour is a matter for the police. In addition to planning approval the applicant will have to have the appropriate premises licence in place to carry out the business.

## **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**

The application which seeks approval to use a vacant retail unit as a micro pub is considered to be acceptable in policy terms. It is considered that, with appropriate controls, the proposed use will not lead to unacceptable amenity impacts for occupiers of nearby residential property and due to its nature and limited scale does not raise any highway safety concerns. In order to monitor the impact of the change of use it is proposed that the use be granted for a temporary period of 12 months from opening, subject to the listed conditions.

# Agenda Item 8b

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Case Number	18/04599/FUL (Formerly PP-07457680)
Application Type	Full Planning Application
Proposal	Erection of 3 townhouses and detached dwellinghouse, and extension to two existing flats
Location	On The Brink Co-housing Community Ltd Brincliffe House 90 Osborne Road Sheffield S11 9BB
Date Received	10/12/2018
Team	South
Applicant/Agent	Tatlow Stancer Architects
Recommendation	Grant Conditionally

## Time limit for Commencement of Development

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

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

## Approved/Refused Plan(s)

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

Proposed Site Plan Ref: 17999\_19\_REV A Scan Date 03 Apr 2019  
Proposed Ground Floor Plans Ref: 17999\_20\_A1\_REV A Scan Date 03 Apr 2019  
Proposed First Floor Plans Ref: 17999\_21\_A1\_REV A Scan Date 03 Apr 2019  
Proposed Second Floor Plans Ref: 17999\_22\_A1\_REV A Scan Date 03 Apr 2019  
Proposed Elevations Ref: 17999\_23\_A1\_REV A Scan Date 03 Apr 2019

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 approved Phase I Preliminary Risk Assessment Report (Phase 1 Geotechnical and Geo-environmental Site Investigation: Brincliffe House Ref 39272-001 Issue 1 (4.8.16) Eastwood and Partners) 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 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.

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

6. 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.

7. 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.

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

Windows  
Window reveals  
Doors  
Eaves  
Railings

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

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

9. 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.

10. 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.

11. 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.

12. Notwithstanding the details on the approved plans, the location of the cycle store is not hereby approved. Before the proposed development is occupied, full details of the suitable cycle storage shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details before the relevant element of the development is brought into use and thereafter retained in accordance with the approved scheme.

Reason: In the interests of sustainable development, and to ensure protection to the Tree Root Protection Zones.

13. Notwithstanding the details on the approved plans, the location of the bin storage areas is not hereby approved. Before the proposed development is occupied, full details of the suitable bin storage shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details before the relevant element of the development is brought into use and thereafter retained in accordance with the approved scheme.

Reason: In the interests of sustainable development, and to ensure protection to the Tree Root Protection Zones.

14. The new residential accommodation hereby approved 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.

15. Prior to occupation of the development hereby approved, details of two bat boxes and two bird boxes to be erected/installed on the buildings/trees within the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development and permanently retained thereafter.

Reason: In the interests of bio-diversity.

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

Reason: In the interests of 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.

17. The proposed new dwellings shall not be occupied unless all new areas of hardstanding are constructed of permeable/porous material. 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.

### **Other Compliance Conditions**

18. The glazing in the first floor window on the elevation of the proposed lodge house facing north towards No. 12 Brincliffe Crescent shall be fully obscured to a minimum privacy standard of Level 4 Obscurity, the full details of which shall have first been submitted to and approved in writing by the Local Planning Authority. The approved obscurity measures shall thereafter be retained and at no time shall any part of the glazing revert to clear glass.

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

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

Reason: To ensure that the traditional architectural character of the area is retained and there is no visual intrusion which would be detrimental to the amenities of the locality, in addition to an impact on nearby existing trees.

20. 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.

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

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. 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](mailto:snn@sheffield.gov.uk)

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

4. The applicant is advised that the Local Planning Authority has reason to believe that the application site may contain species and/or habitats protected by law. Separate controls therefore apply, regardless of this planning approval. You are advised to get the necessary licenses before any works on site are commenced.

## Site Location



## LOCATION AND PROPOSAL

The application site relates to Brincliffe House, a large Victorian Villa which stands in mature grounds. At present the building is split into 12 units and is used as part of a shared community, with a detached coach house at the rear which provides accommodation for 1 additional unit.

The site is allocated as a Housing Area within the Unitary Development Plan, and also falls within the Nether Edge Conservation Area. The wider area is characterised by large properties that are set within large grounds and that are surrounded by mature trees and landscaping. The properties are generally set back from the road and behind strong boundary treatments. This site is slightly different to the immediate surrounding area as it is significantly larger than the immediate neighbouring properties and is set within grounds that reflect this.

The application seeks planning permission to erect 3 new townhouses which are intended to be located adjacent to the main building, make alterations to the existing dwellings within the main building and erect a detached dwelling towards Brincliffe Crescent. Amended plans have been received since the original application was lodged.

## RELEVANT PLANNING HISTORY

A prior approval application was submitted for the ‘Use of office building (Use Class B1 - Business) for residential accommodation (Use Class C3 – dwelling houses). Application No. 15/00151/ORPN:

Planning permission was granted in 2016 for the ‘Demolition of detached garage and part of rear extension, alterations and extensions to building including roof extensions and provision of balconies to form 12 apartments and communal facilities, erection of two-storey detached building to form communal workshop/store/studio with apartment above with associated car parking and landscaping works. Application No. 16/01197/FUL.

There have been several smaller applications under S73/NMA routes to the original consent 16/01197/FUL, which sought minor changes (application numbers 17/01078/NMA, 17/02590/NMA, and 17/00839/FUL refer).

Planning permission was refused in 2017 for the erection of 3 dwelling houses. Application No. 17/01341/FUL. The details are discussed in the relevant sections below.

There have been a large number of applications approved for works to the trees within the grounds of Brincliffe House.

## SUMMARY OF REPRESENTATIONS

Following the posting of site notices, and neighbour notification, 6 representations have been received. Issues raised in the objections include:

- All houses on this side of Brincliffe Crescent to its junction with Kingfield Road are large detached houses standing in large grounds. This contributes enormously to the spacious character of the Brincliffe Area.
- The proposed detached lodge will have an adverse impact on the separation space between the applicants existing building and its boundary, having a piecemeal erosion of the established principles, breaking the rhythm of the character of Brincliffe Crescent.
- The position of the lodge is where a greenhouse was, and this should not mean it's appropriate for a 2 storey building to be used as a dwelling. Its location appears random without consideration to the original house, the street scene or the conservation area.
- The design of the 3 proposed new houses does not respect the original Victorian house or the character of the conservation area, being completely out of character.
- The flat roof is out of keeping, with the design being architecturally incongruous. It does not follow the pattern of roof pitches, and is unsympathetic to the original Gothic design. The design needs to be changed to be the same height as the main building under pitched roofs.
- The third storey is completely of keeping and will cause immediate issues overlooking neighbouring properties.
- The footprint of the new developments represent an over development of the site.
- There is concern about the number of trees which all have TPO's on them and are to be removed or severely pruned.
- There would be a loss of mature trees and wildlife implications.
- The site is too small to provide adequate amenities for any more residents, which includes families with young children.
- 2 additional car parking spaces per dwelling are noted, but the car parking for the entire scheme should be reviewed. Additional car parking should be provided, with Brincliffe Crescent being very narrow with insufficient parking for existing residents at present.
- All of the existing car parking spaces are fully utilised by private cars and two permanently sited motorhomes. Overspill parking is likely on Brincliffe Crescent, which narrows to a pinch point outside the site.
- The nursery at the Towers whose sole entrance and exit is directly onto Brincliffe Crescent which has recently been granted consent to increase the number of children attending, increase car parking pressure.
- There is already a problem for collection and storage of domestic refuse for the existing residents.
- All rooms in No. 12A Brincliffe Crescent, and both back and front garden will be completely overlooked.
- There will be overlooking from the upstairs windows of the 3 new houses facing in the direction of Brincliffe Crescent and any balconies/roof terraces towards No. 12A and 12B Brincliffe Crescent.
- The lodge building will have an overlooking effect on 7, 9 and 11 Brincliffe Crescent, especially due to its elevated position.
- There is not a significant difference between the current application and the previously rejected scheme (17/01341/FUL).
- The lodge house is moved forward of the building line at 12A and 12B Brincliffe Crescent, having an over dominance on the streetscape.

- The proposal does not follow the street pattern along Brincliffe Crescent, large properties having wide plots with identifiable space between the buildings.
- The proposal will sit in front of the main property, and with detract from the existing street scene and feeling of a spacious setting with mature gardens for this historically significant house. .
- If a lodge is acceptable in principle, this should be off Osbourne Road.
- There will be additional noise from more residents and traffic, especially from the entrance along Brincliffe Crescent.
- This disturbance from the development and during construction will impact on neighbours amenities especially an immediate neighbour with health problems.
- The development would set a precedent result in similar inappropriate developments, destroying the Brincliffe character area.
- The previous works on the site were very disruptive and took two years to complete, impacting on neighbouring properties though noise, dust, lighting etc.
- The question of financial viability of 'On The Brink' mentioned in the application, is not a matter of relevance to a planning application.
- If Sheffield City Council is minded to approve the principle, a smaller alternative design should be submitted. One that has very strong constraints on the construction details.

## PLANNING ASSESSMENT

The main issues to be considered in this application are;

- The acceptability of the development in land use policy,
- The design scale and mass of the proposal, and its impact on the host building and the surrounding conservation area and street scene,
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided,
- The impact of the proposal upon the existing landscaping and ecology of the site.

### - Land Use Policy

The application site falls within a Housing Area, and the principle of redeveloping the site for housing (Use Class C3) is in line with the preferred use identified within UDP policy H10 'Development in Housing Areas'.

Core Strategy Policy CS22 'Scale of the Requirement for New Housing' sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method.

Sheffield is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF (2019) and associated Practice Guidance further detailed work is required. We will

therefore be undertaking additional engagement with stakeholders before publishing our conclusions in a monitoring report. At this time decisions should therefore continue to be taken in light of the SHLAA Interim Position Paper (2017), which shows a 4.5 year supply of sites.

Policy CS23 of the Core Strategy ‘Locations for New Housing’ states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. Core Strategy Policy CS24 ‘Maximising use of Previously Developed Land for New Housing’ seeks to try and ensure that priority is given to developments on previously developed sites and that no more than 12% of dwellings should be constructed on greenfield land in the period up to 2025/26. It also states that such development should only occur on small sites within urban areas, where it can be justified on sustainability grounds.

The provision of 4 new housing units on previously developed land represents a small but welcome contribution to housing supply in compliance with the aims of policy.

#### - Housing Density

Policy CS26 ‘Efficient Use of Housing Land and Accessibility’ within the Core Strategy requires appropriate housing densities to ensure the efficient use of land. In this location, Policy CS31 ‘Housing in the South West’ states that, in South-West Sheffield priority will be given to safeguarding and enhancing its areas of character. As such, the scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

Policy CS26 ‘Efficient Use of Housing Land’ sets out a recommended density range of between 30-40 dwellings per hectare for a site such as this, which is within an urban area but more than 400 metres away (as you would walk rather than as the crow flies) from a District Shopping Centre or high-frequency bus route.

Taking into account the 13 dwellings already on the site, (which is approximately 0.55 hectares), added to the 4 proposed in this application gives a density of approximately 29 dwellings per hectare. This is just about within the range set out in the policy and reflects the character of the area.

As such the proposal is in accordance with Policies CS26 and CS31 of the Core Strategy.

#### - Design and Conservation

Brincliffe House is located within Nether Edge Conservation Area which is a Designated Heritage Asset. Sheffield City Council has a commitment to the conservation of the character and appearance of this area which is supported by the addition of an Article 4. The Article 4 removes the majority of permitted development rights on domestic dwellings. This is particularly to control incremental changes to the elevations of a building facing a highway or area of open space. The Nether

Edge Article 4 was served on those properties within the conservation area which were identified as buildings of townscape merit such as this application building.

The Nether Edge Conservation Area appraisal demonstrates the importance of the large villas and the historic development of the wider Brincliffe Area. Brincliffe Crescent was one of the first streets to be laid out and these were developed gradually, generally on an individual basis in contrast to the larger estates around Kenwood and Nether Edge.

The generous plot sizes are recognised within the Conservation Area appraisal. It is also recognised that the character and layout of the area has been eroded in the past with sub division of plots. Brincliffe Crescent is identified as having the spacious character of the area eroded, and the implementation of the Conservation Area aims to prevent further deterioration of these important features.

Government guidance on Conserving and Enhancing the Historic Environment states that conservation of heritage assets should be appropriate to their significance. It states that significance derives not only from the heritage asset's physical presence, but also its setting. The property is a large Gothic Revival styled property set within large grounds and, although it has the grandeur and style found commonly within the conservation area, the setting of the building within large grounds is more unique. The grounds of the site and the grandeur of the building help identify how the conservation area developed. As such, the setting, architectural merit and the historic importance the building define the significance of the heritage asset.

The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is backed up through UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building and Design Siting' which expect good quality design in keeping with the scale and character of the surrounding area.

As the site also falls within the Nether Edge Conservation Area, Policy BE16 'Development in Conservation Areas' and BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' of the UDP are relevant. These policies require high quality developments which would respect and take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, and which also seek to preserve or enhance the character of conservation areas and the cities heritage.

Chapter 12 of the NPPF(2018) requires good design, where paragraph 124 states that good design is a key aspect of sustainable development and should contribute positively for making places better for people. Paragraph 130 requires that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Paragraph 131 goes on to say that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally so long as they fit in with the overall form and layout of their surroundings.

The application seeks permission for the erection of 3 townhouses which are joined to the main building on the southern elevation. The part of the proposal has been designed as a contemporary flat roofed building, the massing of which now sits subservient to the main building, through the loss of the second floor. This allows the eaves to sit below those on the main building.

This majority of this area is currently hard stood, and with the proposed new building being set back significant from the principle front elevation (eastern elevation fronting Brincliffe Crescent), it's location, scale, massing and position are considered to respect the host building, and its setting. A light weight glazed link is proposed between the main building and the new building, with high quality natural stone proposed for the new houses. High quality detailing will be required in terms of window reveals, and this can be controlled through a condition on any approval, and the amended fenestration details allow the proposal to complement the existing building.

Permission was refused in 2017 for the erection of 3 dwellings within one building towards the eastern boundary of the site fronting onto Brincliffe Crescent. The refusal was on the grounds that the proposed building had a very wide, horizontal design approach. This was out of scale and character in the street scene, due to the proposed materials, built form, massing and detailing, as was also considered to adversely impact on the setting of the Victorian building.

Following on from intensive pre-application discussions, the design approach for the lodge building is now more in keeping with the style and proportions of a traditional gate house/lodge building. The position of the gate lodge building is on the existing area of hardstanding, with a scale of 1.5 storeys under a natural slate pitched roof, with a traditional bay, entrance porch and chimney. Whilst arguably a gate lodge may have been positioned towards the Osbourne Road entrance, its position in this application close to the Brincliffe Crescent boundary is acceptable. This amended design approach features natural stone, and its overall scale, massing and design is now considered acceptable, and does not dominate the principle elevation (eastern elevation), maintaining the general open character of the gardens, retaining much of the existing soft landscaping.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, (the conservation area in this instance), greater weight should be given to the asset's conservation. Paragraph 196 requires where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be outweighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The public benefit in this instance is the small contribution to the housing land supply.

The proposal is therefore complies to policies H14, BE5, BE16 and BE17 of the UDP, Core Strategy Policy CS74, and Paragraphs 130-131, 193-196 of the NPPF.

- Living Conditions.

In relation to the proposed developments, the closest neighbouring properties are No. 12 Brincliffe Crescent which is located to the north of the site, No. 12a and 12b Brincliffe Crescent which are located to the south of the site, the properties on the opposite side of Brincliffe Crescent (7,9 and 11) and the occupiers of the existing main building on the site.

UDP Policy H14 'Conditions on Development in Housing Areas' requires that (c) the site should not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood. Policy H5 'Flats. Bed-Sitters and Shared Housing' part (a) required that living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours. These are further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice detailed guidelines and principles for new build structures and their relationship to existing houses. These SPG guidelines include that two storey dwellings which face directly towards each other should be a minimum of 21 metres, and that rear garden lengths should be at least 10 metres, to ensure that privacy is retained. Two storey buildings should not be placed closer than 12 metres from a ground floor main habitable window to prevent adverse overbearing and overshadowing.

The 3 new dwelling houses are located to the south of the main building. These are positioned approximately 20-25 metres away from the rear boundary with 12a, and 12b Brincliffe Crescent. No. 12a and 12 b are themselves located away from this boundary and are located over 35 metres away from the proposed buildings. The proposal would not significantly impact upon natural light and outlook currently afforded to No's 12a and 12b. The windows are over 25 metres away from the boundary which is more than recommended guideline between facing windows which is considered acceptable. Roof terraces are proposed to the second floor of each of the 3 new dwellings which are accessed internally. Again, these are located over 25 metres from the boundary with No. 12a, 20 metres to the boundary with No. 12b. Whilst these roof terraces are elevated, it is not considered with these distances that they would create a level of adverse overlooking which would cause a detrimental level of overlooking to occupiers of these nearby properties.

The proposed lodge building is located approximately 7.8 metres away from the boundary to the north, closest to No. 12 Brincliffe Crescent. No. 12 itself is located away from this shared boundary with an access driveway serving the property behind at No. 10, along the boundary. It is not considered that the proposal will give rise to any unacceptable overbearing or overshadowing to occupiers of No. 12. Windows are limited to a kitchen window on the ground floor, a single window at first floor level which serves a bathroom, and a roof light serving the bedroom at high level. The bathroom window can be conditioned for obscure glazing, and as such it is not considered that the proposed lodge building will create any adverse overlooking to occupiers of No. 12. There is a distance of approximately 24.5 metres to the boundary between the proposed lodge building and the southern elevation with No. 12a. This is considered sufficient distance to ensure no adverse overbearing, overshadowing, or overlooking will be created to occupiers of No. 12A. Likewise, there is over 30 metres between the existing main Victorian building and the proposed lodge building, maintaining adequate distances to protect amenities. The

properties on the opposite side of Brincliffe Crescent are sufficient distance away from the proposal with the public highway running between them, and it is not considered that any adverse amenities issues are created to occupiers of these properties.

All other properties are sufficient distance away from the proposed building, and therefore there will be no detrimental impact on occupiers of these adjacent properties.

Both existing occupiers of the main building and immediate neighbours will inevitably see an increase in residents on the site, but the noise and disturbance generated will not be a detrimental level. Some internal alterations/modifications are required to the units where the proposed extension is intended to be located. Whilst occupiers won't enjoy the same level of outlook as currently afforded to them, the outlook remains at a reasonable level.

The site has large grounds, which will provide sufficient shared amenity space for occupiers of both the proposed and the existing units on the site, with many of the units having small private areas/balconies/terraces.

Therefore it is considered on balance that the proposed development, will not impact on the amenities of occupiers of neighbouring properties, the existing occupiers of the main house, or future occupiers of the proposed units. The scheme accords with Policies H5, and H14 of the UDP.

#### - Highways

Policy H14 'Conditions of Development in Housing Areas' (part d) requires a development to provide safe access to the highway network and provide appropriate off-street parking and not endanger pedestrians. This is reinforced through Policy H5 'Flats, Bed-Sitters and Shared Housing', which requires at part (c) there would be appropriate off-street car parking for the needs of the people living there. The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling.

The proposal includes a total of 14 parking car parking spaces within the site. The applicants have submitted a travel plan which details how more stainable methods of transport are promoted. Whilst the 14 parking spaces demonstrates a short fall from the 1-2 spaces normally required per unit, it is considered acceptable in this instance. There are also further hard surfaced areas, not formally proposed as parking spaces, and these would be potentially used during periods when further cars were present at the site. The proposal would not be considered to lead to additional on-street parking which would severely undermine local highway safety.

On this basis, the proposal would be considered to meet the relevant aspects of H14.

#### - Landscaping Issues

Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. This is supported through Policy BE6 'Landscape Design' which seeks at part (c) to integrate existing landscape features in the development including mature trees and hedges.

The conservation area appraisal states that the Nether Edge Conservation area is one of a number of residential areas that help give the City its distinctively green quality. In the general appraisal of the area the dominance of trees and wooded appearance of the area is recognised and noted as a means of softening the urban forms of the area.

The proposal seeks to remove 4 trees and undertake some pruning works, and details in the Tree Protection Plan. These are situated within the main body of the site, so have limited visual amenity to the wider public, and the landscape Officers have confirmed that the loss of the relevant trees can be tolerated.

A condition on any approval can ensure that suitable details of tree-protection plans are provided including a method statement for any construction works within the root protection zones. This includes the position of the bin storage area and cycle area which are not considered acceptable in this location so close to the retaining trees and within the root protection areas. A condition can ensure that a more appropriate location is provided.

#### - Ecology Considerations

Policy GE11 'Nature Conservation and Development' of the UDP requires development to respect and promote nature conservation.

An ecological survey has been carried out on the site recently which identifies that whilst there are protected species which forage within the site boundary, it is apparent on site that these species are not living on the site.

Overall, it is considered there are no ecological constraints on the proposed development. To ensure that the scheme achieves ecological enhancement and therefore complies with NPPF paragraph 170, conditions requiring the inclusions of mitigation measures in the final development (as recommended in the report submitted), including at least 2 bat boxes and 2 bird boxes are installed in suitable locations on trees and or within buildings within the site.

#### - Flood Risk and Drainage

The site does not fall within a high or medium risk flood zone that would affect the principle of the development, and as such does not require a Flood Risk Assessment to be carried out.

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. In this instance, any new areas if the areas of hardstanding could be constructed from a porous material, which would restrict surface water run-off, and this can be controlled through a relevant condition to any approval to ensure any alterations are to a minimum.

### - Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. The application site lies within CIL Charging Zone 3 with the charge for this development being £30 per square metre.

### RESPONSE TO REPRESENTATIONS

The majority of issues raised through the representations are discussed in the above report. Those which are not, are addressed in the section below.

- Issues with deeds, and covenants are not planning issues.
- Issues relating to noise and disturbance are an unavoidable consequence of construction. A development of this scale will need to adhere to separate Environmental Health legislation.

### SUMMARY AND RECOMMENDATION

The principle of erecting 4 additional units on the site is considered acceptable in land use policy terms and represents efficient use of land, in a sustainable location and would make a small contribution to the city's housing stock. The proposals are considered to have an acceptable impact upon the character of the immediate street scene, the host building and the surrounding conservation area. It is considered that the development would avoid any implications in highway safety terms, does not have a detrimental impact on the amenities of occupiers of neighbouring properties, or future occupiers of the proposed dwelling, and does not create any landscape or ecology issues.

Therefore planning permission is recommended for approval subject to relevant conditions.

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# Agenda Item 8c

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Case Number	18/03977/FUL (Formerly PP-07344895)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of mixed use development in two blocks (Plot A - 7-13 Storeys and Plot B - 8-24 storeys) comprising flexible commercial uses at ground floor level (Use Classes A1, A2, A3, A4, B1(a), D1 (restricted uses) and D2 (restricted uses)), and residential accommodation comprising 444 apartments, including 20 co-living cluster apartments, with associated facilities, servicing, access and landscaping
Location	Sytner Sheffield Ltd Hollis Croft And Broad Lane City Centre Sheffield S1 4BU
Date Received	22/10/2018
Team	City Centre and East
Applicant/Agent	Quod
Recommendation	Grant Conditionally Subject to Legal Agreement

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

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

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

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

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

Drawing No. 100 - Site Location Plan  
Drawing No. 103 Revision C - Proposed Site Plan  
Drawing No. 104 Revision A - Proposed Roof Plans In Context

Drawing No. 210 Revision B - Site A - Proposed Ground Floor Plan  
Drawing No. 211 Revision C - Site A - Proposed First Floor Plan  
Drawing No. 212 Revision C - Site A - Proposed 2nd to 7th Floor Plans

Drawing No. 213 Revision C - Site A - Proposed 8th Floor Plan  
Drawing No. 214 Revision C - Site A - Proposed 9th to 12th Floor Plans  
Drawing No. 215 Revision C - Site A - Proposed Roof Floor Plan

Drawing No. 216 Revision A - Site B - Proposed Ground Floor & Basement Floor Plans

Drawing No. 217 Revision A - Site B - Proposed 1st - 6th Floor Plans  
Drawing No. 218 Revision B - Site B - Proposed 7th - 9th Floor Plans  
Drawing No. 219 Revision B - Site B - Proposed 10th - 12th Floor Plans  
Drawing No. 220 Revision B - Site B - Proposed 13th Floor Plan  
Drawing No. 221 Revision B - Site B - Proposed 23rd Floor Plan  
Drawing No. 222 Revision B - Site B - Proposed Roof Plan  
Drawing No. 223 Revision B - Site B - Proposed 14th to 22nd Floors

Drawing No. 250 - Typical Studio Apt  
Drawing No. 251 - Typical 1 Bed Apt  
Drawing No. 252 - Typical 2 Bed Apt  
Drawing No. 253 - Typical Cluster Apt

Drawing No. 400 Revision C - Site A - Proposed Elevations (Sheet 1 of 2)  
Drawing No. 401 Revision C - Site A - Proposed Elevations (Sheet 2 of 2)

Drawing No. 402 Revision F - Site B - Proposed Elevations (Sheet 1 of 4)  
Drawing No. 403 Revision F - Site B - Proposed Elevations (Sheet 2 of 4)  
Drawing No. 404 Revision F - Site B - Proposed Elevations (Sheet 3 of 4)  
Drawing No. 405 Revision F - Site B - Proposed Elevations (Sheet 4 of 4)

Drawing No. 600 Revision C - Large Scale Material Detail 01  
Drawing No. 601 Revision C - Large Scale Material Detail 02  
Drawing No. 602 Revision C - Large Scale Material Detail 03  
Drawing No. 603 Revision B - Large Scale Material Detail 04  
Drawing No. 604 Revision C - Large Scale Material Detail 05  
Drawing No. 605 Revision B - Large Scale Material Detail 06  
Drawing No. 611 - Large Scale Materials Detail 07  
Drawing No. 612 Revision A - Large Scale Material Detail 08

Drawing No. 606 Revision A - Typical Window Detail 01  
Drawing No. 607 Revision A - Typical Window Details 02 and 03  
Drawing No. 608 Revision A - Typical Window Details 04 and 05  
Drawing. No. 609 Revision A - Typical Window Details 06  
Drawing. No. 610 Rev A - Typical Window Details 07  
Drawing No. 613 - Typical Window Details 08 - Site A - 8th Floor Set-Back  
Email from Richard Frudd (09/04/2019 14:58) confirming 50mm recess as part of window design.

Drawing No. 904 Revision D - Rendered Street Elevation A-A  
Drawing No. 905 Revision C - Rendered Street Elevation E-E  
Drawing No. 906 Revision C - Rendered Street Elevation C-C  
Drawing No. 907 Revision C - Rendered Street Elevation B-B  
Drawing No. 908 Revision C - Rendered Street Elevation D-D  
Drawing No. 909 Revision C - Rendered Street Elevation F-F

Reason: In order to define the permission.

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

3. No development (including demolition, construction, or other enabling, engineering or preparatory works) shall take place until a final phasing plan for all works associated with the development has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to define the permission and to assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure levy Regulations 2010 (as amended).

4. No works of demolition, construction, nor other enabling, engineering or preparatory works associated with this permission, shall take place until a Demolition Management Plan (DMP) or a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority.

The DMP / CEMP shall assist in ensuring that all such activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, and light nuisance. The DMP / CEMP shall include strategies to mitigate any residual effects from noise and vibration that cannot be managed to comply with acceptable levels at source. The DMP / CEMP shall also include details relating to the permitted working hours on site and final details of the mitigation strategy to minimise any harmful impact on air quality during the construction phase (including a fugitive dust management plan).

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

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

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

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

- a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development. 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.
- b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway; and

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

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

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

6. No phase of 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) for that particular phase, that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and no phase within the development shall be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI within the relevant phase have been fulfilled or alternative timescales agreed.

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

7. No phase of the development (except any demolition and groundworks) 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 in relation to that phase. 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. Any intrusive investigations recommended in the approved Phase I Preliminary Risk Assessment Report (Ground Investigation Report, reference 18.05.2019, dated August 2018 by Listers Geotechnical Consultants Ltd.) 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 construction of any phase (excluding demolition). 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.

10. Any remediation works recommended in the approved Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved by the Local Planning Authority prior to construction works (excluding demolition) for the relevant phase 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.

11. Notwithstanding the details on the approved plans, no above ground construction works relating in the relevant phase of development shall commence until full and final details of the building finished floor levels and the adjacent proposed footpath levels have been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development is achieved and to ensure that any changes to the proposed building levels identified on the submitted drawings (following any preparatory works etc.) can be addressed and assessed prior to any construction works commencing on site.

12. No above ground construction works relating to any building within any phase of the development commence, until details of all proposed external materials and finishes, including samples, have been submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

13. No above ground construction works relating to any building within any phase of the development shall commence, until a sample panel of the proposed material palette for that phase has been erected on the site and approved by the Local Planning Authority. The sample panel shall illustrate the colour, texture, bedding and bonding of all masonry and mortar finishes and the relationship of the proposed brickwork with the additional elements of the material palette (including the sizing and fixing of materials) for that phase. The sample panel shall be retained for verification purposes until the completion of part of such works.

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

14. The development shall be carried out in accordance with the large scale details included on the following drawings:

Drawing No. 600 Revision C - Large Scale Material Detail 01

Drawing No. 601 Revision C - Large Scale Material Detail 02

Drawing No. 602 Revision C - Large Scale Material Detail 03

Drawing No. 603 Revision B - Large Scale Material Detail 04

Drawing No. 604 Revision C - Large Scale Material Detail 05

Drawing No. 605 Revision B - Large Scale Material Detail 06

Drawing No. 611 - Large Scale Materials Detail 07

Drawing No. 612 Revision A - Large Scale Material Detail 08

Drawing No. 606 Revision A - Typical Window Detail 01

Drawing No. 607 Revision A - Typical Window Details 02 and 03

Drawing No. 608 Revision A - Typical Window Details 04 and 05

Drawing No. 609 Revision A - Typical Window Details 06

Drawing No. 610 Rev A - Typical Window Details 07

Drawing No. 613 - Typical Window Details 08 - Site A - 8th Floor Set-Back

Email from Richard Frudd (09/04/2019 14:58) confirming 50mm recess as part of window design.

If at any point it is proposed to amend / change any of the details included on the plans listed above then large scale details - at a minimum of scale 1:20 - of the proposed changes shall be submitted to and approved in writing before that part of the development is commenced. Thereafter, the works shall be carried out in accordance with the approved details.

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

15. Prior to installation, full details of any proposed external lighting associated with the buildings hereby approved shall have been submitted to and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

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

16. Prior to installation, final details of the design and layout of the public realm and hard and soft landscape spaces around / within the site shall have been submitted to and approved by the Local Planning Authority. These details shall include:
1. All proposed materials, including samples when requested;
  2. The design of any proposed planting scheme;
  3. The design of any proposed steps and ramps -
  4. The design of any new walls and boundary treatments;
  5. The design of any external landscape lighting;
  6. The design of any proposed furniture (e.g. planters, seats etc.);
  7. The design of any enclosures for the external seating area (e.g. breeze screens); and
  8. The design of the proposed roof terrace (Block B) - including any furniture and guarding requirements.

Thereafter, the public realm works shall be carried out in accordance with the approved details before occupation.

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

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

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

18. The proposed green/brown roof (vegetated roof system) shall be provided on the roof(s) in accordance with locations shown on the approved plans.

Before any foundation works in relation to the relevant building commences, full details of the specification and maintenance regime for the vegetated roof system relevant to the building shall be submitted to and approved by the Local Planning Authority. No part of the phase in which the subject building falls within shall be brought into use until the vegetated roof system has been installed and has been completed. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

19. Prior to the commencement of any above ground construction works within the relevant phase of development , or within an alternative timeframe to be agreed by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people shall have been submitted to and approved by the Local Planning Authority. The details shall include:

- The final design details for disabled people to enter the buildings within the curtilage of that phase - including the design details of ramps / treads / tactile paving / handrails etc. and final details of gradients; and
- The final design of all mobility units.

That part of the development shall not be used unless the agreed inclusive access and facilities have been provided in accordance with the approved details. Thereafter

such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300 2).

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

20. No above ground construction works relating to any phase of construction works shall commence full details of proposals for the inclusion of public art in the development shall have been submitted to and approved by the Local Planning Authority. The public art proposals shall be based on the intent / principles set out on the approved plans and shall include a timeframe for implementation across the site. The development shall be carried out in accordance with the approved details, which shall be retained thereafter.

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

21. No above ground construction 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 and frontages adjoining the site before that part of 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.

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

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

23. No building shall 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.

24. The residential units in any phase of the development 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 Traffic Management Scheme (existing or proposed) in the vicinity of the site. 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.

25. 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 pre-occupation 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.

26. No above ground construction works within the relevant phase of development shall commence until final details of the proposed resident and visitor cycle parking accommodation and facilities for that phase have been submitted to and approved by the Local Planning Authority. No part of the phase shall be brought into use until such cycle parking has been provided and, thereafter, such facilities shall be retained.

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

27. No above ground construction works within the relevant phase of development shall commence until final details of the following details have been submitted to and approved by the Local Planning Authority:

- A Servicing Management Strategy relating to the residential, ancillary and commercial accommodation (as appropriate);
- Final bin storage facilities relating to the residential, ancillary and commercial accommodation (as appropriate); and
- A Waste Management Strategy relating to the residential, ancillary and commercial accommodation (as appropriate).

No building within the relevant phase of development shall be brought into use until these facilities have been provided in accordance with the approved details and, thereafter, such facilities shall be retained.

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

28. No above ground construction work relating to any phase shall commence until a detailed Employment and Training Strategy, designed to maximise local opportunities for employment from the construction phase of development, shall have 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.

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

30. 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 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.

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

Such scheme of works shall:

- a) Be based on the findings of an approved noise survey ref 129701-AC-2v2, dated 29th November 2018 by HRS.
- b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof for each phase of development 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.

32. 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.

NB. The required Validation Testing is separate from, and in addition to, any tests required to comply with Building Regulations in relation to Approved Document E; Resistance to the passage of sound.

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

33. Before the use of each commercial unit hereby permitted is commenced, a scheme of sound attenuation works relevant to that unit shall have been installed and thereafter retained. Such a 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 restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level where measured:
  - (i) as a 15 minute LAeq, and;
  - (ii) at any one third octave band centre frequency as a 15 minute LZeq.
- c) Be capable of restricting noise breakout from the commercial use(s) to all adjoining residential accommodation to levels complying with the following:
  - (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
  - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
  - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
  - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

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

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

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

34. 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. Notwithstanding the details contained in the submitted noise survey (ref. ref 129701-AC-2v2, dated 29th November 2018 by HRS), any plant and equipment shall be designed to be -10 dB (A) below background when predicted at the nearest noise sensitive premises. 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.

35. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect local residents from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) Plans showing the location of the fume extract terminating 1m above eaves and including a low resistance cowl.
  - b) Acoustic emissions data.
  - c) Details of any filters or other odour abatement equipment.
  - d) Details of the systems required cleaning and maintenance schedule.
  - e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building).

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

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

36. Within 3 months of the commencement of any above ground works relating to any phase of the development an External Signage Strategy document relating to that phase of development shall have been submitted to and approved by the Local Planning Authority. The document shall include details of any signage and external/internal displays that are proposed to be applied to any commercial unit windows. The proposals shall thereafter be provided in accordance with the agreed strategy.

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

### **Other Compliance Conditions**

37. The cladding material to be used throughout the development shall be anodised aluminium finish with the final material specification to be agreed as part of Condition 12.
- Reason: In order to ensure an appropriate quality of development.
38. 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 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.

39. The commercial units hereby approved are authorised to be used for the following Use Classes - as set out in the Town and Country Planning Use Classes Order 1987 (as amended) - and no other use is permitted without the prior consent of the Local Planning Authority:

Use Class A1;  
Use Class A2;  
Use Class A3;  
Use Class A4;  
Use Class B1 (a);  
Use Class D1 - Crèche, Day nursery and Non-Residential Education/Training uses only; and  
Use Class D2 - Gymnasium only.

Reason: In order to define the permission and in the interests of the amenity of existing and future residents.

40. The commercial units (including outdoor seating areas) shall be used only between 0700 to 2200 Mondays to Saturdays and between the hours of 0900 to 2200 on Sundays and Public Holidays.

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

41. The glazed facades of the commercial unit hereby approved shall not be obscured by vinyl displays or be obscured by the future occupiers' internal arrangements or shop fitting layout.

Reason: In the interests of the visual amenity in order to protect the open character of the commercial unit.

42. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0700 to 2200 on Mondays to Saturdays and between the hours of 0900 to 2200 on Sundays and Public Holidays.

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

43. 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 2200 Mondays to Saturdays and between the hours of 0900 to 2200 on Sundays and Public Holidays.

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

44. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

45. No external doors or gates shall when open project over the public highway.
- Reason: In the interests of highway and pedestrian safety.
46. There shall be no internal shelving, racking systems or refrigeration units positioned in front of the glazed facades of the commercial unit windows.
- Reason: In the interests of the visual amenity in order to protect the open character of the commercial unit.

Attention is Drawn to the Following Directives:

1. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
2. With regard to Condition 3, the applicant is advised that any suitable CEMP should consider the following issues, as a minimum;
  - Standard working hours (0730 to 1800 Mon-Fri; 0800 to 1300 Saturdays; No working Sundays or Public Holidays).
  - Communications and liaison with sensitive neighbours.
  - Communications with Sheffield City Council Environmental Protection Service/Local Planning Authority regarding non-standard working hours, when essential.
  - Assessment of potentially noisy activities/phases of demolition and construction. This may include reference to existing prevailing ambient environmental noise data.
  - Adoption of low vibration piling methods, where practicable.
  - Consideration of noise (including vibration) control strategies.
  - Dust management plan, including a monitoring and response procedure.
  - Delegation of responsibilities for environmental monitoring and control procedures.
  - Controlling noise from welfare facilities and associated generators - adoption of mains power as soon as practicable; considerate siting of cabins.
  - Nuisance from security lighting
  - Specific consideration of noise impacts from mobile plant, on-site and visiting vehicles - this should include;
    - (i) Use of broadband/ white noise reversing warning when audible systems are required.
    - (ii) Suitable location and management of off-site vehicle and mobile plant compounds - so as to minimise disruption from vehicle movements; and
    - (iii) Management plan for deliveries - discouraging early arrivals; engine idling; noisy materials handling.
3. Green / brown roof specifications must include drainage layers, growing medium type and depths (minimum 75mm, but depends on system and type employed) and plant schedules. It should be designed to retain at least 60% of the annual rainfall. A minimum of 2 maintenance visits per year will be required to remove unwanted species (as is the case with normal roofs). Assistance in green roof specification can be gained from the Sheffield Green Roof Forum - contact Officers in Environmental Planning in the first instance: 2734198 / 2734196. Alternatively visit

[www.livingroofs.org](http://www.livingroofs.org) or see the Local Planning Authorities Green Roof Planning Guidance on the Council web site.

4. 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.
5. 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](mailto:stephen.turner@sheffield.gov.uk)

6. 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](mailto:james.burdett@sheffield.gov.uk)

7. 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.

8. 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

9. 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

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

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

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

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

11. The applicant is advised that the proposed new outside seating area may require a Café Pavement Licence, more details of which can be found via this link <https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/pavement-cafes.html>.
12. The applicant is advised that South Yorkshire Police recommends that the development is designed and built to Secured by Design standards. [www.securedbydesign.com](http://www.securedbydesign.com).

If Secured by Design standards are not adopted, attention and consideration should be given to the following areas:-

- Access control to the development should be carefully considered to prevent pedestrian tailgating and unlawful entry.
- All egresses on the ground floor, where possible, should be flush with the building line and designed to avoid the creation of any recesses.
- All external and individual apartments' doors and windows should meet one of the following:

PAS 24:2016  
LPS 1175 SR 2  
STS 201 or STS 202 BR2

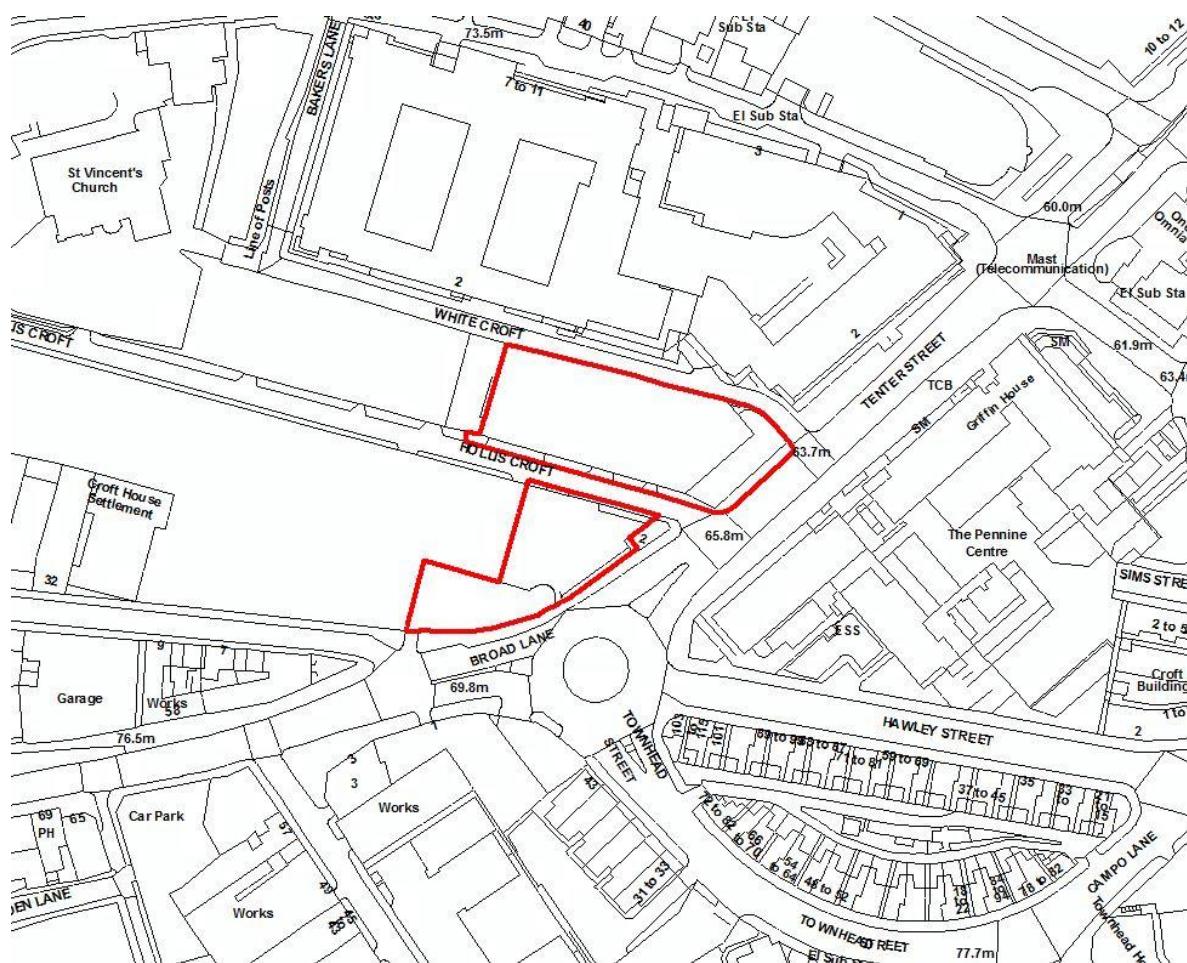
- CCTV should be installed to cover all entry and exit points, stairwells doors to each individual landings, lifts and cycle store. Such systems shall comply with the requirements of BS EN 62676: 2014.
- Any internal door that gives access to the residential floors must have an access control system.
- Lighting design should be co-ordinated with a CCTV installation and the landscape design to avoid any conflicts and to ensure that the lighting is sufficient to support a CCTV system. Vulnerable light fittings should be protected to prevent vandalism.
- Bin stores must be lockable to prevent attempted arson or thefts.
- Cycle stores should preferably be roofed or to ceiling, height with individual stands for securing the bikes. The structure of the cycle store should be open to surveillance and covered by CCTV, therefore constructed of welded mesh, grilles or other secure composites.
- Boundary treatment should meet Secured by Design standards.

13. The applicant is advised that there is known Northern Powergrid apparatus in close proximity of the application site - on all adjacent streets. Great care is therefore needed and all cables and overhead lines must be assumed to be live. It is confirmed that Northern Powergrid expects that its rights are not affected and will continue to enjoy rights of access to the apparatus for maintenance, replacement or renewal works necessary.
14. With regard to drainage matters, the applicant is advised that the SuDS Strategy L2365-REP-C-001 prepared by Pringuer-James Consulting Engineers (Report dated

15/10/2018) is acceptable to Yorkshire Water. In summary, the report states that foul water will discharge to public combined sewer and with regard to surface water, sub-soil conditions do not support the use of soakaways and the site is remote from a watercourse. Surface water will discharge to public sewer via SuDS and storage with restricted discharges equal to 70% of previous rates of discharge.

15. The applicant is advised that the public sewer network is for domestic sewage purposes. This generally means foul water for domestic purposes and, where a suitable surface water or combined sewer is available, surface water from the roofs of buildings together with surface water from paved areas of land appurtenant to those buildings. Land and highway drainage have no right of connection to the public sewer network. The developer should contact the Highway Authority with regard to the acceptability of highway drainage proposals. Highway drainage, may however be accepted under certain circumstances. In this event, a formal agreement for highway drainage discharge to public sewer, in accordance with Section 115 of the Water Industry Act 1991, will be required.
16. The applicant is reminded that no work shall commence until a Method Statement based on the document contained in Appendix 3 of the HRS Services (Bat Scoping Survey - 28/09/2018) has been carried out and the applicant is satisfied that there is no evidence of bats or bat roosts. If any bats are found prior to the demolition works then they should be correctly dealt with by a qualified ecologist.
17. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

## Site Location



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## LOCATION AND PROPOSAL

The application site comprises of two plots of previously developed land (Site A and Site B) that are situated on the north side of Broad Lane / Tenter Street in the St. Vincent's Quarter. The site was previously occupied by the Sytner BMW garage but has been vacant since the business relocated in 2018.

Site A is a rectangular parcel of land bounded by White Croft (North), Tenter Street (East), and Hollis Croft (South). This site contains a series of attached buildings including two large workshops with vehicle parking/storage space and a two-storey car showroom with vehicle display forecourt on the Tenter Street frontage. Site B is separated from Site A by Hollis Croft and is an irregular shaped parcel of land that has a prominent position on the Broad Lane roundabout. This site is characterised by a two-storey showroom / office building and vehicle parking area.

The site is situated at the bottom of Garden Street, Hollis Croft and White Croft, which are a series of steep roads within an area of Sheffield known as 'the Crofts' and lead to the Furnace Hill Conservation Area at the top. Historically an industrial part of the city, St. Vincent's is currently experiencing significant change with large new residential developments focussed upon private rented and student apartments.

In terms of the site's immediate surrounding land uses:

To the north of the Site A – on the opposite side of White Croft – is Velocity Village which is large mixed-use development containing commercial units but mainly residential apartments.

Immediately abutting the north-east corner of Site B is a small three storey rendered building with pitched roof (No.2 Broad Lane). This building lies outside the applicant's ownership and contains a ground floor sandwich shop and solicitors offices at the upper levels.

To the east of Sites A and B – on the opposite side of Tenter Street – is the HSBC office complex, which will be vacated shortly as staff move over to the new Grosvenor House development in the Heart of the City.

To the south of Site B – on the opposite side of the Broad Lane roundabout – are a variety of land uses including car garage, offices, sandwich shop and dwellings.

To the west of Sites A and B there is the Hollis Croft Student Scheme which is under construction and nearing completion. This is a large development containing over 900 student bedspaces and includes a 17 storey tower adjacent on Garden Street.

This application seeks full planning permission to demolish the existing buildings on the site and comprehensively redevelop the land into a mixed use development comprising 424 residential apartments (Use Class C3) and 20 co-living cluster apartments for the private rented sector. Ancillary facilities proposed include three small ground floor commercial units A1, A2, A3, A4, B1 (a), D1 (crèche, day nursery, non-residential education/training) and D2 (gym) uses as well as 4 disabled parking spaces on Hollis Croft, lay-bys / service bays and hard / soft landscaping.

## RELEVANT PLANNING HISTORY

The following history is directly relevant to this application:

18/03768/EIA: EIA (Environmental Impact Assessment) screening opinion for the demolition of existing buildings and erection of mixed use development comprising co-living/student accommodation and ground floor commercial units

This request was submitted by the applicant under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Following review, it was concluded that the proposed development, whilst locally important, will not have a significant additional impact on a wider scale to warrant the submission of an Environmental Statement as part of this planning application. It was concluded that the impact of the proposal could be fully assessed through the submission of technical documents as part of the planning application.

## SUMMARY OF REPRESENTATIONS

The application has been advertised by way of press and site notice and neighbour letters.

Additionally, the applicant has confirmed that they carried out a public consultation exercise prior to submitting the application (18/09/2018). This included a letter drop to every resident in the Velocity Village development.

Three individual representations have been received raising the following concerns:

- The impact of the development on the residential amenity of the units in Velocity Village, including concerns about loss of light and overshadowing.
- It is clear from the submitted Daylight and Sunlight Assessment Report that the proposed large scale development will have a substantial negative impact on the living conditions of adjacent residents. This is demonstrated by the findings of the report which states that some adjacent dwellings will achieve poor or lower VSC values, with rooms in some of these achieving values below 5% - BRE guidance states that in such cases 'it is often impossible to achieve reasonable daylight.' All windows of those buildings assessed for sunlight impact show a reduction in sunlight.
- In spite of the City Centre location, significant negative weight must be assigned due to the extensive detrimental impact that the proposals will have on the amenity and living conditions of the neighbouring residents.
- The adjacent road is very narrow so windows will be very close and include views into bedrooms.
- Visual amenity concerns.

- Adequacy of parking. There is not enough parking in the area to cater for the high density of apartments in the area that already exist.
- Traffic generation - the area is already at a standstill.
- Noise and disturbance concerns from the proposed use.
- There is concern about the lack of converse and discussion on compensation based on the residential amenity issues listed above.
- There is concern that this proposal has the potential to harm and completely sterilise the development potential of 2 Broad Lane. It is considered that the impact of the proposed development's floor plans and window arrangements facing towards 2 Broad Lane would almost entirely preclude the possibility of its redevelopment on a greater scale than its current height, thereby having the effect of sterilisation.
- Whilst acknowledging that it is not the role of the planning system to protect the private interests of one party or individual, it is argued that the proposed development does not respect the context of its setting and surroundings (specifically 2 Broad Lane) and is so contrary to Core Strategy Policy CS74 and UDP Policy BE5.
- If it is accepted that this is a 'landmark gateway' where the proposed and density is concluded to be appropriate then it is considered that the same principles should also apply to 2 Broad Lane. Indeed, if both sites were to be built together then it should be accepted that development of a scale at least equal to (or arguably greater than) the current application would be achievable on the site – thus intensifying the impact of the sterilisation.

## PLANNING ASSESSMENT

### Land Use Policy

#### National Planning Policy Framework

Core Strategy Policy CS22 relates to the scale of the requirement for new housing and sets out Sheffield's housing targets until 2026; identifying that a 5 year supply of deliverable sites will be maintained. However, the NPPF (2019) now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method

Sheffield is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF (2018, as updated in 2019) and associated Practice Guidance, further detailed work is required. We will therefore be undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing our conclusions in a monitoring report later this year. At the current time, the Council cannot therefore demonstrate a five year supply. The Council's

most recent assessment of supply, contained in the SHLAA Interim Position Paper (2017), showed a 4.5 year supply of sites.

The proposed 424 residential apartments (Use Class C3) (as well as cluster accommodation) will help contribute towards the 5 year supply.

With regard to other uses, the NPPF advises that a sequential test should be applied for main town centre uses, which are neither in an existing centre nor in accordance with an up-to-date development plan. The commercial floor space is only 220sqm and it is argued that there is a local need for small scale retail and food and drink uses to serve the expanding City Centre resident and student population. Therefore, it is not considered that a sequential test is necessary and that the proposal is acceptable in use / location terms.

#### Local Plan Policy

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

The site lies in a General Industry Area (without special industries) as designated in the UDP. UDP Policy IB5 identifies housing as unacceptable because satisfactory living conditions in industrial environments would generally not be achieved and housing could therefore prejudice the preferred existing uses.

However, Policy IB5 is out of date and no longer considered to be appropriate to the area following a change in its character that has been led by more up to date policy in the Core Strategy. Indeed, Policy CS6 (Manufacturing and the City Centre – Transition Areas) now identifies parts of the St. Vincent's Quarter where manufacturing should not be encouraged to expand and instead be encouraged to relocate to aid regeneration. This is further reinforced by Policy CS17 (City Centre Quarters) which encourages a mix of business, residential and educational uses in the St. Vincent's Area with less emphasis on industry and greater links to the University of Sheffield and the legal and professional quarter.

The application site is classed as previously developed and so positively this development will help to achieve the aims of Core Strategy Policy CS24, which seeks to maximise the use of previously developed land for new housing.

#### Emerging Policy

The new policy approach was reflected in the draft City Policies and Sites that proposed a Business Area in this location, where employment uses are promoted by limiting residential uses to no more than 40% of the total floorspace within the area. However, this designation has very limited weight and a new Local Plan, with a greater emphasis on housing provision, is under preparation.

#### St. Vincent's Action Plan (SVAP)

This Action Plan was approved by Cabinet in December 2004 with the purpose of identifying a concise route for regeneration of the area. The site is located in a Business Area in the SVAP, meaning that new development should consist predominantly of business use. It is clear that the proposal does not comply with this element of the Plan and falls short of the preferred use provision.

This document was produced in 2004, is out of date and it does not reflect the current focus for the area. The site lies adjacent to an area that has experienced a high volume of residential / student development in the recent past and so the overspill to the proposed site is considered to be a logical expansion.

For the reasons above, the proposed development is concluded to be compatible with the mix of uses being encouraged in the St. Vincent's Quarter. There is considered to be sufficient national and local policy (including emerging policy) and guidance to support the principle of the proposed land uses at this site. Therefore, it is concluded that the proposed uses are acceptable in policy terms.

#### Accommodation – Density, Mix and Type

##### Density

Core Strategy Policy CS 26 (Efficient Use of Housing Land and Accessibility) requires new housing development to make an efficient use of land but accepts that the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. At this city centre location, a minimum density of 70 dwellings per hectare is required.

The proposed development has a density well over this figure and is compliant with Policy CS 26. The high density is the result of this being a large urban development of significant scale.

##### Mix of Units

Core Strategy Policy CS 41 is concerned with creating mixed communities. Amongst other things, this seeks to ensure that no more than half of the new homes in larger developments consist of a single house type (part A) and limit shared accommodation where more than 20% of residences within 200m of the site are shared housing (part D).

In this case 220 of the units would be studio units (49.5%), 29 would be 1 bedroom units (6.5%), 175 would be 2 bedroom units (39.4%) and 21 would be 5/6 bedroomed cluster units (4.7%), which will be provided as co-living accommodation.

The proposed mix ensures that no dwelling type will make up more than half of the units in the development and despite including shared accommodation within Block B it is confirmed that this development will actually reduce the concentration within 200 metres of the site from 26.3% (including extant permissions) to 23.1%. Therefore, the proposed development is considered to be compliant with the relevant parts A and D of Policy CS 41.

## Type of Units

The proposed studio, 1 bedroom and 2 bedroom units are relatively generic in terms of their layout and size. The cluster units will be provided as co-living accommodation, meaning that they will be available to all. There are two types of shared cluster flats proposed in Block B; one flat type contains 5 studios style units, the other contains 6 studio units and each will share a communal kitchen / living / dining space. There is no co-living accommodation in Block A.

Although extant permissions exist in the city, the co-living accommodation idea – beyond dedicated student accommodation – is a relatively new concept for Sheffield but is more established in other cities (e.g. London) and other countries. The applicant has confirmed that it is envisaged that the cluster units will prove particularly attractive for recent university graduates who wish to stay in Sheffield and experience city centre living, combined with the social and financial benefits of sharing accommodation with friends. However, these same benefits could equally be enjoyed by a wide range of residents, and there will be no specific targeting or limitations imposed in this regard.

Overall, the unit mix will assist the provision of residential variety in the scheme as well as the St. Vincent's Quarter and City Centre.

## Demolition of Existing Buildings

All existing buildings within the curtilage of the application site boundary will be demolished as part of this proposal. The site contains no designated heritage assets above the ground – the existing buildings are not listed and the site is not within a conservation area. The buildings predominantly survive from the site's previous use as a car dealership and the area's historic industrial past.

The Archaeological Assessment identifies the white-rendered façade of the building on the Garden Street / Broad Lane roundabout frontage as being a building worthy of record. Originally part of a garage built between 1935 and 1950, and the facade was last used as part of the Sytner dealerships main showroom building. The Assessment recommends that a record be made of this façade prior to any demolition, however following consideration your officers do not consider that this building has such significant heritage value as to make the recommended recording necessary by condition.

Overall, it is considered that the proposed demolition will facilitate the comprehensive redevelopment of the wider site, which for the most part contains empty buildings and open frontages that provide limited activity to the street and public benefits as well as low amenity and conservation value. The replacement development, with high quality new buildings will help to create modern built-form on the land, new active frontages / facilities at street level. These will be of overall economic, social and environmental benefit to the immediate character of Broad Lane as well as the wider St. Vincent's Quarter, which is welcomed.

Therefore, subject to conditions, including protection of the environment for existing residents / workers during the actual works, it is concluded that the proposed demolition is acceptable.

### Impact on Archaeology

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

The application site lies within the Croft area of Sheffield, which was an area that saw early expansion outside the historic core of the city. Archaeological work on adjacent sites has confirmed that buried archaeological deposits of significance can survive later development.

An intrusive archaeological investigation has not been possible due to existing buildings on the site so the impact of the proposed construction ground works is unknown. However, an archaeological desk-based assessment has been produced and this indicates that it is probable that archaeological deposits lie underneath the footprint of the existing buildings and within the two external forecourt areas. Given the historic character of the area as well as the outcome of investigations on adjacent sites, it is anticipated that any archaeological remains will be of a domestic and industrial nature associated with the 18th century land uses. Indeed, historic maps indicate that it is possible that the remains will relate to cutlery works, dwellings, public houses, courts and other buildings.

In light of the anticipated remains and to mitigate the predicted loss of these deposits, the applicant's consultants recommend a series of archaeological works that would be carried out in accordance with an approved Written Scheme of Investigation. The works comprise of an initial trenching programme after demolition and further activity depending upon the outcome, including additional investigation, recording and eventual publication of the results.

The South Yorkshire Archaeology Service (SYAS) agrees with the recommendations of the desk-based assessment submitted and the further archaeology works required can be addressed by condition. Subject to this the proposal is considered to be compliant with relevant NPPF guidance and Policy BE22.

### Design Proposals

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

Core Strategy Policy CS76 (Tall Buildings in the City Centre) defines when tall buildings in the City Centre are appropriate. It is accepted that elegantly designed and appropriately sited tall buildings can create landmark structures in areas of

strategic importance. Tall towers are acceptable where they help to define identified gateway sites; mark a principle activity node or a key route; and support the vision for City Centre quarters.

## Layout

The development comprises of two separate buildings – one building (Block A) will be constructed on Site A and the other building (Block B) will be constructed on Site B. The sites are separated by Hollis Croft, which is an adopted public highway that will be retained and improved as part of this development. The new buildings have a back-edge-of-pavement position, which is a deliberate attempt to provide a strong enclosure to the streets and a defined street edge. This arrangement reflects the character of historic and new development in the area and is considered to be a necessary response; helping to maintain the existing street pattern and maximising the use of the land.

On Site A, the new building layout is simple, comprising of a roughly rectangular shape that replicates the shape of the site and the footprint of the existing buildings on the land. The proposed layout also replicates the character of the modern buildings which have been built and are currently being constructed on White Croft and Hollis Croft.

On Site B, the new building's layout again follows the shape of the site – wrapping around the land between Garden Street and Hollis Croft. The footprint maximises the land available and covers most of the site, although setbacks are proposed in order to provide relief between the new buildings and adjacent land uses. In particular, the footprint of the tower element is proposed to be set back from the boundary to create an acceptable relationship to the existing much smaller building at 2 Broad Lane, thus providing obvious space and necessary relief between the sites. Positively, the internal layout of the tower has been designed so that the main entrance to this building is accessed from an external terrace area that will be created from the ground floor space in between the front of the tower and the rear of 2 Broad Lane. This is considered to be a positive element of the scheme, giving the space a prominence and purpose rather than being an under-used and unmaintained transition space.

Pedestrian permeability is proposed around the buildings and the layout will ensure that the Council's desire to provide a pedestrian route between Garden Street, Hollis Croft and White Croft is maintained, which is welcomed. Whilst the majority of this route has already been provided by the adjacent Hollis Croft Student Scheme, the layout of Building A will facilitate the positive fulfilment of this aspiration by setting the building marginally away from the boundary to ensure a well-proportioned enclosed route and safe-feeling walkway as well as providing a commercial unit at ground floor level with the entrance on this route and bedroom windows at the higher levels in order to promote pedestrian movement, activity and surveillance.

Finally, the provision of commercial ground floor uses in other parts of the site is also supported as it provides the opportunity for greater activity in this location and vibrancy to Broad Lane and Hollis Croft. These spaces will be expressed as double height and so will create good bases for the proposed buildings.

It is concluded that the proposed layout is acceptable.

### Scale and Massing

This prominent site offers several challenges, including the need to negotiate the topography of the land and the varied character of the context, which includes 2 Broad Lane at 3 storeys and the much larger developments that exist to the north, west and east (HSBC).

It is recognised that the site provides opportunities as it is prominent underused land that is situated adjacent to busy gateway roads and is surrounded by new development. Indeed, the Sheffield City Centre Urban Design Compendium states that along Broad Lane, Tenter Street and Gibraltar Street edges, strong built form will be required to emphasise the gateway aspect of these streets. At the gateway sites of Hoyle Street, the Tenter Street roundabouts and Brook Hill/Broad Lane, it recognises the opportunity to introduce tall buildings.

In light of the above, the applicant's site specific response includes new built form that varies in scale and mass in an attempt to respond to the immediate surroundings; seeking to step appropriately with the topography and the varied context, and fulfilling the aspiration to achieve a hierarchy of spaces and tall gateway features on Broad Lane / Tenter Street.

### Block A

It is considered that Block A responds acceptably to the emerging contexts of its primary and secondary streets. The block comprises of a building that ranges between 7 and 13 storeys. The 7 storey element is situated at the eastern end of the site where the roads are secondary, topography is at its highest, and a reduced scale is required to respect the height of the adjacent buildings that vary between 5 and 7 storeys. The building steps to 9 storeys before increasing to 13 storeys on the site's Tenter Street frontage. The transition to greater height ensures that Block A has a strong presence on the primary road frontage, which already contains buildings of large scale and mass.

### Block B

This block contains the tallest buildings in the scheme ranging between 7 and 24 storeys in height. The most prominent element of Block B is the 23 / 24 storey tower sited immediately adjacent to the Tenter Street roundabout. The tower will be higher than any other existing or proposed buildings in the immediate context, responding to townscape opportunity in terms of the site's prominent location and the Urban Design Compendium's recommendation for tall buildings along this gateway route.

Although tall and very prominent, it is considered that the tower building will be well defined in its form – both locally and in the long views. This is because the tower has a slender design. It has been designed to be deliberately taller than the rest of the buildings proposed in Block B – and on adjacent sites – to give it appropriate

landmark scale. This design will be emphasised by the elevations, with the proposed arrangement of materials and windows giving a vertical emphasis to all facades.

As discussed, the additional buildings within Block B are smaller in scale and can best be described as transition buildings that allow the tower building to step down to the existing / emerging conditions on the adjacent sites.

The blocks attached to the south-west elevation of the tower reduce to a 14 storey building and then to an 8 storey building on the boundary that is shared with the Hollis Croft Student Scheme. The heights of these blocks have been amended during the period of this application at your officer's request in order to create a better transition and relationship with the student tower that is under construction immediately adjacent to the boundary on this neighbouring site. The amended proposals are considered to be appropriate, achieving building heights that are very similar to those within the student scheme and thus minimising the impact scale of the development from both a visual and general amenity perspective.

A small block is attached to the north elevation of the tower, which is 7 storeys high and this is proposed in order to bring the scale of the built form right down in order to help provide a deliberate transition between the proposed tower and 2 Broad Lane, which is positioned directly in front and holds the junction of Broad Lane / Hollis Croft.

Overall, the proposed scale and massing of the development is considered to be acceptable and suitably respectful of the surrounding buildings whilst helping to add new and varied built form to fulfil the townscape opportunities that are available. To help reach this conclusion, the proposal has been inserted into the Council's City Centre 3D Model, to allow assessment of key views.

### **Appearance and Materials**

The development will have a contemporary appearance that is well-mannered, exhibiting good architecture with a design approach that reinforces the proposed scale. All are high quality in their appearance, including interesting and crisp elevations with flat roofs set behind parapets.

The blocks have well-defined ground and top floors elements as well as verticality to avoid long slab-like forms along their length. The elevations include a clear hierarchy of fenestration that achieve good solid to void ratios.

For the very prominent tower element, its slender design is a particularly positive part of the scheme. It is suitably distinct from the other urban blocks with a legible and unique appearance that is a specific response to its location. In particular, its excellent design is achieved through a clear vertical transition from the lower urban blocks, well-defined elevations (top, mid-section and base), and an interesting grid-like fenestration arrangement with generous sizing and high quality detailing.

The main building material in the development is brick and a variety of types / colours will be used to respond to the immediate context (i.e. adjacent buildings) and divide the blocks into distinct elements rather than a single monotonous building.

The proposed brick colours include red, grey, brown and will be secured by condition.

Other materials will be used to enhance the architecture of key specific elements of the blocks. For example, Block A's Tenter Street frontage includes cast concrete framing in order to enhance the elevations and make it appear intentionally different to the rest of the block, aligning it with the design of the adjacent Velocity Village. On Block B, the tower's elevations will be enhanced through the inclusion of slender anodised aluminium panels. The window and external door frames throughout the development will be constructed from aluminium and of dark grey colour.

The success of the proposed architecture will be dependent upon the quality of the detailing. The development is committed to achieving high quality details, including deep window reveals (i.e. 200mm), which is welcomed. These details have been submitted during the application and will be secured by condition in order to ensure the quality is implemented and future dilution in this quality prevented.

Overall, for the reasons above, the proposals are considered to be acceptable from an urban design and architectural perspective and compliant with the relevant policies BE5, IB9, CS74 and 76.

#### General Amenity

UDP Policy H15 (Design of New Housing Developments) expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met.

UDP Policy IB9 (Conditions on Development in Industry and Business Areas), part (b), states that development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

Core Strategy Policy CS 17 (City Centre Quarters) defines the roles of the different 'quarters' and acknowledges that there are a number of manufacturing companies in the St. Vincent's Quarter that require sensitive attention.

#### Impact on Future Residents

#### Outlook

The proposed outlook is considered to be acceptable for a high density urban apartment scheme. The development includes large clear openings to all habitable rooms and the layout is such that each unit has habitable room windows on the external envelope of the building with outlook outwards across adjacent streets and/or neighbouring land.

#### Amenity Space

Internally, it is proposed to include communal amenity areas in Blocks A and B. The plans indicate that each block will include communal lounges, games tables, laundry

rooms, cinema, gym and a private dining / lounge room. These facilities will be available to all residents and help to create a sense of community. They will predominantly be positioned at the lower floor levels of the building although the gym, private lounge and cinema are proposed to be situated at the top floor of the tower element of Block B (Floor 23). It is also proposed to provide an external roof terrace area at Floor 23 and this is the only outdoor space proposed in the development.

The type and extent of amenity space proposed in this development is considered to be appropriate for this type of development in a dense urban setting. It is acknowledged that the character of the site and surrounding streets (i.e. shape, size and width) do not offer the opportunity to provide extensive areas of on-site external facilities.

Officers have encouraged inclusion of private or communal balconies across the development during design discussions with the applicant but these have not been included within the final design. Whilst unfortunate and regarded as a missed opportunity in both visual and residential amenity terms, the omission of balconies is not considered to be a sufficient reason to resist this application.

The central location of the site means that residents will have extremely good access to the many leisure / social / outdoor amenity facilities that the City Centre provides as well as good public transport links to other options situated further away.

#### Noise Environment

A Noise Assessment has been submitted with the application, which confirms that there are no significant issues regarding the prevailing noise climate in the vicinity of the development site.

The Environmental Protection Service has confirmed that the report is satisfactory, subject to a suite of standard conditions to ensure that the development is built to achieve specified noise levels.

The Noise Assessment recommends that any mounted plant and equipment be designed as to not exceed background noise levels. It is confirmed that this is not acceptable. Instead, it is recommended new equipment be designed to be 10dB(A) below the background at the nearest noise sensitive premises. This is to ensure that the new noise is less than and not equal to the background noise and cumulatively making the environment worse. This will be secured by condition.

The area is increasingly characterised by residential development and the proposed buildings are now overlooked on either side by occupied residential uses in close proximity. The scale of the development proposed is such that a dedicated Construction Environmental Management Plan is required. Agreed by condition, it is expected that this considers a variety of demolition and construction phase impacts.

Subject to the above, it is concluded that the application is compliant with UDP Policies H15 and IB9 in terms of the proposed amenity environment for future residents.

## Impact on Existing Residents

The proposal seeks to introduce new built form on a site has historically contained low rise buildings. Therefore, it must be acknowledged that the proposed development will have an impact on the amenity of the uses that overlook the site.

### Outlook / Privacy

#### Impact on Velocity Village

On Block A, it is confirmed that the outlook distances between the new White Croft elevation and the Velocity Village development – immediately opposite – will range between approximately 10.2m at the highest point on White Croft increasing to 14.4m on the corner of Tenter Street. The building line of the new building has been drawn back from White Croft and the existing building arrangement by approximately 2.5 metres in an attempt to improve the relationship with the building opposite.

The existing Velocity elevation is heavily dominated by large glazed openings serving non-habitable corridor walkways at the shortest distance (10.2m) and residential apartments (including some external balconies), commercial premises and communal staircases along the rest of the elevation (11.8m – 14.4m).

Given the existing site's character, there is no doubt that there will be a reduction in privacy for the residents of the apartments who experience the current arrangement on White Croft, i.e. low rise commercial buildings and no residential windows immediately opposite. However in amenity and townscape terms, it is considered that this outlook is currently quite poor and not a long term option for the site or area. The buildings on site are vacant and have limited visual amenity value.

It is considered that the privacy distances achieved between the existing and proposed units are acceptable for a dense City Centre living environment where back-edge-of-footpath development is necessary to retain the townscape character. The relationship proposed is not uncommon in the St. Vincent's Quarter or other City Centre locations where facing residential windows at close-proximity have been judged to be acceptable in amenity terms. It is the case that residents cannot expect to enjoy the same levels of privacy as more out-lying or suburban environments. Indeed, it is considered that the siting and relationship to White Croft is very similar to the position of the new buildings that were approved in 2017 and currently being built on the adjacent site to the east, albeit greater in height.

It is considered that residents could have reasonably anticipated redevelopment of the site in the future given the city centre location where high density development is replacing older commercial / industrial land-uses and their generally low-rise buildings.

#### Impact on Hollis Croft Student Scheme

Proposed Blocks A and B will both be situated immediately adjacent to the new Hollis Croft Student Scheme that is currently nearing completion on land to the west.

This development includes large buildings on the shared boundary that all have new windows – including student bedrooms – overlooking the application site.

On Building A, the outlook distance between the apartment windows in the new and proposed development will be approximately 8.7m. There are no privacy issues resulting from this relationship because of the design intention to include angled windows to the studio apartments on the west facing elevation of the new building. The privacy distance across Hollis Croft between Block A and another part of the student scheme on the opposite side of the road is 12.2m, which is acceptable for the reasons discussed previously.

On Building B, the shape of the site means that the building will wrap around the eastern end of the student scheme and the key privacy relationship to address is that created by the 24 storey tower element which has habitable windows on its west facing elevation. The plans indicate that the proposed privacy distance will be approximately 11.8m, which is considered to be acceptable for the urban location. It is the case that there are parts of the building that will be positioned closer to the adjacent site but the internal layout of the development and arrangement of windows are such that privacy will be maintained.

#### Impact on 2 Broad Lane

There are no windows in the rear elevation of this property that would be overlooked by the new buildings. Furthermore, this building contains no residential accommodation.

Overall, the proposed relationship is concluded to be acceptable. It is recognised that some degree of overlooking will occur between the various buildings but it is this unavoidable due to the relationship of the site and, most notably, the position of student windows on the shared boundary overlooking the site on multiple levels. However, this relationship is not considered to be a reason to refuse the current application - the overlooking impact will be mutual and the proposed design will ensure that separation distances will be achieved which are acceptable and consistent with those achieved elsewhere across the site and the city centre in general.

Finally, it is noted that the windows on the adjacent scheme were proposed by the developer and granted planning permission in full knowledge of the redevelopment potential of the application site and the inclusion of a large tower building on part of the site. Indeed, this potential relationship was fully addressed and the impact discussed in the planning committee report.

For the reasons set out above, it is concluded that the impact on the privacy of existing residents in Velocity Village and future residents of the Hollis Croft Student Scheme is outweighed by the benefits of the proposal and not so harmful that permission should be refused on amenity grounds.

#### Daylighting and Sunlighting

NPPF paragraph 123 (c) states that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework. When considering applications for housing, authorities are told to take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, provided that the resulting scheme would provide acceptable living standards.

Whilst we do not have a specific policy for assessing the acceptability of daylight and sunlight, it is considered reasonable to use the BRE assessment method. Where a new development can block light to existing homes, the BRE's daylight assessment is based around the Vertical Sky Component (VSC) within or without the development. This sets out a number of parameters and is a measure of the amount of sky visible. A window that achieves 27% or more is considered to provide reasonable levels of light whilst lower percentages are considered to be less adequate. Indeed, it is confirmed that for a window achieving less than 5% VSC it will be often be impossible to achieve reasonable daylight, even if the whole window wall is glazed.

Overshadowing (or loss of sunlight) is analysed using Annual Probable Sunlight Hours (APSH). This is a measure of how much sunlight the window can receive with or without the new development. Guidance recommends that critical internal areas, i.e. rooms where sunlight is expected should receive, at least 25% of the APSH. Furthermore, at least 5% should be received during the winter months (21st September and 21st March).

In order to assess the impact on surrounding living standards, a Daylight and Sunlight Impact Sensitivity Test has been submitted to demonstrate the impact of the proposed development on the existing buildings on the adjacent Hollis Croft Student Scheme and Velocity Village. The assessment takes two parts:

- 1) A Daylight and Sunlight Assessment Report (original assessment) – comprising of a detailed assessment to determine the expected levels of daylight and sunlight created by the development and the shading impacts upon immediately surrounding buildings. The assessment has been undertaken in accordance with relevant BRE good practice guidance and includes recommendations for daylight and sunlight access and respective calculation methods.
- 2) A Summary Report – Daylight and Sunlight Impact Sensitivity Test (summary assessment) – has been produced at the request of your officers to demonstrate the impact of a smaller and more uniform development on the application site, and allow a comparison with the original assessment to take place. The summary assessment replicates the approach adopted within the original assessment and is based on an 8 storey building on Plot A and a 9 storey building on Plot B.

When read individually or together, it is clear that both assessments demonstrate that new buildings on the application site will have a negative impact on the amount of daylight and sunlight levels currently being experienced by a proportion of the residential windows in close proximity of the site. The greatest effect on sunlight and daylight will be on the units in the east elevations of the buildings in the new Hollis

Croft Student Scheme and those in the south facing elevation of Velocity Village, as described below:

#### Impact on Hollis Croft Student Scheme

On daylight, the reports identify 179 windows across three building elevations in the adjacent student scheme that need to be assessed. Although there are more windows on these elevations, it is explained that these have been discounted from the assessment for a number of justified reasons. In total, it is confirmed that 57 windows will not achieve the 27% benchmark “Vertical Sky Component” (VSC) as a consequence of the proposed development. This equates to approximately 32% of the windows assessed and it is confirmed that there is a significant variation in the failed VSC levels, with many being at or around the benchmark figure – especially those at the higher levels. Only one window will fall below the 5% VSC value threshold.

In comparison, the summary assessment confirms that a development of reduced scale would result in 52 of the windows (29%) falling below the VSC target threshold. It is expected that the improvements would occur to windows at the higher levels.

On sunlight, the original report identifies that 78 (43.6%) of the windows assessed will not achieve the Annual Probable Sunlight Hours (APSH) values expected during the summer months with the proposed development in-situ on the adjacent site. This will reduce to 55 windows (30.7%) during the winter months.

In comparison, the summary assessment confirms that a development of reduced scale would result in 46 (36.7%) windows in summer and 19 (10.7%) windows in winter falling below the APSH target value.

Clearly, the proposed development will have an impact on a large number of windows in the east elevations of the student scheme. However, it is considered that the summary assessment demonstrates that impact from any meaningful development on this prominent gateway site – including a scheme of lower height – would be unavoidable given the position of the windows across multiple floors and directly overlooking the application site within close proximity of the boundary. The greatest impact occurs on the student development but again it is referenced that windows were proposed by the developer and granted planning permission in full knowledge of the redevelopment potential of the application site and the opportunity for large buildings on part of it. Indeed, this potential relationship was fully addressed and the impact discussed in the planning committee report at that time. Thus, it is considered that this should be given weight as part of the acceptance of the proposed relationship. Furthermore, it is considered that the relationship is similar to that created elsewhere across the Hollis Croft student scheme between its own buildings and courtyards.

#### Impact on Velocity Village

On daylight, the assessments identify 86 existing windows on the south facing White Croft elevation of Velocity Village. Again, other windows have been discounted for justified reasons, including windows constrained by balconies. In total, the

assessments confirm that 42 (49%) windows will not achieve the 27% benchmark VSC value.

In comparison, the summary assessment confirms that a uniform development of reduced scale would also affect 42 windows.

On sunlight, the original assessment identifies that 22 (26%) will not achieve the APSH values expected during the summer months and 53 (63%) in the winter. The comparison summary assessment indicates that 18 windows (21%) will fall below the target value in summer and 53 windows (62%) in winter.

### Impact on 2 Broad Lane

There are no windows in the rear elevation of this property that would be overshadowed by the new buildings. Furthermore, it is confirmed that this building contains no residential accommodation.

Given the impacts described above, it is concluded that the loss of sunlight and daylight to existing residential accommodation will impact on the amenity of some residents. The loss of sunlight and shading to the adjacent properties identified is a clear negative impact of the proposal.

However, the impact on sunlight and overshadowing is a consequence of high density city living, which is one of the city's key planning objectives and brings wider sustainability benefits. This includes re-developing vacant / underused brownfield land, regenerating City Centre Quarters and minimising the development of greenfield sites. Whilst the impacts are acknowledged, it must be recognised that this is not a suburban location and that if the impact on sunlight/overshadowing were to be given too much weight in a City Centre location it would lead to development on some streets being significantly lower on one side in order to avoid blocking sunlight to properties on the opposite side. This would significantly undermine objectives of ensuring that development responds to its context and potentially make the development of land unviable.

Both assessments demonstrate that development on the application site will have the greatest impact on the east elevations of the student scheme and the bedroom units they contain. However, it is considered that such an impact would be unavoidable given the position of these existing windows directly facing the application site within close proximity of the boundary and across multiple levels. Furthermore, it is considered that the relationship is similar to that created elsewhere across the student scheme between its own buildings and courtyards. Whilst the protection of amenity is always sought, it is considered that refusal on such grounds would significantly sterilise this prominent gateway site to the detriment of the city's townscape and housing requirements.

Therefore, on balance, it is concluded that the impact on the daylight and sunlight for existing residential windows identified is outweighed by the benefits of the proposal and not so harmful that permission should be refused on amenity grounds.

### Highway Matters

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

UDP Policy BE9 (Design for Vehicles) expects developments to provide a safe, efficient and environmentally acceptable site layout for all vehicles (including cycles) and pedestrians.

The NPPF encourages development in sustainable locations and to make the fullest possible use of public transport, walking and cycling. The site is considered to be in a highly sustainable location, positioned in the city centre within walking or cycling distance of all of its Quarters – including St. Vincent's, Kelham Island, Cathedral and Heart of the City – meaning that there are a wide range of local services, facilities and commercial activities close to the site.

### Highway Arrangement

Access to the site will be from the existing highway network, which will not change significantly as a result of this development apart from some minor alterations to accommodate new facilities, including 4 disabled car parking spaces on White Croft and new service / drop-off bays on White Croft and Hollis Croft. The provision and design of these facilities are acceptable from a highway point of view. A service / drop-off bay on Tenter Street has been removed during the application period because of concerns about its potential conflict with the adjacent pedestrian crossing and the possibility of large service vehicles obscuring the traffic lights for oncoming traffic.

The width of the proposed pedestrian footways around the site is considered to be acceptable and they will be upgraded and resurfaced to the required material palette. This will improve the quality of the environment from a pedestrian comfort and visual amenity perspective. The final details will be secured by condition.

### Transport Environment

The application site is in a sustainable location with the city centre easily accessed on foot or bike and it is also within close proximity of public transport services. For example, there are high frequency bus and tram stops close to the site with the nearest approximately 5 minutes away on West Street and Church Street.

The Transport Statement confirms that the proposed development will be supported by a Travel Plan with measures and recommendations to ensure that this major development encourages and prioritises sustainable travel in order to reduce its impact on the surrounding highway network in terms of parking demand and congestion.

Finally, strategies in relation to servicing, waste management and emergency service provision are reserved by condition.

### Car and Cycle Parking Provision

No car parking provision is proposed for occupiers of the development largely due to the difficulty and cost of accommodating car parking at ground or below ground level owing to the characteristics of the site.

Whilst car-free developments can be accepted and justified in the City Centre, there are known car parking pressures in the area resulting from increased new resident and commuter car parking, in part because there is not currently a Controlled Parking Zone (CPZ) in the St. Vincent's or Kelham Island Quarters. The Council's current policy seeks to restrict parking provision in the City Centre to encourage a modal shift away from private car use and thus prevent city centre traffic congestion. However, there is the potential that the non-provision of in curtilage parking could increase the demand for parking spaces on the local highway or within formal / informal car parks – thus impacting negatively on existing residents and businesses that use these spaces and may be displaced by the competition of the additional users.

In order to achieve a reduction in private car trips, it is considered that parking controls on the highway in St. Vincent's are essential and so a CPZ is proposed for the Quarter, to be consulted on and implemented in the near future. The CPZ includes the highway network around the application site and it will be a scheme that is intended to control on-street parking for all users.

Given the 'car free' nature of this proposal, the proposed development needs to contribute towards the implementation of the CPZ scheme, as per other recent large scale developments in the in the St. Vincent's Quarter. Following successful discussions, the applicant has indicated their agreement to pay a financial contribution of £60,007.36 through the completion of a S106 legal agreement.

This commitment is welcomed and the requirement justified on the basis that it meets the tests in paragraph 56 of the NPPF because:

- a) It is necessary to make the development acceptable in planning terms;
- b) It is directly related to the development; and
- c) It is fairly and reasonably related in scale and kind to the development.

In light of the above your officer's concerns about the consequent displacement of parking demand onto the highway has been allayed. A parking scheme will reduce adverse impact of the development on the local highway by eliminating long stay resident car parking options, discouraging commuter car parking and, as a consequence, reducing the number of vehicle movements in the area. 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 any existing of new CPZ.

Finally, it is confirmed that Secure cycle parking stores are provided across the development in three individual cycle stores; 1no. cycle store at ground floor level in

Building B and 2no. cycle stores at ground floor level in Building A. These will provide parking for 80 bikes in total. It is confirmed that the location and quantity is adequate to serve each building. The development and final design of these facilities will be secured by condition.

For the reasons above, it is concluded that the proposed highway environment that will be generated by this development is acceptable.

#### Microclimate

A full wind study has been submitted to determine the impact of the development on the wind microclimate. The study follows the results of a desk study which was originally submitted with the application and presented in a semi-quantitative report. However, despite indicating that a wind discomfort or distress would be unlikely, your officers have requested the full study in order to provide further reassurance. This overall analysis – which includes a 3D simulation model – determines that the proposed development presents no concern for pedestrian safety with respect to the relevant assessment criteria (Lawson criteria). Therefore, no further assessment or mitigation is considered necessary.

#### Disabled Access

Mobility housing provision for residential development (Use Class C3) has been superseded by the Technical Housing Standards (2015), which removed the requirement for mobility housing from the planning process in cases where Local Authorities had no up to date relevant policy in place, as is the case in Sheffield.

However, it remains necessary to provide accessible flats in the shared accommodation (e.g. student accommodation, co-living flats etc.). Therefore, the proposal includes 1 accessible bedroom in each of the 5 bedroom cluster flats - resulting in 7 overall. This provision equates to approximately 6.2% of the cluster bedrooms proposed in the entire development, which are intended to be provided on occupation. This level of provision is considered to be acceptable.

There will be 4 accessible car parking spaces provided on White Croft between Block A and Block B. These spaces will be provided within the public highway and so will be available to the general public as well as future residents of the development. Whilst dedicated disabled car parking for the sole use by future residents would have been the preferred option, this was not feasible or due to the character of the application site and the design of the development. It is considered that the 4 spaces, as proposed, represent the best solution available in this circumstance.

Finally, all buildings and approaches will benefit from level access. It is expected that all building entrances (including door widths), crossings, ramps, steps, footways etc. be designed to current standards.

It is concluded that the development will provide an inclusive environment for future users.

#### Landscaping

UDP Policy BE6 (Landscape Design) expects good quality landscape design in all new developments and refurbishment schemes. The landscaping proposals are limited because of the back edge of pavement arrangement of the buildings and the small amount of space that this leaves. The main landscaping elements are shrub planting, tree planting and various hard paving designs. Furthermore, there is also proposed to be a roof garden at Level 07 on Block A for resident use.

Given the city centre position in a dense setting and the nature of the development, the landscape proposals are considered to be acceptable, compliant with Policy BE6.

#### Public Art

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

It is intended to provide public art as part of this development. Following discussions with your officers, an area of Building A's ground floor elevation on to Hollis Croft (southern elevation) and White Croft (west elevation) has been identified as an area where public art will be incorporated. No detail proposal or strategy has been submitted as part of this stage but it is intended that the final designs be focussed around the building's architecture / fabric and possibly linked to the history of the site/area.

The commitment is welcomed and a condition is recommended to ensure that an appropriate project is successfully integrated into the completed scheme. It is expected that the final design be created through consultation with the Council's Public Art Officer in order to ensure full compliance with Policy BE12.

#### Sustainability

The NPPF advises that there is a presumption in favour of sustainable development. This comprises of three dimensions that must be considered together, including an economic role, a social role and an environmental role.

In economic terms, the application will re-use brownfield land containing vacant buildings. The redevelopment will deliver economic regeneration on the site and employment will be created as part of the construction works and operational roles associated with the management of the facility – the application form states 30 jobs. Furthermore, the applicant has confirmed that they will promote employment and skills in the city by supporting local employment initiatives as part of the development. This is welcomed and so a condition is proposed to secure an appropriate employment and training strategy.

In social terms, the scheme provides a varied mix of apartment accommodation that will appeal to a variety of potential occupiers. Also, the co-living accommodation will potentially meet some housing needs for graduates and young professionals. As the site is conveniently located close to a wide range of services and facilities

development in this location will ensure that residents' social and community need are well catered for.

In environmental terms, the proposal will replace vacant commercial and industrial buildings with high quality residential development that will enhance the built environment on a busy city centre route and support the provision of high density development in City Centre. The site is sustainably located with easy access to services and sustainable transport which will help to contribute towards moving to a low carbon economy. The development will regenerate a brownfield site and will be resilient to climate change as it lies within a low risk flood zone.

Core Strategy Policy CS 65 seeks to deliver renewable energy capacity in the city. All new developments over 500m<sup>2</sup> are required to provide 10% of their predicted energy needs from decentralised and renewable or low carbon energy sources unless this can be shown to not be feasible and viable.

The submitted Energy Strategy contains details of the proposed energy efficiency measures for the development. It explains that consideration is being given to the possibility of connecting to Veolia's District Heating System (DHS) network, which is welcomed but it is confirmed that the pipes for this network are not located adjacent to the site and so any proposed connection requires an extension. Therefore, the feasibility of connection needs to be investigated further by the applicants and the Energy Statement acknowledges this. This option may not be possible because Veolia has indicated in its consultation response for this application that likelihood of success for extending the network is "low to medium".

In light of the above, if the DHS is not a feasible option, it is confirmed that renewable technology will be achieved through a Combined Heat and Power (CHP) system instead. The CHP system is most likely to be a central plant source that will serve the site and cover the heat demand for the development. In either case, it is confirmed that a minimum of 10% of the development's total energy needs will be provided from decentralised renewable or low carbon energy, as required by Policy CS 65.

Furthermore, the Energy Strategy confirms that the buildings will include the provision of enhanced insulation for walls, floors, roofs and windows, as well as a design air leakage rate that is 50% lower than the regulatory limit. Additionally, the building services systems are proposed to incorporate a range of measures that will reduce energy consumption.

Finally, Green roofs are encouraged by Core Strategy Policy CS64 because they can help to attenuate surface water run-off, help to reduce heating in urban areas and improve biodiversity. It is confirmed that the proposals indicate that potential vegetated roof systems will be incorporated into the development on most of the roof areas of Blocks A and B, which is a welcomed part of the proposed design. The final design of the system and extent of will be agreed by condition.

Overall, the scheme is considered to represent sustainable development and meets the expectations of Policies CS64 and CS65, subject to conditions securing the final proposed details.

## Ecology

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

A Bat Scoping Survey has been carried out using current best practice measures and is satisfactory. It confirms that there is no evidence of bats using the buildings as a roost site and, therefore, there are considered to be no ecological constraints on the proposed development.

In accordance with the precautionary approach in respect of European Protect Species, the Survey recommends a suitable Ecological Method Statement that should be implemented prior to the commencement of / during the demolition activities. The expectation to follow this recommendation will be secured by condition.

In order to enhance biodiversity across the new development, a condition is proposed that will secure bat/bird boxes across development to provide nesting provision for a range of species. This is consistent with the recommendations of the Bat Scoping Survey.

Overall, it is concluded that the information submitted provides a competent evaluation of the environment and makes sensible suggestions in line with current ecological best practice. It is concluded that the proposal will be in compliance with Policy GE11.

## Flood Risk and Land Drainage

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

A Sustainable Drainage Systems (SUDS) Strategy accompanies this application. The site is identified as being situated in a fully developed area, 678m from the nearest open watercourse (River Don), and within Flood Zone 1 meaning that it is in an area of low flood risk where residential development is acceptable.

With regard to proposed SUDS techniques, the Strategy assesses all potential SUDS techniques and determines that there are a limited number of suitable options that can be used for the development due to the size of the development footprint. Therefore, the Strategy proposes the inclusion of Green Roofs and Attenuation Storage.

Given the limited SUDS options available, it is proposed to provide separate systems of surface and foul water drainage on site will drain to the existing public sewers

within the local highway network. The report proposes that detailed site survey is undertaken post-planning to establish further information about the drainage infrastructure – including catchment areas, pipe sizes, sloped and discharge points. The existing site discharge rate would then be reduced by 30% from the existing 1-in-1 year discharge rate for each outfall connection, in accordance with local guidance and Yorkshire Water requirements.

The proposed means of drainage will enhance the site's current drainage rates, thus not increasing the flood risk downstream and meeting the requirement for betterment to the existing sewerage network.

In light of the above Yorkshire Water and the Lead Local Flood Authority have confirmed the proposed drainage strategy is acceptable and in compliance with the relevant policies listed.

#### Contaminated Land

An acceptable Phase I Desktop Study has been submitted with the application. It is recommended that further gas monitoring be carried out and a supplementary ground gas report submitted to the Local Planning Authority for approval. Conditions are recommended to deal with this issue.

#### Affordable Housing

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

The Community Infrastructure Levy and Planning Obligations Supplementary Planning Document, was adopted in December 2015 (Policy GAH2) and identifies the site as being within the 'City Centre' Affordable Housing Market Area where no contribution is required.

#### Community Infrastructure Levy (CIL)

The development is CIL liable and the application site lies within CIL Charging Zone 4 where the expected charge for this development will be £50 per square metre.

### RESPONSE TO REPRESENTATIONS

It is considered that the planning issues raised in the objection representations received and relating to the development's impact on residential amenity, daylight/sunlight, visual amenity, traffic, and noise / disturbance have been addressed in this report.

The issue of compensation resulting from residential amenity impact is not considered to be a planning matter.

#### Relationship / Impact on 2 Broad Lane

The relationship to 2 Broad Lane has been addressed and justified throughout this report. For the avoidance of doubt it is considered appropriate to clarify a number of points in order to fully address the objection received.

2 Broad Lane is a small vernacular building that is currently occupied by two businesses and under a separate ownership to the application site. It is not a listed building but clearly a structure that dates back to the area's historic built form and former industrial character. At three storeys high with a pitched roof, it has a prominent forward position on Broad Lane but has now been surrounded by new much larger scale development that has been or is currently being built on nearby sites over recent years.

The property has a small and restricted curtilage that is no bigger than the footprint of the building. Therefore, there is no external space available to help provide separation to adjacent sites and land uses; the building is immediately bounded by Tenter Street and Hollis Croft to its front (East facing) and side (North) boundaries and the application site to its rear (West facing).

There is no doubt that the existence of 2 Broad Lane in such close proximity and of such a small scale has created a significant challenge for the proposed development. We have been advised that discussion has occurred between the two parties at an early stage of the design process but the outcome is unclear. What we do know, is that the building has remained outside the scope of this application and so the proposals being designed / assessed by Officers are on the basis of the existing circumstance.

As described in the assessment above, it is considered that the development has an acceptable relationship with all surrounding buildings and land uses, including 2 Broad Lane. Whilst recognising that there are some shortfalls, it is not considered that these are so significant to warrant the refusal of this application given the dense urban setting and character of the context.

It is always the case that different site circumstances could result in different / improved outcomes. Indeed, it is acknowledged that if the 2 Broad Lane was part of the application site then it could have been included, refurbished or possibly replaced as part of the scheme. Alternatively, if its curtilage was not so restricted and external space was available then the transition of scale between the existing / proposed buildings could have been handled differently with, potentially, improved separation and opportunities. However, these circumstances do not exist and your officers are confident that the relationship ultimately achieved is an acceptable solution given the actual site constraints.

It is noted that significant concern has been raised about the negative impact of this new application on any future re-development proposals of the site of 2 Broad Lane and the potential of it completely sterilising it.

Whilst acknowledged that 2 Broad Lane holds a prominent corner position on Broad Lane / Hollis Croft, it is not considered that the site is large enough to be able to accommodate a building with a scale that is equal to the buildings proposed on the application site. Without prejudice, it is considered that the site restrictions are such that it would be very difficult to be able to accommodate a standalone multi-storey building including all of the infrastructure required to make it function – including lifts, stairs, plant / equipment, bin storage etc.

It is acknowledged that a building of greater scale could possibly be achieved on the site of 2 Broad Lane if it were to be included within the application site. However, this is not the case and the application before has to be considered.

Overall, it is accepted that this development does not complement the historic scale and character of 2 Broad Lane. Nevertheless the relationship is considered to be acceptable. Furthermore, it is considered that the continued existence of this un-listed building immediately adjacent to the development should not hold such weight as to prejudice the comprehensive re-development of the application site in the manner desired by the applicant. The site represents a sizeable portion of the townscape in a prominent location and it will be a high quality development that includes many new urban dwellings. Ultimately, it is considered that insistence upon a building that wholly complements 2 Broad Lane would result in a development that is not in-keeping with the rest of the built-form that is now emerging on Tenter Street/ Broad Lane, which are primary street frontages.

## SUMMARY AND RECOMMENDATION

The redevelopment of this vacant site is welcomed; providing a brand new use that will significantly enhance its appearance and prominence adjacent to a primary route leading into/out of the City Centre.

For the reasons set out above, it is concluded that the development – which includes a tall 24 storey tower at its heart - is acceptable in planning terms. The proposal is compliant with land use policies and it will provide new residential accommodation that is considered to be acceptable for future and adjoining residents.

The design of the development – including its large scale, mass and appearance – is considered to be appropriate, being contemporary and high quality. A significant degree of design work has evolved in order to ensure that the arrangement and design of the buildings are suitably well-mannered and respectful of the varied site surroundings.

The commitment to provide a financial contribution towards the implementation of a Controlled Parking Zone traffic management scheme is regarded as a positive element of the scheme, which will ensure that the development does not harm the local highway environment.

The negative aspects of the development in terms of the daylight and sunlight impacts have been explained and the overshadowing issues acknowledged. It is concluded that any concerns are outweighed by the overall benefits of the proposal.

The scheme complies with other policy requirements in relation to sustainability, flood risk and drainage, ecology and environmental matters (including micro-climate).

Finally, the applicant has agreed to a condition to secure an employment and training strategy, thus ensuring that the development will support local employment initiatives.

In light of the above, and notwithstanding the objections received, it is concluded that the proposals are acceptable and in broad compliance with the Local Development Plan and the National Planning Policy Framework. Therefore, it is recommended that the Members of the Planning Committee approve the application, subject to the listed conditions and to the completion of a legal agreement to secure the following Heads of Terms.

#### **HEADS OF TERMS**

1. To pay a financial contribution of £60,007.36 to the Council towards the St. Vincent's Traffic Management Works.

Case Number	18/03869/FUL (Formerly PP-07329658)
Application Type	Full Planning Application
Proposal	Erection of 27 dwellinghouses including provision of access, associated parking and landscaping works (As per amended drawings received on the 28 February 2019, 19 March 2019 and 21 March 2019)
Location	Land At The Rear Of 13 And 42 Coppice Close Sheffield S36 1LS
Date Received	15/10/2018
Team	West and North
Applicant/Agent	ELG Planning
Recommendation	Grant Conditionally Subject to Legal Agreement

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

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

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

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

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

- 0624-EA-A-P102 Revision N (Proposed Site Layout)
- 0624-EA-A-P103 Revision G (Boundary Treatment Plan)
- 0624-EA-A-P104 Revision H (Proposed Street Scene Elevations)
- 0624-EA-A-P106 Revision B (Proposed Site Sections)
  
- 0624-EA-A-P203 Revision A (House Type T7 - Floor Plans);
- 0624-EA-A-P204 Revision D (House Type T7- Elevations and Sections);
  
- 0624-EA-A-P205 Revision A (House Type T8- Floor Plans);
- 0624-EA-A-P206 Revision D (House Type T8 - Elevations and Sections);
  
- 0624-EA-A-P207 Revision B (House Type T14 Floor Plans);
- 0624-EA-A-P208 Revision D (House Type T14 - Elevations and Sections);
  
- 0624-EA-A-P209 Revision D (House Type SL01 - Floor Plans);

- 0624-EA-A-P210 Revision E (House Type SL01 - Elevations and Sections);
- 0624-EA-A-P215 Revision A (House Type A7 - Floor Plans);
- 0624-EA-A-P216 Revision E (House Type A7- Elevations and Sections);
- 0624-EA-A-P305 (0.9m high brick wall details).

received on the 28 February 2019, 19 March 2019 and 21 March 2019 from ELG Town Planning

Reason: In order to define the permission

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

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

The BEMP shall assist in ensuring that the development of the site contributes to and enhances the natural and local environment and to prevent any harm to the locally recognised habitats.

As a minimum, the BEMP shall include:

1. Use of native, locally appropriate species, ideally of local provenance;
2. Planting of the buffer zone to make extensive use of berry-bearing thorny scrub species; to be planted at the appropriate time of year and at the earliest opportunity. Recommended species to include hawthorn, blackthorn and holly;
3. Use of fencing (whether this is temporary or permanent), alongside thorny hedgerow species to prevent new desire-lines being established through the buffer zone and in to the woodland;
4. Understorey planting around the groups of trees on the north facing embankment;
5. Fencing to allow free movement of hedgehogs throughout the site;
6. The provision of Bird and bat boxes; and
7. Lighting design to avoid illumination of the woodland edge and excessive upward/outward light-spill.

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

Reason: In the interests of biodiversity and contributing to and enhancing the natural and local environment.

4. No development (including demolition, construction, or other enabling, engineering or preparatory works), shall take place 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 such activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and damage to key assets/infrastructure within and adjacent to the site. It will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust and light nuisance as well as the proposed means of heritage and infrastructure protection.

As a minimum, the CEMP shall include:

1. Buffer zone fencing to be in place prior to construction commencing. Buffer zone between the development and the woodland to be 15m minimum and must not include gardens
2. No storage whatsoever of vehicles, plant or building materials in the areas identified as buffer zones
3. Contingencies in place to prevent run-off of water/silt from the construction phase in to the woodland retained trees and hedgerow to be protected with adequate root protection fencing;
4. Nesting birds - as per the recommendations set out in the Preliminary Ecological Appraisal (PEA) prepared by Delta Simons
5. Site check for evidence of badgers to be made prior to site works commencing. If badgers have colonised the site, the developer needs to be aware of the limitations this will place on the development whilst options are assessed;
6. Reptiles - as per the recommendations set out in the Preliminary Ecological Appraisal (PEA) prepared by Delta Simons;
7. Bats - recommendations as set out in the Preliminary Ecological Appraisal (PEA) prepared by Delta Simons;
8. The woodland edge shall remain un-illuminated to prevent disturbance to wildlife;
9. Badgers, brown hares and hedgehogs - covering of excavations and trenches (or escape ramps left in situ) during non-operational hours, as set out in the PEA and in line with good ecological practice

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

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

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

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

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. Notwithstanding the submitted plans, 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 access road shall have been submitted to and approved in writing by the Local Planning Authority (to include full construction details, long-sections, cross-sections, details of vehicle restraint system round the private drive in the vicinity of plots 19 & 20, street lighting and drainage details). The development shall not be used unless that part of the road providing access thereto has been provided in accordance with the above-mentioned approved details.

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

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

13. 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.

14. A comprehensive and detailed hard and soft landscape scheme for the site that shall include details of the landscaping buffer and landscape embankment as detailed on Drawing No. 0624-EA-A-P102 Revision N (Proposed Site Layout) 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.

15. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report

CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

16. 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.

17. 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. The houses shall not be occupied unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

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. 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. Before that part of the development commences, full details of the proposed surfacing of individual private drives shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be implemented prior to occupation of the dwellings.

Reason: In the interests of ensuring satisfactory pedestrian and vehicular access arrangements

21. 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.

22. 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.

23. 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.

### **Other Compliance Conditions**

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

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

25. 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 commence

26. Where access driveways give both vehicular and pedestrian access to a dwelling, the driveway shall be at least 3.2 metres in width.

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

Attention is Drawn to the Following Directives:

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

2. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines 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](mailto:snn@sheffield.gov.uk)

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

3. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677  
Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

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](mailto:james.burdett@sheffield.gov.uk)

5. 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](mailto:stephen.turner@sheffield.gov.uk)

6. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
7. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
8. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

## Site Location



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## INTRODUCTION

The application relates to a large greenfield site that is situated to the rear of 13 and 42 Coppice Close in Stocksbridge.

The applicant submitted a pre-application enquiry (17/04799/PREAPP) in November 2017. This enquiry sought informal planning advice on whether it would be acceptable in principle to erect 29 dwellinghouses on this site, with 24 of the dwellinghouses (17 detached houses, 4 semi-detached houses and 3 terrace houses) taking access from Coppice Close, and 5 dwellinghouses (5 detached houses) taking access from Hawthorne Avenue between Nos. 24 and 26.

Following the designation of the site for housing in the UDP, a number of attempts to develop the site for housing have been unsuccessful, the reason given to officers during the local plan process being the difficulties in securing a viable drainage solution for the site because of its steep topography. It is considered that the proposed layout addresses these drainage difficulties as the development proposes to site the houses on higher ground while the hardest part of the site to drain would be retained as open space.

## LOCATION AND PROPOSAL

The application site is situated at the end of a residential cul-de-sac. The site covers an area of approximately 1.2 hectares and is situated to the rear of 13 and 42 Coppice Close in Stocksbridge

The land is undeveloped (greenfield) and forms part of a large open field. The site has challenging topography with steep slopes towards the north, dropping down steeply to Hawthorne Drive. The eastern edge of the site abuts existing woodland, which is designated in the UDP as an Area of Natural History Interest, also known as Local Wildlife Site 027 New Hall Wood & Brook. Access into the site from Coppice Close is currently closed off by high timber fencing.

The UDP Proposal Map identifies the site within a Housing Area being designated a Housing Site (Stocksbridge – Coppice Close). Part of the site is located within a Development High Risk Area for former Coal Mining activities.

The applicant is seeking full planning permission to erect 27 dwellinghouses including provision of access, associated parking and landscaping works. Access to all the dwellinghouses would be taken from Coppice Close. The proposal to take access from Hawthorne Avenue is no longer being pursued.

The application has been amended on the advice of officers, mainly to address design and highway concerns with amended plans received on the 28 February 2019, 19 March 2019 and 21 March 2019.

## RELEVANT PLANNING HISTORY

17/04799/PREAPP - Pre-application enquiry for the erection of 29 dwellinghouses with access taken from Coppice Close and Hawthorne Avenue. – Closed 10 January 2018

## SUMMARY OF REPRESENTATIONS

A high number of objections have been received in response to neighbour notification and posting of site notices. In total, 48 letters of objection have been received. Comments have also been received from Stocksbridge Town Council and Sheffield and Rotherham Wildlife Trust. A summary of objections is set out below:-

- Highway Safety Issues (Specific concerns set out within the Highway Section of the report). This development will increase the risk of accidents and abandoned cars on lower roads and the surrounding areas. Coppice Close is a narrow road and lead to difficulties gaining access to the site when cars are parked on either side of the road;
- Ecology Issues. The site adjoins a local wood where conservation projects to protect an endangered species have taken place. Impact on local flora and fauna. wildlife which this site supports, there are rabbits, hares, squirrels, foxes, hedgehogs, a colony of pheasants, birds, small rodents, owls, woodpeckers, bats.
- There are already lots of developments in the area on brownfield sites without taking away precious farmland. The large-scale developments of 413 new houses at Stein Brickworks in Deepcar, 320 in Oughtibridge Mill and 118 already built in Fox Valley are already maxing out the local health services and schools;
- The proposal involves the development of a Greenfield site. Preference should be the development of brownfield sites;
- The local infrastructure cannot cope with current demands - Medical provision, dentists, schools and nursery provision are at, or very near, capacity. The local roads often grind to a halt without the further increased traffic more development would bring;
- This development will increase the risk of accidents and abandoned cars on lower roads and the surrounding areas;
- Water run off would be severely affected despite the measures that would be put in place;
- Loss of privacy;
- Lack of consultation;
- The nearest bus stop on Manchester Road is 1/2k away and therefore outside the 400m distance to a bus stop for a proposed housing development; Adverse effect on neighbours - the land behind Hawthorne Avenue is so steep that all of the residents will be adversely affected by noise, disturbance, loss of privacy, and overshadowing;
- Drainage Issues;
- The extension of the Close would be harmful to the aesthetics of the area;
- Devalue house prices in the area;
- No development is allowed in the Green Belt;
- Maintenance of hawthorn hedges on the boundary of No. 13 Coppice Close;
- The proposed site has been dismissed by Sheffield council in the past for development due to it being unsuitable;
- Loss of views;
- Disruption during construction;

Sheffield and Rotherham Wildlife Trust has objected to the application for the following reasons:-

- For a development of this size, with potential impact on a neighbouring Local Wildlife Site, we would expect a more robust consideration of this impact and any related mitigation and compensation be considered;
- We would expect an EclA to be undertaken on a development of this size in this location;
- The results of further surveys should be used to assess the proposal's impact at local, regional and national scale in an EclA, so it can be more easily determined whether it is positive or negative. This would then inform any proposed mitigation or compensation plans.
- Likewise, a Construction Environmental Management Plan (CEMP) may be required to inform the construction and site clearance works.
- The report states the site boundary is considered to be of good foraging and commuting value for bats which we agree with due to the close proximity of the LWS and brook. However, no bat activity surveys have been carried out, and no impact assessment.
- The survey states the development has potential for light spill onto adjacent habitats including the LWS, therefore a sensitive lighting plan is required. A data search with South Yorkshire Bat Group should also be undertaken.
- The report states potential for displacement of ground nesting birds as a result of the development. The survey was carried out in February, a sub-optimal time for breeding birds. We are also concerned about potential impact on habitats within the adjacent LWS. Significant work has been carried out to improve this habitat for Willow Tit, a red-listed UK Biodiversity Plan Priority (BAP) species present in the area. We support the inclusion of bat and bird boxes within the scheme.
- The report does not clarify whether the site surrounds were inspected for badger setts, only that no evidence was found within the site and that surrounding habitat may be suitable, with foraging potential on the site. Badgers have been recorded in the area. It would be best practice to confirm whether or not there are setts within 50m of the site boundary.
- The report identifies suitable habitat for hedgehogs on the site. We support the recommended mitigation for the loss of hedgehog habitat by including small gaps (about 30cm x 30cm) in the boundary walls, and also recommend hedgerows to be used instead of fencing. Hedgehogs are also a UK BAP priority species that have suffered declines and are recorded in the area.

Stocksbridge Town Council has stated that they consider that the development is unsuitable for development due to access/egress issues and potential flooding risks on properties already in situ below the site.

## 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;
- v. Landscaping issues;
- vi. Drainage issues
- vii. Ecology Issues;
- viii. Ground Conditions and Coal Mining Legacy.
- ix. Affordable Housing;
- x. Community Infrastructure Levy;
- xi. Sustainability Issues; and
- xii. Other Issues

#### i. Principle of Development – Policy and Land Use

The application site lies within a Housing Area and was designated as a housing site in the Sheffield Development Plan (UDP). The development of the site for housing, which is a preferred use under Policy H10 of the UDP should therefore be viewed to be acceptable.

Despite being a designated housing site, it is also necessary to consider the application against Core Strategy Policy CS24, which relates to the use of previously developed land (brownfield) for housing given the proposal involves the development of a greenfield site. In terms of this policy, while there is a presumption to develop brownfield sites over greenfield, the Council is currently achieving a build rate on previously developed land of approximately 95%, meaning that the development of this greenfield site for housing would not conflict with this policy, which seeks that 88% of all new developments be built on previously developed land.

Also of relevance is Policy CS26, which seeks the efficient use of housing land. With regard to this policy, the site is located in an area where a density in the order of 40 to 60 dwellings per hectare should be achieved. The policy does allow development outside these ranges but only where they achieve good design, reflect the character of an area or protect a sensitive site.

The proposed development of 27 dwellinghouses on this 1.2 hectare site equates to a density of 22.5 dwellinghouses per hectare, which would fall below the desired density range set out in Policy CS26. However, due to approximately half of the site remains undevelopable due to the physical and policy constraints on development, it is considered reasonable to expect a much lower density on this site, instead, something in the order of 15 to 30 dwellings. In terms of this, the proposal to erect 27 dwellings on the developable area of the site would comfortably fall within the prescribed density range set out in Core Strategy Policy CS26. It is considered therefore that this policy requirement would be met.

Paragraph 11 of National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development. It goes on to state that where an LPA cannot demonstrate a five year housing supply, relevant policies for the supply of housing should not be considered up-to-date.

With regard to this, Sheffield is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF (2018, as updated in 2019) and associated Practice Guidance, further detailed work is required. The LPA will therefore be undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing

our conclusions in a monitoring report later this year. At the current time, the Council cannot therefore demonstrate a five year supply. The Council's most recent assessment of supply, contained in the SHLAA Interim Position Paper (2017), showed a 4.5 year supply of sites.

Notwithstanding the current housing supply position of the Council, it is considered that the development of the site for housing is acceptable, and would make a small but valuable contribution to housing supply across the city, which significant weight should be given. The development of this site is welcomed at a time when Sheffield's housing need has increased substantially from 1,495 houses per year to 2,098 houses per year. Meeting Sheffield's significantly increased need for new houses is one of this local planning authority's main priorities, in line with the government's long-term commitment to increasing the supply of new homes.

## ii. Highway Issues

This planning application has attracted a significant amount of local objection in the order of 40 different representations, including concerns raised by Stocksbridge Town Council and Sheffield & Rotherham Wildlife Trust. From a highways perspective, the nature of the objections/concerns can be summarised as follows:

- The local roads are not wide enough to cater for the extra traffic. Buses and fire engines currently struggle to get through.
- Construction traffic using narrow roads will be problematic.
- 27 new houses equates to 80 or 100 cars, too many for the existing narrow roads.
- Third party land is required off the end of Coppice Close to achieve access.
- Access should be taken from Hawthorne Avenue in order to make the access arrangements more direct; others disagree, stating how peaceful Hawthorne Avenue is at the moment.
- The development will add to traffic passing through the area.
- The bins are currently tricky to collect.
- Coppice Close is hazardous in winter. There's an increased risk of accidents with even just a dusting of snow. For these reasons, access should be taken from Hawthorne Avenue.
- Increased traffic will risk the safety of children playing in the street of an evening.
- Narrowness of the roads makes it difficult for traffic to pass, resulting in folk parking on footways.
- There's a lack of amenities such as doctors in the areas. This will add further pressure.
- The roads are too narrow and steep.
- Newton Lane and Avenue are already very busy. This will increase risk of accidents and near misses.
- Queuing already occurs on Newton Avenue, making joining from side-roads difficult.
- The increase in traffic will be too high.
- Cars parked on footways prevent buggies from passing.
- Gritting isn't regular enough.
- Bus Stops are located too far away.

- Lighting cowls should be fitted to the proposed street lighting adjacent to the woodland, to minimise disturbance to woodlands/fauna/wildlife. Construction disturbance is also a concern.

In considering the concerns raised, officers have reviewed police records of personal injury accidents for the last 5 year period, concentrating on the journey down to Manchester Road from Coppice Close, which includes Newton Lane, Newton Avenue and the associated side-road junctions. During that timeframe, no personal injury accidents have been recorded. Data from accidents of a less severe nature is not actually gathered, such as the anecdotal ones mentioned by residents involving small bumps that don't require medical attention. Consequently, evidencing their occurrence from a definitive reference point is not possible. Concerns have also been raised about driving conditions during winter. Being a cul-de-sac, Coppice Close is clearly not on the primary gritting route. There is, however, a grit-bin positioned on the corner of the Coppice Close/Newton Lane junction.

Moving to concerns raised about the anticipated volume of traffic likely to be generated from the proposed 27 new houses, officers felt the best gauge would be to undertake some morning and evening peak hour traffic surveys. Coppice Close currently serves either 27 or 28 houses (so a similar scale to the development proposal) accessed off the end of Newton Lane. Traffic was therefore counted entering and leaving Coppice Close from Newton Lane on Tuesday 19<sup>th</sup> February between 1645 hrs and 1745 hrs, and Wednesday 20<sup>th</sup> February between 0800 hrs and 0900 hrs. The results were as follows: PM Peak arrivals 14 cars and 2 vans. PM Peak departures 7 cars and 2 vans. AM Peak arrivals 3 cars. AM peak departures 16 cars and 2 vans. No children were observed setting off to walk to school in the morning, or even being driven to school. During the evening peak, 9 cars drove up Newton Lane and used the Coppice Close junction as a turning-head, before driving back down the hill and parking-up. In the morning peak, 4 cars and 1 van did the same.

Pedestrian activity was extremely light, just two dog walkers. Mostly all the activity was car to front door and vice-versa. Nobody was observed walking down Newton Lane and Newton Avenue from Coppice Close. A number of cars do park ½ on the footway and ½ in the carriageway (particularly on Newton Lane where the properties seem to have less off-street car parking provision) but there was enough space for pedestrians to get past if they'd wanted to. Each of the proposed new houses would have two on-plot parking spaces, so shouldn't exacerbate the existing issue of parking on footways.

In summary, despite the amount of objection, observations on site have failed to identify a justifiable highways based reason for recommending refusal of this planning application. Existing traffic flows are light. Access to the development can be safely achieved from the end of Coppice Close. The new road would be laid out to adoptable standards, with footways, street lighting and a turning-head, all of which would be suitably conditioned.

### iii. Design Issues

Policy H14 of the UDP relates to conditions on development in housing areas including matters of design, amenity and highway safety.

Policy BE5 seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions. The principles that should be followed include encouraging original architecture where this does not detract from the scale, form and style

of surrounding buildings, the use of special architectural treatment be given to corner sites and that designs should take advantage of the site's natural features.

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

The application has been subject to protracted negotiations with officers prior to and during the course of the development. This has culminated in a number of amendments being submitted that officers' consider now address the concerns with the design quality of the houses and layout.

The development of the site would form a continuation of Coppice Close with a new access road leading from Coppice Close into the new site. The new access road would have the same dimensions of the existing highway incorporating a central highway with a footpath constructed on either side leading down to a turning head at its southern end. The proposed dwellinghouses would be orientated towards the access road with a group of seven detached houses situated to the north of the access road that would sweep around at its south-eastern end, a group of four pairs of semidetached houses, bookended by two detached dwellinghouses to its south east and to the south of the access road, three pairs of semi-detached properties, one detached property and a row of three terrace houses, the latter forming the affordable housing units.

As part of the assessment, key to officers was to ensure that the development achieved a high quality design in terms of creating a well-connected layout, with strong boundary treatments and well integrated on-plot parking to avoid frontage parking and a streetscape dominated by vehicles. The initial concerns raised by officers was that the layout resulted in large areas of frontage parking, especially to Nos. 1-6 and Nos. 12- 20, both sets of houses being prominently visible on entering the site from Coppice Close. These matters have been satisfactorily addressed through the submission of amended plans which show that the parking areas to a number of the properties have been broken up with landscape and tree planting, parking down the side of the houses as opposed to in front, all of which would help to soften the development and prevent an overdominance of front of house parking that officers were keen to avoid.

In terms of the houses design, the applicant is seeking to use five house types, (House Types A7,T14, SL01, T7 and T8) across the site that range from traditional two-storey detached and semi-detached properties, a row of three terrace houses, and split levelled properties to account for the site's topography. All the proposed houses are considered to be of acceptable design quality with the applicant agreeing to make amendments to their elevation treatment that would now include improved window hierarchy, heads and cills, subservient gables, feature stringcourse and gable corbelling. The use of brickwork, feature render and concrete interlocking tiles is acceptable and would be consistent with houses situated along Coppice Close. Amendments secured through the course of the application would ensure that the houses would address the highway to form a cohesive and attractive built form forming a natural extension to Coppice Close.

Overall, it is considered that the proposed development is of acceptable design quality that would make a positive contribution to the character and appearance of the area. It is considered that the proposed development would accord with UDP Policies H14 (a) and BE5 and Core Strategy Policy CS74.

iv. Effect on the residential amenity of neighbouring properties

Notwithstanding the issues raised above with regard to parking and access, it is not considered that the proposed development would result in any significant disamenity to the residents of neighbouring properties. The two properties situated at the site entrance have no main windows within their side elevations facing towards the application site that could result in problems of overlooking and/or loss of outlook from the development. Also, the proposed dwellinghouses are surrounded by open fields and woodland with the nearest properties to the north and northeast of the site at Hawthorne Avenue located some 60m away.

v. Landscaping Issues

As discussed above, the layout has been amended to help soften the scheme and making it less car-dominant with the planting of trees along part of the front garden areas of the houses. The proposed scheme also includes a landscaped embankment between the houses located to the north (Plots 21-27) and the houses along Hawthorne Avenue and a landscaping buffer to the south and southwest of the houses to the north adjacent to the field and woodland. Conditions seeking planting details of the embankment and buffer should be attached to any grant of permission.

Also, the much larger proportion of the site that remains undeveloped is not solely because of constraints on its layout but the requirement to provide a landscape buffer between the built development and the Local Wildlife site. The extension of this buffer along the site's southern boundary is welcomed and should deter future encroachment into the Green Belt of rear gardens. The development is therefore considered to satisfy UDP Policy H14 (f), which seeks that developments provide, where appropriate, an environmental buffer to shield sensitive land uses.

vi. Drainage Issues

The Council's drainage department has commented that they have no objection in principle with the development subject to detailed proposals for surface water disposal to be submitted for approval. They have stated that surface water discharge from the completed development site should be restricted to a maximum flow rate of QBar (Mean annual maximum flowrate) based on the area of the development and an allowance made for climate change effects for the lifetime of the development. These details can be secured by planning condition.

vii. Ecology Issues

The application was accompanied by a Preliminary Ecological Appraisal (PEA) prepared by Delta Simons, which seeks to establish whether there are any ecological issues that may affect the development of the site. The appraisal identifies two international statutorily designated sites approximately 2km to the west of the potential development site. These are

the South Pennine Moors Special Area of Conservation (SAC) and the Peak District Moors Special Protection Area (SPA). To the immediate east of the site is New Hall Wood, a Local Wildlife site (LWS). UDP Policy GE13 states that development affecting these areas should, wherever possible, be sited and designed so as to protect and enhance the most important features of natural history interest.

The Preliminary Ecological Appraisal confirms that the initial site assessment is considered sufficient to inform the anticipated development proposals, and no further survey work regarding protected and priority species and habitats is deemed necessary at this time. The appraisal details that none of the qualifying habitats of the Natura 2000 sites are found on site nor is the site considered to be suitable to support any of the qualifying species. The report goes on to say that no impacts are expected on the Natura 2000 sites as a result of the proposed development.

Following protracted discussions between Sheffield's Ecology Unit and the applicant's ecologist, it has been agreed that no further surveys will be required at this stage. If permission is granted, conditions should be attached that requires a Construction Environmental Management Plan (CEMP) and a Biodiversity Enhancements Management Plan (BEMP) to be submitted for approval that would satisfactorily address the concerns raised by residents and Sheffield and Rotherham Wildlife Trust . Matters that the CEMP should include are:-

- Buffer zone fencing to be in place prior to construction commencing. Buffer zone between the development and the woodland to be 15m minimum and must not include gardens;
- No storage of vehicles, plant or building materials in the areas identified as buffer zones;
- Contingencies in place to prevent run-off of water/silt from the construction phase in to the woodland;
- Any retained trees and hedgerow to be protected with adequate root protection fencing;
- Protection of nesting birds;
- Site check for evidence of badgers to be made prior to site works commencing;
- Badgers, brown hares and hedgehogs – covering of excavations and trenches (or escape ramps left in situ) during non-operational hours, as set out in the PEA and in line with good ecological practice;

In terms of the BEMP, the following requirements should be met:-

- Use of native, locally appropriate species, ideally of local provenance;
- Planting of the buffer zone to make extensive use of berry-bearing thorny scrub species; to be planted at the appropriate time of year and at the earliest opportunity. Recommended species to include hawthorn, blackthorn and holly;
- Use of fencing (whether this is temporary or permanent), alongside thorny hedgerow species to prevent new desire-lines being established through the buffer zone and in to the woodland;
- Understorey planting around the groups of trees on the north facing embankment;
- Fencing to allow free movement of hedgehogs throughout the site
- Erection of Bird and bat boxes.

- Lighting design to avoid illumination of the woodland edge and excessive upward/outward light-spill, including the use of cowls.

Subject to these two conditions being attached, it is considered that any impact on protected species as a result of the development would be minimal. It is considered therefore that the development would not conflict with Policy GE13

viii. Ground Conditions and Coal Mining Legacy.

The application was accompanied by a Preliminary Geo-Environmental Investigation Report prepared by Lithos Consulting Limited (Reference 2998/1 – February 2018).

Environmental Protection Services (EPS) has inspected the report and finds that it is acceptable as a Phase 1 preliminary risk assessment report. The report identifies that further site investigation work is required for ground contamination only. EPS therefore recommend that the usual suite of land contamination conditions be attached in the interests of remediating any known or found contamination on site.

The report reviews the historic, geological and coal mining information and at Section 4.2.12 details that enquiries should be made to the Coal Authority prior to redevelopment to confirm that no shallow workings associated with the Soft Bed Coal underlie the proposed development. Despite this, the report details that it is unlikely that workings within the Soft Bed Coal will affect the surface stability of the proposed development, given that the only part of the site that falls within the defined Development High Risk Area is a Landscape Planning Buffer (Proposed Site Layout Plan), which no development will take place.

The Coal Authority considers that the content and conclusions of the Preliminary Geo-Environmental Investigation Report are sufficient for the purposes and meets the requirements of the NPPF paragraph 178-179, in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development subject to development being carried out in accordance with the approved site layout plan

ix. Affordable Housing

Core Strategy Policy CS40 expects developers of housing developments in all parts of the city to contribute to the provision of affordable housing from all new housing developments where practicable and financially viable. The implementation of this policy is through the CIL and Planning Obligations Supplementary Planning Document (December 2015). The SPD at Guideline GAH3 sets out circumstances where the Council may accept a commuted sum in lieu of an on-site contribution, for instance, where significantly more affordable housing of a high quality could be provided in the local area through off-site provision.

In the Stocksbridge/Deepcar Affordable Housing Market Area, in which the application site is located, it has been shown that 10% affordable housing is viable on the majority of sites, and is therefore the expected developer contribution in the SPD for this part of the city.

The application was accompanied by an Affordable Housing Statement that details that three (Units 8-10 inclusive) of the proposed 27 dwellinghouses would be affordable. While the total gross internal floor area of the affordable housing units does not represent a full

10% contribution, this is considered to be acceptable, since to meet the 10% requirement of the policy, the developer would need to provide an additional unit. This is considered to be unreasonable since by doing so, it would mean the on-site affordable housing provision would significantly exceed the 10% requirement, particularly as the 10% requirement is only short by 24m<sup>2</sup> of total gross internal floor area.

The delivery of the affordable housing units in line with the supporting Affordable Housing Statement will need to be secured through a legal agreement.

x. Community Infrastructure Levy

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

The application is located in an area where CIL is liable.

xi. Sustainability Issues

The application was accompanied by a Sustainability Report. This report details that the site is located in a sustainable location, with a number of services within cycling and walking distance of the site including Fox Valley Retail Park (1 mile), Post Office, Library and Supermarkets (within 0.5m) and Stocksbridge Primary School and Secondary School also within 1m of the site. The application site also in walking distance to bus stops situated along Manchester Road.

The Sustainability Report also sets out that the development would accord with Core Strategy Policies CS63 (Response to climate change) and CS64 (Renewable Energy and Carbon Reduction) and would meet the three roles of sustainable development (Social, Economic and Environmental) set out in the NPPF. The social role being met by contributing to the wider supply of housing in the city and creating a high quality built environment, the economic by increased spending from residents of the new housing and job creation during construction phase and environmental by providing development that would have minimal impact upon the natural, built and historic environment and as well as being accessible by sustainable modes of transport.

Similar to other significant developments, in order to ensure that the development satisfies Core Strategy Policy CS65, it is recommended that a condition be attached that requires a minimum of 10% of the dwellinghouses' predicted energy needs to be derived from renewable or low carbon energy, or alternatively incorporate a fabric first approach to offset an equivalent amount of energy.

xii. Other Issues

Concerns have been raised that not enough properties were consulted on the application. Officers would disagree with this view, with the Council's records identifying that 43 properties were notified of the application, in addition to the posting of two site notices. The

application was also advertised in the Sheffield Telegraph on the 15 November 2018. This level of consultation is considered to be sufficient for the scale of the development.

Concerns raised that the development would devalue house prices is not a planning consideration and should be disregarded.

## HEAD OF TERMS

The applicant enters into an agreement with the Council to secure the delivery of three of the units (Plots 8-10 inclusive) for affordable sale/rent.

## SUMMARY AND RECOMMENDATION

The application relates to a large greenfield site that is situated to the rear of 13 and 42 Coppice Close in Stocksbridge. The site is located in a Housing Area and is a designated Housing site on the UDP Proposals Map.

The applicant is seeking full planning permission to erect 27 dwellinghouses including provision of access, associated parking and landscaping works. Access to all the dwellinghouses would be taken from Coppice Close. Three of the dwellinghouses (Units 8-10 inclusive) would be affordable.

It is considered that the proposed scheme is of acceptable design quality that would make a positive contribution to the character of the surrounding area. Due care has been given to the scale and massing of the buildings, which in officers' opinion would sit comfortably within the context of the site and surrounding area.

The proposals raise no significant residential amenity issues with neighbouring properties unlikely to be subject to any significant overlooking, loss of outlook or overshadowing that would harm their residential amenity.

While it is noted that a number of the objections received are concerned that the development would lead to increase in traffic congestion and access and parking difficulties along the surrounding streets, from traffic surveys carried out by highways and police records of incidents it is considered that there are no sound reasons to refuse the application on grounds of highway safety.

In terms of ecology, it is considered that the proposed development would not lead to any diminishment of the natural and local environment. Conditions requiring a Construction Environmental Management Plan (CEMP) and a Biodiversity Enhancement Management Plan (BEMP) are attached that would put in place measures to limit any undue harm of the adjoining Local Wildlife Site including the provision of a 15m deep buffer zone between the site and neighbouring wildlife site.

For the reasons given in the report and having regard to all other matters raised, it is considered that the development accords with UDP Policies H10, H14 (a) H16, BE5, H16 and GE13 and Core Strategy Policies CS24, CS26, CS64, CS65, CS74 and guidance contained in the National Planning Policy Framework (NPPF).

It is recommended that full planning permission be granted subject to the applicant entering into a legal agreement to secure three of the houses for affordable sale/rent.

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# Agenda Item 8e

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Case Number	18/00146/OUT (Formerly PP-06657754)
Application Type	Outline Planning Application
Proposal	Erection of 22 no. dwellinghouses and associated works
Location	Land To The Rear Of 21 To 87 Beacon Road And Adjacent 131 Sandstone Road Beacon Road Sheffield S9 1AB
Date Received	11/01/2018
Team	City Centre and East
Applicant/Agent	Mrs Sharren Wright
Recommendation	Refuse

**Refuse for the following reason(s):**

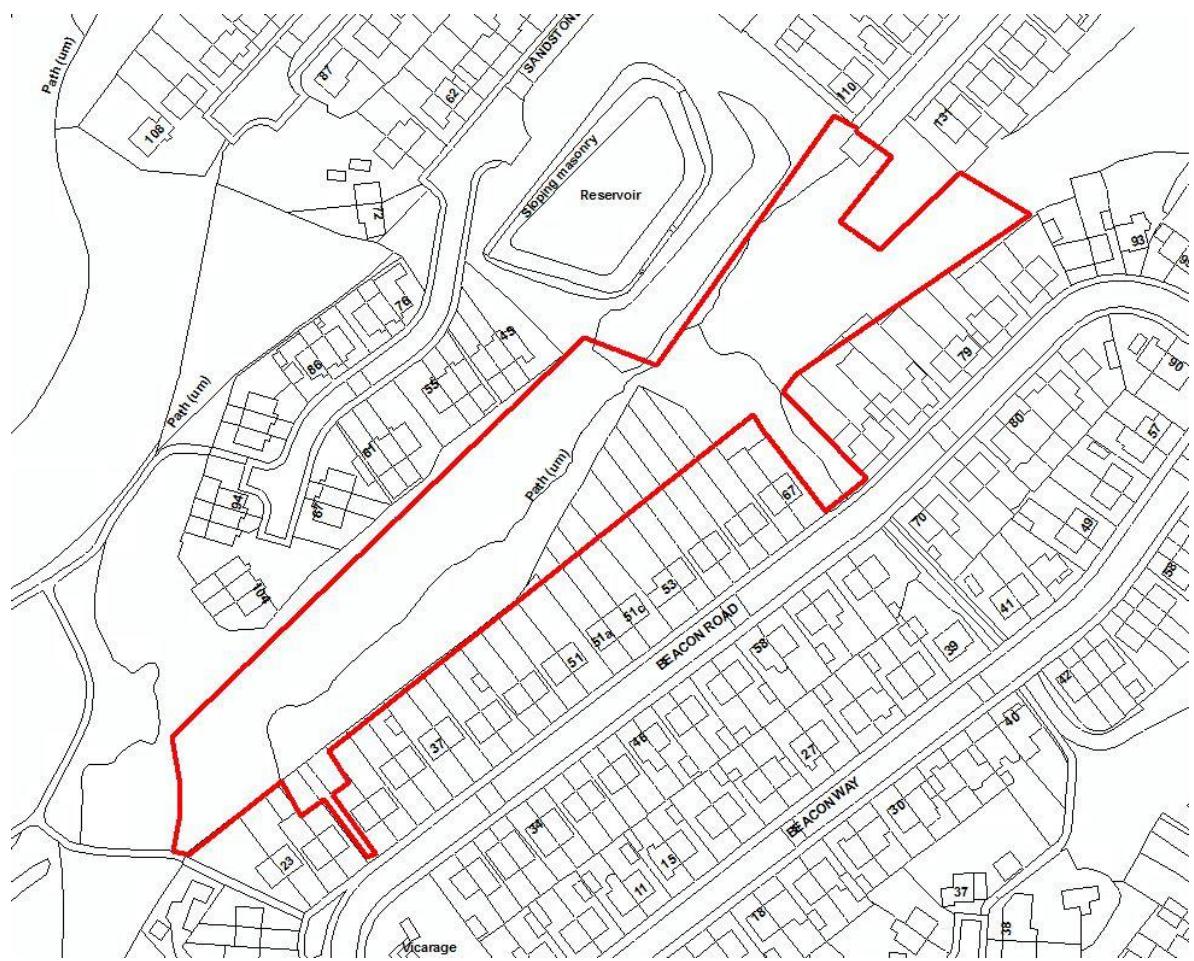
- 1 The Local Planning Authority considers that the proposed development would detract from the setting of the Roman Ridge and Wincobank Hill Fort Scheduled Monuments and undermine the ability to understand their significance. It would also result in the loss of open space which has landscape value in breaking up the mass of housing on the hillside and is valued by the local community. It is considered that the benefits of the new housing and the pedestrian access improvements are significantly and demonstrably outweighed by the adverse impacts of the development. The proposal is therefore considered to be contrary to Paragraphs 184 and 192 of the NPPF, Core Strategy Policy CS47(b) and Unitary Development Plan Policy BE22.

Attention is Drawn to the Following Directives:

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

Land Registry Location Plan  
Proposed Site Plan 2018-70-01  
Proposed Site Sections Sheet 1 2018-70-02  
Proposed Site Sections Sheet 2 2018-70-03  
Proposed Route for Footpath and Interpretation Panels

## Site Location



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## LOCATION AND PROPOSAL

The application site is located on the steeply sloping hillside of the Wincobank Area to the north side of the Lower Don Valley. It is an elongated strip of land which is overgrown with scrub and positioned at the south west end of Sandstone Road. It is approximately 280m long by 40m wide. To the north east it adjoins semi-detached houses on Sandstone Road. To the north-west it adjoins a Forgemaster's reservoir and semi-detached houses on Sandstone Drive at a higher level. To the south west there is the Wincobank Wood open space area. To the south and south east it adjoins the back gardens of houses on Beacon Road which are situated at lower level. The site slopes steeply down from a north west to south east direction with a level change of approximately 13m. There is an informal footpath that runs across the site from the end of Sandstone Road to the open space to the south west although the application site is private land.

A scheduled monument, Wincobank Hill Fort and two sections of the Roman Ridge which are also scheduled monuments are located approximately 200m to the north and approximately 300m and 600m to the north east respectively. An unscheduled section of the Roman Ridge is located approximately 40M to south west of the site.

The application is seeking outline permission for 22 houses with all matters reserved. If the Council is to grant planning permission it needs to be satisfied that this number of houses can be adequately accommodated on the site. To assist with this, the applicant has submitted an indicative layout and site sections. The applicant is not committed to these - they are merely indicative plans which have been submitted to show one way in which the site might be developed.

The indicative layout and site sections show a new access road created by extending Sandstone Road into the site to serve the proposed housing. The road has footpaths either side and ends in a turning head. The houses are laid out as semi-detached units with 2 side parking spaces to serve each unit. Six houses are located on the south-east side of the first part of the new access road opposite the reservoir. A further 12 houses are shown further along the new access road travelling from Sandstone Road. They are situated to the north west of the new access road. The remaining 4 houses are at the very end of the new access road, after the turning head.

The indicative plans show a footpath connection off the south western end of the new access road into the open space to the south west of the site. The indicative plans also suggest that there could be a footpath connection from the site to Beacon Road and one from the first section of the new access road into the open space to the north east of the site. There is also a footpath link shown around the back of the 6 new houses to the south-east of the first part of the access road.

The new access road is built up on an embankment. The cross sections suggest the first 6 houses located on the south side of the access road will be split level with 2 floors at the front and 3 at the rear. There is a steeply sloping landscape strip between the rest of the new access road and the rear gardens of the Beacon Road properties. The cross sections also show the houses on the north western side of the new access road [and the houses located beyond the turning head] cut

into the embankment with retaining walls and terraced gardens to the rear. The cross sections suggest these houses will be split level of 3 floors at the front and 2 at the rear.

There are one or two minor discrepancies with the cross sections and plans although this is not critical given that they are indicative only.

The supporting statement submitted with the application says that the houses will be disabled living houses which the applicant has defined as:

- all doorways and access entry points to accommodate wheelchairs
- stair lifts fitted where necessary and stairs constructed wide enough to take stair lifts
- the structural workings of the dwellings would be adequate to take a hoist in a downstairs and upstairs room

They have also stated that the homes will be environmentally conscious and energy efficient Homes which means they will be looking to achieve a BREAAM Home Quality Mark award of 4 stars.

The applicant has also stated that they will enter discussions with the Council about nomination rights for the housing if permission is granted. This would be on a similar basis to a scheme in Barnsley where the units are private rented under an Assured Shorthold Tenancy Agreement and the rent levels are likely to be close to market rents. The Council would source prospective tenants but the developer would have the final say on tenants who are allocated these properties. Under the applicant's proposals, the Council would manage the properties for an agreed fee and the management agreement would be for an initial 5 years from the date of completion but either party can give six months' notice.

The applicant has pointed out that there will be economic benefits in terms of construction jobs and spending in the local economy post construction.

The applicant has indicated that if they get planning permission they will provide a footpath link between the site and the scheduled section of the Roman Ridge to the north east of the site on open land that is owned by the applicant to the rear of houses that face on to Sandstone Road and Jenkin Avenue. They say the details of this will be discussed with archaeologists and the local community. However this is not included within the application site and therefore cannot be given any weight in determining this application.

## RELEVANT PLANNING HISTORY

The most recent planning history dates back to 2012/2013. The Council refused planning permission for 22 dwellinghouses and 4 apartments on this site in July 2012, 11/03972/FUL. The reasons for refusal were as follows:

1. The Local Planning Authority considers that the proposed development would involve the loss of an open space area which the local community consider to be of high quality with heritage and ecological merit and is

valued and well used by people living in the local area. For these reasons the proposal is considered to be contrary to Policy CS47 (parts b and c) of the adopted Sheffield Development Framework Core Strategy.

2. The Local Planning Authority considers that the proposed development may result in damage to a significant prehistoric archaeological site and further erode the setting of a Scheduled Ancient Monument. For this reason the proposal is considered to be contrary to Unitary Development Plan Policy BE22.

The applicant appealed against the decision and the appeal was dismissed in January 2013.

In a statement of common ground relating to that appeal the appellant and the Council agreed that the Council did not have a 5 year supply of housing, that there was adequate provision in quantitative terms of informal open space in the local area even with the loss of the site and that the site was a sustainable location for housing.

The inspector concluded that the development would lead to substantial harm to the significance of the scheduled ancient monuments as designated heritage assets and the loss of valued open space. He considered that the benefits of housing did not outweigh the harm.

Planning permission was also refused for the erection of 6 flats and 25 dwellinghouses on the site in October 2003 (application 03/00789/FUL). The reasons for refusal were as follows:

1. The Local Planning Authority considers that as the proposed development involves the loss of Open Space which has substantial amenity value for local residents, it would have a detrimental impact upon the character and amenity of the area. As such the proposal is considered to be contrary to Policies LR4, LR5 and LR7 of the Unitary Development Plan.
2. The Local Planning Authority considers that the proposal represents the development of a green field site contrary to the aims of Planning Policy Guidance Note 3 'Housing'. The City has an adequate supply of previously developed land to meet its housing needs which should be used in preference to the proposed site.

The applicant appealed against the refusal and the Planning Inspector dismissed the appeal on 1.10.2004. In dismissing the appeal the Inspector concluded that the development would not cause loss of open space that should be retained because of its nature conservation and recreation value.

The appeal was rejected solely on the basis that there was a five year supply of housing land at that time and therefore there was no justification for over-riding the presumption against Greenfield development. There was no consideration of archaeological matters relating to the Scheduled Ancient Monuments near the site in that appeal decision, which predated the publication of the first National Planning Policy Framework in 2012.

A further two permissions relate to the site but neither was implemented:

- Full planning permission was granted on the site in May 1995 for 28 dwellinghouses (planning permission 93/1053P); and
- Outline planning permission was granted on the site for residential development in March 1991 (planning permission 90/2212P).

## SUMMARY OF CONSULTEE RESPONSES AND REPRESENTATIONS

### Historic England

Historic England has advised that they consider the heritage reports to be a very thorough and comprehensive body of work. However, the available information still struggles to definitively rule in or out the exact location of the Roman Ridge in this location. They do not see this as a failure of the report but rather a consequence of the particular set of circumstances regarding the Roman Ridge at Sandstone Road.

They do not consider there is any further work which could be undertaken, beyond extensive and full excavation of the area, which would confirm the location of the Ridge beyond doubt. Even then, it is probable that this might not be conclusive and that we have to accept that the archaeological evidence for the Roman Ridge in this location no longer exists to clarify its exact location.

As they cannot see what further work can be undertaken to clarify the alignment of the Roman Ridge, they consider the current alignment and open space should be given weight as an indication of the possible extent of the monument.

When considering development their view is that it is essential that any plans fully understand the alignment and setting of the Roman Ridge and its relationship to Wincobank Hill Fort. Any scheme needs to retain the strong green emphasis of the 'line' of the Roman Ridge along the full length of Winconbank Hill and where possible this should be enhanced and managed.

They can see how the indicative layout has endeavoured to respect the open space alignment of the ridge by limiting the area of development and by maintaining a continuous band of open green space along the whole site. They refer to a pinch point below the reservoir site and note that the number of houses has been reduced in this area since they gave pre-application advice. However overall the development still reduces the green wedge of the current open space which will have an impact on the ability to appreciate the alignment of the Roman Ridge but probably not to a degree where it can no longer be understood.

They consider there are opportunities to enhance the public understanding and appreciation of the ridge and Wincobank Hill Fort through better management of the vegetation, and the provision of interpretation panels alongside the footpaths. This would need to be secured as part of any development and mechanisms should put in place to ensure that the wider management of the site does not suffer from the tipping of garden waste and other material from the new dwellings.

Whilst Historic England recognises the reduced level of development proposed at this site, it will still have some impact on the setting of the Roman Ridge and Wincobank Hill by reducing the strong green emphasis of the open space along the ridge. This is most critical below the reservoir where there is already a pinch-point. This level of harm will need to be balanced against the proposed public benefits of the scheme as required by paragraphs 192, 193, 194, 196 and 197, of the National Planning Policy Framework.

#### Sheffield and Rotherham Wildlife Trust

Sheffield and Rotherham Wildlife Trust has objected on the basis that the site is designated as open space and a Local Wildlife Site and will remove a section of green corridor and isolate the remaining area of the Local Wildlife Site. It would potentially damage and affect the setting of the Iron Age Hill Fort. It is contrary to parts b and c of policy CS47. They consider the site provides significant environmental, social and landscape benefits for the surrounding area. It is an important resource for health and wellbeing which is well used and valued by the community. Wild at Heart, their own community project for adults aged 50 years or over has also made good use of the area within its programme of outdoor activities. It is understood the Love Wincobank Campaign has access to legacy funding for an alternative proposal to improve the quality of the site for local people and wildlife. If permission is granted a natural green corridor should be retained through the development which should have a management plan funded by the development. The scheme should incorporate planting which will enhance the biodiversity of the site. A hedgehog highway which includes holes in fences should be incorporated into the scheme. Vegetation removal should take place outside the bird breeding season.

#### The Council for British Archaeology Yorkshire

The Council for British Archaeology Yorkshire objects on the grounds that the development is detrimental to the setting of the Wincobank hillfort. It would diminish this section of the Roman Ridge and have an adverse impact on its understanding and its relationship with the hillfort. It would have a negative impact on the amenity value of the hillfort and earthwork.

#### Members of Parliament

Gill Furniss MP and Lord Blunkett support the principle of new homes for local people but not where it endangers heritage. The application should be rejected and allow continued preservation of the Iron Age Hillfort and Roman Ridge and maintenance of this valuable piece of history. Nothing material has changed since the previous application and the decision of the Council and Planning Inspector should be respected.

#### Councillors

Councillor Dale has objected stating that whilst the need for housing is understood the valuable green space used by local people and of benefit to health and well-

being should not be built on. The previous judgement should be respected and upheld.

### Sheffield Forgemasters

Sheffield Forgemasters have objected on the basis that the development has the potential to damage or disrupt the reservoir or pipelines that serve it. This could have health and safety implications if it coincides with power failure as the reservoir water supply provides back up cooling to the plant.

### Petition

An online petition has been submitted objecting to the proposal which has been signed by 2,725 people as of the 5.4.19. A paper version of the same petition has also been signed by 347 individuals. The reasons are that Roman Ridge has the same historic value as Hadrian's Wall and Offa's Dyke and is of local and national significance. The land is well used, designated as open space and should be protected and be accessible for further archaeological investigations and for the education and enlightenment of future generations. The signees are from across Sheffield, other parts of the country and also from other countries.

### Individual letters

70 individual objections have been received including one from the Love Wincobank Campaign which includes copies of representations made on the last planning application, Brigantes of Wincobank Hill, Friends of Wincobank Hill and Wincobank Hill Connects. The content of these letters is summarised further below:

#### Representations regarding Cultural Heritage

- There is archaeological evidence that both the ridge and the hillfort are the boundary of the Brigantes tribe from the Iron Age through to the 1st century AD and also evidence that this is the border of the Saxon kingdom of Elmet. The site straddles the logical line between the non-designated part of the Roman Ridge and the scheduled section and it is argued that the builders would have taken the shortest route despite the geology. There is no definite evidence to prove the location of the earthwork and none to show that it has been diverted from the obvious line. The applicant's argument that the route takes a sudden detour to avoid a geological fault is not credible. The line of the ridge was mapped before the building in the last century and this clearly shows it passing through the site.
- The site is part of the Roman Ridge and the Iron Age hill fort and should not be built on and should be left open for future generations to explore, it will spoil a site of historic and archaeological interest of national importance. The slopes of Wincobank are an integral part of the setting of the hillfort. Historic England also agree that the site is the probable route of the ridge and the housing will still have some impact on the setting of the Roman Ridge and Wincobank Hill. The existing development on the hillside is no justification for further damaging development. The development will

negatively impact on their setting and views to and from the hillfort, therefore is contrary to Development Plan Policy BE22 and NPPF para 184, 195 and 197. The Roman Ridge has not been fully investigated to modern archaeological standards, the below ground archaeology should be fully investigated and this is no reason for accepting a proposal that will destroy its significance. The same reasons the inspector rejected the last application are relevant now.

- The proposal fails to protect or enhance the historic environment and cannot be considered to be "sustainable", even in the absence of a 5-year housing supply. Therefore the presumption in favour of sustainable development would not apply. The NPPF advises that even when relevant policies are out of date, such as housing policies, permission is not granted where "the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed". Policies of particular importance include those that protect designated heritage assets.
- In his reasons for dismissing the appeal against refusal of 11/03972/FUL, the Planning Inspector concluded that it had not been demonstrated that the Roman Ridge did not run through the site, and that it was more likely that it did. He also referred to the Roman Ridge as perhaps "one of the most significant examples of ancient linear land division in Britain", and found that the proposed development would lead to substantial harm to Scheduled Ancient Monuments, as well as the loss of valued open space. There are no changes to the circumstances or value of the heritage, and the harm would still be substantial. The NPPF says that permission should be refused unless the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.
- In 1904, following a campaign by the British Archaeological Association and the Sheffield Free Libraries and Museums Committee, the Wincobank Hillfort and Surrounding land was presented by the Duke of Norfolk to the Corporation of Sheffield. Sheffield Corporation was tasked with the duty of being custodians, with a request from the Duke of Norfolk that 'the ancient fortifications' he presented across to the people of Sheffield be preserved. Historical sites are important for learning from past and social and cultural cohesion and should not be destroyed.
- The offer of improved footpaths and interpretation could easily be achieved through other means. The proposal would undermine the Love Wincobank Campaign objectives of developing Wincobank Hill as a heritage resource.
- The Forgemasters reservoir is rare and its historic setting is worthy of protection.

#### Representations regarding Open space

- Surplus open space has not been demonstrated. There is a shortage of parks and gardens and amenity open space and a deficit of formal open space.
- This is an important space which gives a green lung in a heavily populated area which has little green space and has been used by local children for play and by groups for educating children about social history; it is used for

leisure activities, and important for quality of life. The applicant has exaggerated the degree of litter/dog fouling/drug taking paraphernalia and antisocial behaviour issues associated with the site. The site has been most damaged by the owners' actions of dumping rubble on the site, digging ditches to make public access more difficult, and actions which have contributed to the spread of Japanese Knotweed.

- It will result in the loss of open space which the local community consider to be of high quality with heritage and ecological merit and is valued and well used by people living in the local area. For these reasons the proposal is considered to be Contrary to Policy CS47 (parts b and c) of the adopted Sheffield Development Framework Core Strategy. The harm resulting from the loss of the open space will outweigh any benefits from additional housing.
- The land was once part of a continuous footpath from Meadowhall to Grimethorpe and the Public Rights of Way team have advised that as the path was not fully obstructed it is a permissive footpath.
- The open space improves air quality, controls air temperature and flood risk. The local Friends Group work to raise the profile of the site with events, fund raising and maintenance works in order to safeguard this ancient monument. Any decision to allow building near or on this site would fly in the face of community commitment, inclusion and endeavour.
- There is nothing on the plans which show that the existing path across the site will be incorporated.

#### Representations regarding Ecology/Landscape

- The proposal will destroy important wildlife included protected species and trees.
- If permission were granted a Japanese knotweed Management Plan should be required to be submitted by condition.

#### Representations regarding Amenity

- The new housing will impact on the privacy of adjoining houses due to overlooking and spoil the view from the rear of the Beacon Road houses and of the Don Valley. It will severely reduce light to the properties below. There is not enough room to develop housing on the site. It will take away a quiet and private location for existing houses and replace it with a noisy environment due to footfall and construction.
- The design of the new houses is out of character with the surroundings and the development will harm the visual amenity. The proposed housing is of low quality and the materials are not similar to surround properties.
- Additional housing will increase antisocial behaviour.
- Disturbance during the construction period
- The development will cause rats to migrate to adjoining houses.
- It will have a harmful impact on the landscape of Sandstone Road.

#### Representations regarding Traffic/Access

- It will create more traffic in an area that is already heavily congested. Sandstone Road cannot cope with the extra traffic associated with the houses and the construction vehicles due to on street double parking which narrows the road. Construction traffic will damage parked cars and the

highway infrastructure that has been upgraded and will create public safety problems.

- There is not enough parking, turning loading space.
- Public transport is not good enough to support additional housing

#### Representations regarding Consultation

- Wider consultation on Sandstone Road and Sandstone Drive should be undertaken and longer should be allowed for comments.

#### Representations regarding Repeat Applications

- A similar proposal has been submitted many times and rejected. The application is similar to the previous one with a few minor changes which was dismissed on appeal and nothing has changed therefore it should be rejected again.

#### Representations regarding Land condition/ Stability/Flooding

- The land is steep and potentially unstable and there is a risk of a serious accident. There is a risk of subsidence to drives. Spring water and run off may affect the houses on Beacon Road below. The trees on the site protect the hill from erosion. An existing retaining wall adjoining 131 Sandstone Road is stopping the garden and houses slipping down to Beacon Road and must not have any earth removed near it. The site contains numerous mine shafts. The Forgemasters pipe outlet is shallow and if disturbed by movement would cause serious damage to the properties below. Three of the houses are proposed to be built over the drains and a manhole serving some of the houses on Sandstone Road, the developer should be made aware of this. The water/sewer pipe between 27/29 Beacon Road will be under adjacent houses as the land is unstable and it cannot be achieved whilst maintaining the easement.
- There is a risk that removing soil from the site will spread knotweed and the amount of material that will need removing to eradicate the knotweed will damage the archaeology and cause traffic problems on Sandstone Road.

#### Representations regarding Housing demand lack of services

- Wincobank area is not identified as a housing priority zone in the Sheffield New Homes Delivery Plan 2018 -2030. If permission were granted the site would stand vacant whilst economic conditions change like other sites in Wincobank. The housing land supply problem would be much less if vacant properties were taken into account. The proposal does not meet the density guidance and the affordable housing targets in the Core Strategy and the housing will not be affordable for local people.
- Extra houses are not needed, vacant properties can be reused and Brownfield land should be built on in order to meet housing need before this valuable open space. There are few facilities nearby for elderly and disabled people within an easy walk due to the steep topography. Local schools, dentists, & doctors are already oversubscribed. As the application is in outline and eco homes are expensive it seems unlikely that Wincobank housing values will support such development and there is no guarantee that they will be delivered. The extensive foundations are unlikely to lend themselves to green construction methods, building for life standards seem unlikely to be achievable given the size of the houses and the sites

topography does not lend itself to disabled housing. Whilst the need for additional housing is accepted there must be other sites which are not as important for history and beauty.

#### Representations regarding Health

- A local GP and Love Wincobank Campaign have objected on the basis that the impact on the physical and mental health of existing residents has not been considered. The local health centre has the highest proportion of obese adults in the city and access to green space is essential to good health. The loss of a local green space will hinder and worsen an existing health problem and discriminate against those without access to a car especially the elderly. The traffic will worsen air quality.

#### Representations regarding other issues

- It will devalue existing houses and result in the loss of a view of landscaping greenspace (house prices and loss of view are not material planning considerations).
- Conflicting information about whether the properties are for disabled people/private or council housing. The houses will be let by private landlords causing property prices to decrease (house prices are not a material planning consideration).
- If permission is granted a full archaeological excavation should be carried out and a contribution made towards maintenance of development of community amenities and to meet the educational needs of occupants of the housing.
- The site is not suitable for housing given its gradient.

## PLANING ASSESSMENT

### Policy Issues

Applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) says that planning decisions should apply a presumption in favour of sustainable development. Paragraph 11 of the NPPF states that for decision making this means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i) The application of policies in the Framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed, or
  - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Council Policies for the delivery of housing will be considered out of date if the Council cannot demonstrate a five year deliverable land supply. Other policies may also be out of date depending on their degree of consistency with the NPPF.

Where the policies most important for determining the application are out of date, the presumption in favour of sustainable development will apply and planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. The presumption in favour of granting permission would also not apply where policies in the Framework protect areas or assets of particular importance such that they provide a clear reason for refusing the development proposed. Policies of particular importance include designated heritage assets and non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments.

Sheffield is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF (2018, as updated in 2019) and associated Practice Guidance, further detailed work is required. The Local Planning Authority will therefore be undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing our conclusions in a monitoring report later this year. At the current time, the Council cannot therefore demonstrate a five year supply. The Council's most recent assessment of supply, contained in the SHLAA Interim Position Paper (2017), showed a 4.5 year supply of sites.

Therefore the Core Strategy policies for the delivery of housing should be considered to be out of date and significantly reduced weight. This means that there is a presumption in favour of housing unless it is determined that there is a clear reason to refuse the development on the grounds of its impact on the Wincobank Hillfort and the Ridge which are scheduled monuments (or any non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments) or the adverse impacts of granting permission significantly and demonstrably outweigh the benefits of the proposal.

The applicant has argued that the housing which is to be provided on site will be disabled living, environmentally conscious, energy efficient housing, and the Council will have nomination rights.

The Government's housing standards review sought to cut red tape affecting housing development by placing limits on the requirements that planning authorities could make. As a result the requirement to design houses to meet Code 3 of the Code for Sustainable Homes can no longer be applied and neither can the mobility housing guidance. Given the lack of policy support for seeking higher standards on energy efficiency and disabled living a planning condition or legal agreement requiring the houses to be designed to meet the higher standards being offered by the applicant would not meet the 6 tests for planning conditions as

set out in the NPPF. Therefore there would be no control over whether these benefits would be delivered.

In terms of nomination rights it is not clear at this stage whether the Council would be able to reach agreement over nomination rights and what form this would take. The applicant has submitted a supporting letter from a builder which says that he has costed a housing scheme on the site taking into account the infrastructure costs, disabled living design and nomination rights and that the scheme would still be profitable. This might suggest that there is a reasonable prospect of at least some of the benefits referred to above being delivered even though the Local Planning Authority cannot insist upon their delivery. However given the lack of certainty and the lack of a mechanism to secure the delivery it is considered that they should be given little weight in determining this application.

#### Impact on archaeology interest and the setting of the ancient monument

Scheduled Monuments are of national importance. The scheduled ancient monuments close to the site comprise of the Wincobank Iron Age Hill Fort (dated around 500BC) approximately 200m to the north and two sections of the Roman Ridge located approximately 300m and 600m to the north east. An unscheduled section of the Roman Ridge is located approximately 40M to south west of the site. The NPPF in paragraph 197 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. The unscheduled section of the Roman Ridge is part of the same historic feature and therefore should have the same significance.

Wincobank Hill Fort comprises an oval enclosure with an internal area of 1.1ha surrounded by a single rampart with an external ditch and counterscarp bank. Although eroded in places, the rampart survives to a height of up to 2.8m from the bottom of the ditch, which has an average width of 10m.

The Roman Ridge is a linear earthwork comprising of a single ditch and bank. It runs from Sheffield to Mexborough although its definitive route cannot be traced for the entire length and in some areas there is more than one section. The archaeological statement submitted with the planning application (dated September 2011) says that it is unlikely to have been constructed before 1000 BC, when extensive bank and ditch systems such as this were introduced into Britain, or much later than AD 1000. This is because the dating evidence is uncertain.

Paragraph 192 of the NPPF advises that in determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF states that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 194 of the NPPF provides that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to assets of the highest significance such as scheduled monuments should be wholly exceptional.

Paragraph 195 of the NPPF says that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) The nature of the heritage asset prevents all reasonable uses of the site; and
- b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) The harm or loss is outweighed by the benefit of bringing the site back into use.

Where the development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (paragraph 196 of the NPPF).

Unitary Development Plan Policy BE22 says that Scheduled Ancient Monuments and their settings and other sites of archaeological interest will be preserved, protected and enhanced. Development will not normally be allowed which would damage or destroy significant archaeological sites and their settings. This policy is considered to have a high degree of consistency with the NPPF in that it does not preclude development that affects the setting of archaeological sites and the NPPF also seeks to protect the setting of Ancient Monuments.

Three archaeological investigations have been undertaken into the development site. These are:

- Evaluation trenching undertaken by ARCUS in 1993 (Gething and Symonds 1993),
- Evaluation trenching and desk-based studies undertaken by Archaeological Research Services Ltd (ARS Ltd) in 2011 (Mora-Ottomano 2011)
- A new study using information from British Geological Survey, Lidar and historic map data (Stenton and Badcock 2017).

The latter two documents have been submitted as part of this application.

In total 10 evaluation trenches were excavated (in 1993 and 2011) down to the undisturbed natural substratum. The most recent ARS Ltd study concluded that in relation to the site, “from the observed stratigraphy, it is more likely the Roman Ridge never crossed the site, as one would expect some ephemeral evidence to remain, albeit heavily truncated” (Mora-Ottomano 2011, 2).

An assessment of the setting of the Scheduled Monuments was also undertaken as part of application 11/03972/FUL (ARS Report; Brightman 2012). It concluded

that there was considered to be no material impact on the setting of the Hillfort and only a negligible impact on the setting of the Roman Ridge.

This information from the 1993 and 2011 evaluation trenches and the assessment in 2012 of the setting along with information from the applicant's consultants and an archaeologist representing community groups was considered by the planning inspector in the 2012/13 planning appeal.

In dismissing the appeal the inspector considered Wincobank Hill, despite its partial development, to be "an inherent part of the location and function of the Hillfort, providing its setting and contributing strongly to its significance as an important heritage asset". He also said that within the Hillfort's setting lie parts of the Roman Ridge, which he described as "a notable heritage asset" itself which "may be one of the most significant examples of ancient linear land division in Britain" (paragraph 10 of appeal decision 2180681).

The inspector noted that archaeological evaluation trenching found no indication of the Ridge earthwork on the site and acknowledged that expert opinions differed, but went on to state that the appellant's conclusion (that the Ridge was more likely not to have crossed the site but instead to have followed a line above or below the site) to be "a step too far". There was no evidence to support that conclusion and it was entirely possible that physical disturbance in the past had entirely removed any evidence of the earthworks. The inspector felt on balance it was "more unlikely, for cartographical, geographical and topographical reasons that the line of the Ridge lies above or below the site". He did not consider that the evaluation demonstrated convincingly that the line of the Ridge does not run through the site but instead considered that despite the excavation findings the evidence still pointed "more strongly to the Ridge taking a line that coincides with the long narrow shape of the side and the adjoining land" (paragraph 11 of appeal decision 2180681).

In the inspector's view the "long thin strip of open space between the scheduled and unscheduled parts of the Ridge gives a strong visual indication of the most likely route of the Ridge. In that respect the site and the adjoining land provide the context and setting for the separate parts of the Ridge in this location. The course of the Ridge is part of the archaeological and historical setting of the Hillfort". The inspector considered the ability to appreciate the continuous line of the Ridge is "vital to understanding its overall form and nature, its historic significance and its relationship to the Hillfort". Development of the site would obscure the extent and quality of the setting of the Scheduled Ancient Monuments and would undermine the ability to understand their significance. That would conflict with the aims of the UDP policy BE22 and key NPPF objectives. (See paragraph 12 of appeal decision 2180681). He concluded that the development would lead to substantial harm to the significance of the scheduled ancient monuments as designated heritage assets and the loss of valued open space.

The inspector did acknowledge that housing in a fairly sustainable location would clearly be of benefit to the City and noted that the state of knowledge of archaeology of the Hillfort and Ridge at the time and their wider environment was poor. His view was that this "supports a restriction on development of the site to

ensure that any future finding of the true value of a potentially high value heritage asset is not compromised by development now. Today retaining the site as an open space is vitally important to the interpretation of the SAMs and the wider historic landscape". The benefits of housing were significantly and demonstrably outweighed by the harm. (See paragraph 14 of appeal decision 2180681).

Additional information which has been produced since the appeal is contained in the desk-based research by Stenton and Badcock (2016) which was submitted as part of this planning application. This includes various historical maps and photographs of the site but the key piece of new information is the identification of a geological fault in the Parkgate Sandstone outcrop to the south west of the application site on which the Ridge is thought to have been constructed. The applicant's consultant states that it is the general consensus among archaeologists and historians that the Parkgate Sandstone ridge was chosen as the route of the Roman Ridge in this location because of its prominence and defensive ability. The applicant has mapped British Geological Survey (BGS) geological data and the Environment Agency's Lidar data which maps the terrain by lasers from a plane. This data has been overlaid with Ordnance Survey data.

The BGS map indicates that, due to displacement caused by the fault, the Parkgate Sandstone outcrop actually runs beneath the houses and rear gardens on the north side of the present-day Beacon Road. The Stenton and Badcock archaeological assessment says that if the Roman Ridge was indeed constructed along the 'line' of the outcrop, this part of the monument may therefore have been destroyed when the houses on Beacon Road were constructed in the 1960s. They do however say that is possible that when the builders of the Roman Ridge reached the fault zone to the southwest of the Site, they did not follow the line of the natural Parkgate Sandstone outcrop down the hill but instead constructed a relatively short section of earthen bank and ditch across the angle created by the displacement of the sandstone. It is argued that the likeliest course for such a feature would be along the route across the application site, which was excavated without finding any evidence of the Roman Ridge.

The applicant says this new evidence coupled with the archaeological trenching work undertaken on the site which revealed no evidence of the Roman Ridge shows that the Roman Ridge ran to the south west of the development area.

It is argued by the applicant that the green corridor which will be retained through the development as shown on the indicative layout will reveal the linear nature of the Roman Ridge beyond the scheduled section. The applicant also says that proposed vegetation clearance on land to the north east of the application site, which includes the scheduled section of the Ridge will better reveal the scheduled remains. The applicant points out that the land is private and the development will bring the area into safe public access due to occupiers of the development overlooking the site. It is argued that public access will become legal and the provision of public access to the scheduled monument and the provision of information panels will improve its appreciation and understanding. The applicant says they are willing to work with local groups to achieve this improvement and that this accords with the following advice in the National Planning Policy Framework, paragraph 200 of which states:

"Local planning authorities should look for opportunities for new development ... within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."

The applicant's archaeological consultant concludes that there is negligible potential for any direct archaeological impact on the Roman Ridge as it is unlikely to be present in the development site.

He also considers that the minimal visual impact of the development on the adjacent scheduled section of the Roman Ridge to the north-east will be mitigated by a design which retains the green linear corridor through the site including a line of sight that is not currently possible, and by enhancement of views as a result of scrub and waste clearance, the incorporation of much improved public access, on-site interpretation for residents and the wider public, and by adopting the advice provided by Historic England in relation to the design.

Whilst the applicant argues that the Roman Ridge did not pass through the application site it should be noted that the Stenton Badcock report which is the new evidence that this view is based on does not reach such a firm conclusion. Whilst the authors consider the outcrop to be the most likely location for the Roman Ridge they consistently emphasise that this cannot be demonstrated conclusively. The report acknowledges the position of the earth embankment on the sandstone outcrop is unclear and it appears to have veered away in the vicinity of Jenkins Road and similar changes of direction may have occurred elsewhere.

The South Yorkshire Archaeological Service (SYAS) has advised the views of both Stenton and Badcock and the applicant's consultant are plausible and may well prove correct. However they do not present conclusive evidence for the route of the Roman Ridge. For this reason the SYAS advises that the concerns expressed by the Planning Inspector in the last appeal are not addressed in this application.

In your officers' view the additional information throws some additional doubt on the view of the planning inspector and many of the objectors to the scheme that the Roman Ridge passed through the site. However it is not conclusive, it is an alternative theory; it is simply not known whether it passed through the site or through the houses and gardens of the Beacon Road properties. This seems to be the view of Historic England as they have advised that the assessment struggles to definitively rule in or out the exact location of the Roman Ridge in this location and the current alignment and open space should be given weight as an indication of the possible extent of the monument. In conclusion it is your officers' view that the new information fails to demonstrate conclusively that the line of the Ridge does not run through the site.

Historic England acknowledge that the applicant has endeavoured to respect the open space and alignment of the ridge by limiting the area of development and by maintaining a continuous band of open green space along the whole site. However they consider it will still have some impact on the setting of the Roman

Ridge and Wincobank Hill by reducing the strong green emphasis of the open space along the ridge. This is most critical below the reservoir where there is already a pinch-point.

It is clear that Historic England consider that the harm caused by the proposal to be less than substantial and the Council concur with this view. Government Planning Guidance ‘Conserving and enhancing the historic environment’ advises that whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting. While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact. However, even minor works have the potential to cause substantial harm. In this case the proposal will affect the context and setting of the Ridge and setting of the Hill Fort, also the ability to appreciate the continuous line of the Ridge. Given this and because the Roman Ridge is a fragmented 16 mile long feature, and that the proposal is not removing an above ground feature it is considered that the harm is less than substantial. The National Planning Policy Framework requires clear and convincing justification for harm that is less than substantial. The harm should be weighed against the public benefits of the proposal.

Given that the Roman Ridge may have passed through the site in this instance the development will make it more difficult to understand the potential alignment of the Roman Ridge and the new housing will affect its setting. The setting of the Roman Ridge on the side of the hillside makes a high contribution to its significance. Although its setting has been affected by housing development it sits within open space so it stands out in contrast to the housing particularly from the south and east where it is meant to be seen from. Based on the indicative plans submitted, the development will only maintain a narrow corridor of open space across the width of the site. The indicative plans and cross sections show the green route would be approximately 4m to 4.5m for the majority of the width of the site part of which would be occupied by a footpath which would be likely to constrain planting within the corridor.

Given the narrowness and steepness of the site it seems unlikely that an alternative layout would provide an opportunity to significantly widen this green route and still achieve the number of properties proposed. It is therefore considered that any green route that could be provided would not perform a meaningful function of defining the possible alignment of the Roman Ridge in the wider landscape. Whilst it would formalise public access across the site on the potential alignment of the Roman Ridge the footpath would feel very much part of a housing estate rather than part of a wider green corridor. The Stanton and Badcock assessment says that the majority of the Roman Ridge has been destroyed in Sheffield and the monuments remaining across Wincobank Hill are a rare and important survival. The monument is a high value heritage asset as it is of national significance and therefore the harmful impacts should be given

significant weight. It is clear from the representations that the Roman Ridge is a valued community asset and important part of the area's cultural heritage.

As stated above the applicant's offer to clear vegetation and improve access and interpretation to the scheduled section of the monument to the north east of the site can be given very little weight as this does not form part of the application and therefore its delivery cannot be guaranteed, in addition the public have not had the opportunity to comment on it. The applicant was advised to demonstrate that they have control over the land in question and that the Council would need to consult local residents whose gardens back on to the land and proposed footpath. The applicant declined to provide this information and include it within the application. The development is not itself an opportunity to enhance or better reveal significance of off-site monuments as that could be achieved without requiring the construction of the housing on the site. The applicant's justification for developing the site is that the Roman Ridge does not pass through the site and the green corridor will reveal the linear nature of the route. However as described above they have been unable to provide conclusive evidence that the route of the Roman Ridge lies elsewhere. In addition the narrow green route which could be retained would not reveal the potential route of the Roman Ridge in the wider landscape or provide an adequate setting for it. The development would however formalise and improve public access to the site and the potential route of the Roman Ridge. It is concluded that the development of the site would obscure the extent and quality of the setting of the Scheduled Ancient Monuments and would undermine the ability to understand their significance. This would conflict with the aims of the UDP policy BE22 and key NPPF objectives. It is considered that the harm is less than substantial for the reasons explained above and therefore the harm needs to be weighed against the public benefits of the proposal.

### Open Space

The site lies within an open space area as identified on the Unitary Development Plan Proposals Map. The NPPF says at paragraph 96 that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 97 states that existing open space should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Core Strategy Policy CS47 is concerned with safeguarding Open Space. It says that development will not be permitted where:

- a) It would result in a quantitative shortage of either informal or formal open space in the local area; or
- b) It would result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or

- c) People in the local area would be denied easy or safe access to a local park or to a smaller informal open space that is valued or well used by people living or working in the local area; or
- d) It would cause or increase a break in the city's Green Network

Development that would still result in the loss of open space will only be permitted where:

- As soon as practical, equivalent or better replacement open space would be provided in the local area; or
- The site is identified as surplus for its current open space function and:
  - i) A proposed replacement would, as soon as practicable, remedy a deficiency in another type of open space in the same local area; or
  - ii) It could not fulfil other unsatisfied open space needs
- The development would be ancillary to the open space and have a minimal impact on the use or character of the open space.

Unitary Development Plan policy LR5 is concerned with development in open space areas;

It says that development will not be permitted where:

- It would cause damage to Scheduled Ancient Monuments or other archaeological sites or
- It would result in a significant loss of mature trees or
- It would harm the character or appearance of a Public Space

Core Strategy Policy CS47 is considered to have a high degree of consistency with the NPPF as it consistent with its aims and allows for development in open space under certain circumstances. It therefore should be given significant weight. Policy LR5 is less consistent with the NPPF and therefore should be given less weight as it incorporates a prohibition on development, for example where it would cause damage to Scheduled Ancient Monuments.

The site comprises of informal open space, specifically natural & semi-natural greenspace. An open space assessment has been undertaken which considers whether the amount of open space in the surrounding area meets the Council's guidelines as set out in Policy CS47. In this case there is an abundance of informal open space within 400m of the site and therefore the proposal is not contrary to part a) of Policy CS47.

The open space cannot be considered to be high quality as it is overgrown and consequently much is inaccessible. Crossing the informal footpath that traverses the site involves negotiating mounds and skirting around a ditch. Part of the route passes between tall stands of Japanese knotweed and it is likely that some people would have personal safety concerns about walking across the site. The site does however have heritage value as a possible alignment of the Roman Ridge. The green corridor across the hillside which includes the application site and which incorporates a scheduled section of the Roman Ridge is a visual representation in the wider landscape of the potential alignment of the Roman Ridge and its relationship with Wincobank Hillfort. It also has landscape value as the planting on the site brings a finger of greenery/woodland into the housing area connecting to the open space to the north east and south west which breaks up and relieves the

mass of prominent housing on the hillside in views from the south. Its ecological value is limited as evidenced by the ecological assessment, (see below) but it is still concluded that the proposal is contrary to part b) of Policy CS47 due to the fact it results in loss of open space of heritage and landscape value.

The application site forms part of a much larger area of open space to the west and north of the site which includes publicly accessible areas of woodland and sports pitches. Whilst the informal footpath through the site provides access to this local park for the more adventurous it cannot be considered to be easy access. It is not clear whether a right of access has been established across the site and so it may be the case that the applicant could prevent public access by securely fencing the site. The provision of a formal footpath alongside the road serving the new housing will improve access to the local park for residents.

The number and nature of the representations indicate that the site itself is valued by local residents although the applicant considers it is of little value and has argued that there are antisocial behaviour issues with its use. The impenetrable nature of much of the vegetation and the challenges of using the informal footpath suggest it is not particularly well used. However it seems to be valued by local residents because of its perceived wildlife value, its value in the context of the Wincobank hill fort and Roman Ridge historic monument and also in terms of the amenity value for the occupiers of Beacon Road properties that back on to the site. However as local people do not have easy or safe access to the site because of the difficult terrain it is concluded that the proposal is not contrary to part c) of Policy CS47. Given the views expressed by an Inspector in appeal decision notice APP/J4423/A/04/1138594 para 13 it is considered that it would be difficult to sustain an argument that the proposal will result in a break in the city's Green Network.

Given the inaccessible nature of much of the site and the constraints to access, it provides few opportunities for sport and physical activity which is important for health and wellbeing. The improved footpath link across the site following the development of housing would improve the opportunities for physical activity by improving access to the open space to the west and north. However the NPPF makes it clear that existing open space should not be built on unless an assessment has been undertaken which clearly shows the open to be surplus to requirements.

A key purpose of the open space is its importance in understanding a potential alignment of the Roman Ridge and its context in relation to the Iron Age fort. The applicant argues that this is maintained by the proposed green route which crosses the site from the north east to south west.

As shown on the indicative layout plan the proposed green route is approximately 16m wide at the west end of the site for a distance of approximately 30m. Where it is located to the south of the 6 houses on the south side of the access road it reduces to 4m wide for approximately 50m. This 4m wide section would be located between 2 rear garden fences and given that it is shown as also accommodating a 2m wide footpath there would seem to be limited opportunity for planting. This section would not be well overlooked and it raises concerns about public safety

and antisocial behaviour issues. The green route then widens out to between 4m and 20m wide for a distance of approximately 40m until it runs along the south side of the proposed new access road. For the majority of the rest of the site (approx. 120m) the retained green route would be approximately 4.5m wide. Adjacent to the last 2 houses at the west end of the site it widens out to approximately 7m. The indicative cross sections suggest that this section of green route between the new road and the rear gardens of the Beacon Road properties would be very steep, probably too steep to access on foot although it could clearly be planted. It may need to be narrowed a little to accommodate a screen wall to reduce the impact of overlooking of the gardens of the Beacon Road properties from the footpath and highway. It is considered that the 2/3 storey houses would dominate the site and the landscaping within the green route would not be significant in the wider context. It is concluded that the open space is not surplus to requirements and the proposal is contrary to the NPPF open space policy contained in paragraph 97as it is required to protect the setting of the Ancient Monuments and to break up the massing of the wider housing area.

## Ecology

The Unitary Development Plan identifies the site as being within an Area of Natural History Interest. Policy GE13 says development which would damage Areas of Natural History Interest will normally not be permitted. It also says that where development would decrease the nature conservation value of an Area of Natural History Interest, 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. UDP Policy GE10 (a) says that a network of Green Corridors and Green Links will be protected from development which would detract from their mainly green and open character (see above) or which would cause serious ecological damage. .

An ecological appraisal has been submitted in support of the application. It states that the site consists predominantly of dense, continuous scrub and scattered trees, with small areas of tall ruderals and species poor semi improved grassland. Non-native, invasive Japanese knotweed dominates the centre of the site.

The appraisal states that the site provides hostile conditions for reptiles. The dense scrub that dominates the site fails to provide suitable basking sites which reptiles require.

No signs of badger were identified on site and the site has negligible / low habitat to support this species.

It is not considered to be important for amphibians as there was only one dried out pond on site and a lack of field / garden ponds in the surroundings of the site. No buildings or trees suitable for bat roosts were identified and the site was recorded as having low suitability for use by bats within the locality for foraging/ commuting.

In terms of invertebrates, without surveys the level of usage of the site by invertebrate species is unknown. However the ecological appraisal states that the site is dominated by dense, continuous scrub and scattered trees which provide

sub-optimal habitat for the majority of species recorded within the records search. The site is lacking habitat mosaic, bare earth and suitable food resources for adult and larval invertebrate stages.

The site does not support suitable habitat for any other protected or significant fauna, such as: dormouse; otter; brown hare; water vole or white clawed crayfish.

No habitats present within the site boundary are species rich or of significant interest for their floral species composition. No Local Biodiversity Action Plan Habitats were recorded within the site and no habitats classified as UK BAP Priority Habitats / Habitats of Principal Importance. Small areas of acid grassland recorded in previous surveys carried out in association the last application were absent when the site was surveyed more recently for the latest application.

The ecological assessment says the potential for ground nesting birds is limited by regular disturbance from footfall across the site. It is recommended that, where trees and scrub are due to be removed, it should be done outside of the breeding bird season and should this not be feasible then a pre-felling breeding bird survey should be undertaken by a qualified ecologist.

The site is classified as being part of the Wincobank Local Wildlife Site. Local Wildlife Sites are designated by the Local Wildlife Sites Partnership and defined in a citation sheet. The development will result in the loss of approximately 1.2 ha of currently designated Site of Interest in Nature Conservation habitat which has the same meaning as Local Wildlife Site. However the habitats present within the site were considered to be of limited ecological value and unlikely to currently meet the selection criteria for Local Wildlife Site selection or UK Biodiversity Action Plan Habitat criteria for lowland dry acid grassland, lowland heathland and ancient woodland priority habitat.

The appraisal recommends that the site would benefit from a sensitive planting scheme to be incorporated including native, broadleaved trees and wildflower species to increase invertebrate species and enhance the attractiveness of the site for birds, bats and other fauna. It says that where possible trees on the site boundary should be retained to enhance the site's biodiversity and a biodiversity enhancement plan should be compiled and submitted to the local planning authority.

The City Ecologist has advised that the ecology report is a thorough and comprehensive study of the site carried out according to current best practice and guidance on the reporting and appraisal from the Chartered Institute of Ecology and Environmental Management. The assessment's conclusion is accepted which is that although the site provides some semi-natural habitats for a small range of wildlife at a site based level it can be taken that there are no ecological constraints on the proposed development of the site. The City Ecologist has recommended that if consent is to be granted, an ecological enhancement plan and a scheme for controlling and removing Japanese Knotweed should be required and controlled by conditions.

Therefore it is concluded that the development would not cause serious ecological damage and therefore would not be contrary to Policy GE10 (a).

UDP Policy GE10 (c) states that the network of green corridors and green links will be extended by creating open space in areas of Desired Green Links. Map 4 associated with this policy shows a Desired Green Link entering the application site from Beacon Road and heading North West.

The issue of the Desired Green Link was considered by the Planning Inspector in the appeal against the Council's decision to refuse application 03/00789/FUL. In the decision notice the Inspector noted that the indicative line of the desired Green Link was in his view a longer term policy aspiration and was already blocked by houses in several places. In the appeal decision notice the Inspector states that, "Nevertheless, the proposed development would retain an open corridor across the site between the reservoir and Beacon Road, which, although narrow, would in my view, be consistent with the broad route of the Desired Green Link." The Inspector went on to conclude that the development would not conflict with the UDP Green Link policies. Although the site layout is indicative it shows that the site could be developed whilst retaining an open corridor on the line of the desired link. Given the Inspector's conclusion on this matter in the 2003 decision it would not be sustainable for the Council to argue that the current scheme would cause a break in the City's Green Network.

#### Amenity Impact

The site slopes steeply down from north west to south east with a fall of approximately 12-13m over a distance of approx. 30-40m with an average gradient of 1 in 3. The central section of the site is more level with steeper gradients to the north western and south eastern boundaries.

There are houses above the site on Sandstone Drive and below the site on Beacon Road. The indicative layout shows a possible way that the site could be developed by extending Sandstone Road into the site with houses facing south east and North West on a similar alignment to existing residential development on the hillside. The housing on the north side of the access road is cut into the hillside at the rear with terraced gardens. The sections suggest there will 3 floors of accommodation at the front and two at the rear. The cross sections suggest the housing on the south side of the access road will provide two floors of accommodation facing the access road and three at the rear.

The indicative layout shows that the new houses could be positioned so that they are between 20m and 27m from the houses on Sandstone Drive which face towards the site. This is sufficient to protect privacy. The outlook of the Sandstone Drive properties will not be significantly affected as the ground level of the existing properties is likely to be around the ridge level of the proposed houses so existing residents will be looking over the top of the new housing.

The Beacon Road houses are at a significantly lower level and the indicative cross sections shows the minimum and maximum separation between the existing and proposed houses to be 28m and 39m respectively but more generally over around

35m. The outlook distances are in excess of the minimum 21m separation which is normally sufficient to protect privacy. The proposed houses will be positioned at such a significantly higher level and the main views from the rear of the Beacon Road properties will be of the steep embankment to the rear of the properties. Taking this into account and the degree of separation it is considered that the new housing will not appear excessively overbearing.

The cross sections are indicative and the levels of the houses would not be fixed if planning permission were granted. The previous application 11/03972/FUL adopted a similar layout and was worked up in detail. The levels of some of the houses were up to 2.5m lower. The element which is likely to have the greatest impact on the Beacon Road properties is the new access road which will be elevated and positioned just beyond the bottom of the gardens of the Beacon Road properties. There is the potential for overlooking and noise and disturbance from use of access road. It was considered that this could be satisfactorily mitigated in the last application by a screen wall and planting of the south side of the access road. If this application were to be granted it is considered that as with the previous application the levels of the houses and access road could be adjusted and this, along with a screen wall would deliver an acceptable relationship between the Beacon Road properties and the access road.

The proposed houses on the north side of the access road are cut into the hillside and indicative sections show terraced rear gardens with substantial retaining walls. The outlook from some of the houses on to the retaining walls is likely to be quite imposing particularly for properties located at the east end of the site. Whilst this is not ideal there is likely to be an acceptable solution in amenity terms as with the previous application and this could be considered in more detail at the reserved matters stage.

In conclusion it is considered that sufficient information is available within this application and the previous application to show that a scheme for 22 houses can be accommodated on the site which would not have an unacceptable impact on the amenities of adjoining residents and provide satisfactory amenity for future occupiers of the houses.

## Design

Core Strategy Policy CS 74 says that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including the topography, landforms, river corridors, Green Network, important habitats, waterways, woodlands, other natural features and open spaces.

The existing housing on the Wincobank hillside is prominent and this site would be no exception. In wider views it would be seen in the context of housing both above and below the site which follows the contours on the hillside. However, as explained in the open space section, the housing would remove part of a green finger of open space/woodland that helps to break up the mass of the existing built form on the hillside. In this respect it is considered that it would have a limited harmful impact on the visual amenity of the locality.

Layout, scale and appearance are all reserved matters. The design and access statement and building for life assessment refers to detailed aspects of the design such as building facing material and the number of car parking spaces per dwelling. However approval is not being sought for any of these aspects of the scheme.

The housing surrounding the site comprises of typical semi-detached housing which is of no special character. There is no reason why a satisfactory design cannot be achieved at the reserved matters stage if planning permission is granted.

### Stability and Ground Conditions

The National Planning Policy Framework advises that planning decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from land instability and contamination.

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

In this case a specialist investigation has not been submitted with the application. This is because the application is in outline and the applicant wants to establish the principle of the development given the previous refusal and appeal decision. However a ground investigation report including recommendations for action was submitted with the last application 11/03972/FUL. Whilst the previous application was for full permission it had a similar layout to the indicative layout currently proposed. The investigation referred to trial pits and bore hole excavated in 1995 and 2000 and tests carried out on the load bearing capacity of the land. It covered a methodology for constructing the road and embankment. It also made recommendations regarding drainage trenches in case of leakages from the reservoir or springs on site and a drainage trench to prevent surface water permeating into neighbouring gardens. It stated that retaining walls would need to be designed to resist sliding and overturning and the houses on the south side of the road should have either piled or deep steeped trench footings. At that time the Council's Building Control section were consulted and they advised that report was comprehensive and had been prepared by a reputable firm of engineers and they had no reason to disagree with the conclusions reached that the site could be safely developed.

Given the above there is considered to be no reason why the site could not be developed safely with appropriate engineering precautions taken. The building regulations process will ensure house foundations are appropriate and the developer's engineer would be responsible for ensuring the retaining walls are appropriately designed. As the highway will need to be adopted as it will serve more than 5 houses the Council's highway adoptions section will want to ensure the road is designed to appropriate engineering standards so that it does not result in any unexpected liabilities. If permission is granted an informative could be attached advising the applicant to seek appropriate technical advice with respect to construction/stability and drainage issues.

The site lies within a Coal Mining High Risk Area. The Coal Authority says the site is subject to historic recorded and likely unrecorded coal mine workings at a shallow depth. Their records indicate a coal mine entry which poses a significant risk to stability and building over the top of it should be avoided wherever possible. They consider the coal mining risk assessment submitted with the application to be satisfactory. They have no objections to the proposed development subject to a condition requiring site investigations to be carried out and should these show the need for remedial works that they are carried out before development commences.

The coal mining report submitted in support of the application recommends intrusive site investigations to assess risks from mine gases. This could be the subject of a planning condition along with conditions requiring remediation to be carried out and validated if necessary.

#### Access Issues

The National Planning Policy Framework advises that development 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. Applications should give first priority to pedestrian and cycle movements and to facilitate access to high quality public transport.

Access is a reserved matter and therefore the design of the new access road and parking arrangements within the site will be subject to a future application should consent be granted.

It is considered that the existing road network can adequately accommodate the traffic associated with an additional 22 houses. Although there is significant on street parking on Sandstone Road a far larger number of houses are already able to safely access their properties with this constraint. The on street parking and traffic calming measures serve to reduce traffic speeds on Sandstone Road.

If permission is granted a stepped footpath link between the site and Beacon Road could be conditioned (with the agreement of the applicant) as it appears to be the intention of the applicant to provide this to improve permeability and sustainable access. A footpath link to the open space to the west could also be conditioned.

During construction there will undoubtedly be some disturbance and disruption resulting from construction traffic. However this will only be temporary and conditions could be imposed requiring a construction traffic management plan to include details of construction compound and contractors parking.

#### Sustainability

There is a presumption in favour of sustainable development as outlined in the policy section above.

The application site is considered to be reasonably sustainably located. It is situated within the urban area and there is a school, convenience store and open space within 400m of the site. There are bus stops on Sandstone Road and Jenkin

Avenue, within 400m of the site which are served by half hourly services that connect to Meadowhall and Sheffield Interchanges. The site is located in the lowest flood risk zone and therefore is not at risk of flooding.

Whilst the development is sustainably located it cannot be considered to be sustainable development because of its impact on the heritage value of the Ancient Monuments and the loss of open space of landscape value which is also valued by the local community.

Policy CS 65 'Renewable Energy and Carbon Reduction' states that all significant developments will be required, unless this can be 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. This could be conditioned if permission were to be granted.

The supporting statement says that the development will include hot water provided by photovoltaic panels, A+++ white goods will be installed, insulation will be installed to achieve code for sustainable homes 5-6 and designed to achieve a BREEAM Very Good certificate (subsequently clarified to be BREEAM Home Quality Mark of 4 stars). Materials will be sustainably sourced and electric plugins for vehicles will be provided to all dwellings along with a rainwater harvesting system for every dwelling. Whilst these features are welcomed only the renewable energy could be secured by condition given the current policy climate.

#### Flood Risk and Drainage

The application site area is 0.9 hectare and lies in flood zone 1 which has a low probability of flooding.

The flood risk and drainage statement advises that due to the predominantly low permeability of the local geology, the potential for groundwater seepages / springs and steep sloping topography, a high proportion of incident rainfall will form surface water runoff. The potential sources of flood risk are surface water run-off and the failure of the reservoir. The submission advises that any springs or seepages encountered would be managed within the onsite drainage system. Any works within the vicinity of the reservoir and associated pipe work would be managed by a site engineer to ensure the integrity of the reservoir.

The site is not actively drained and existing surface water run-off will flow towards the Beacon Road properties. The additional hard surfacing resulting from the development has the potential to increase run-off rates and therefore the surface water management proposals should seek to not increase run-off rates and volumes.

The flood risk and sustainable drainage statement says that foul water will discharge to the public combined sewer and surface water will discharge to public combined sewer with storage on site to restrict run off to 8 litres/second which is the Greenfield run-off rate for the site. Underground storage would be required to attenuate the run-off and sustainable urban drainage techniques would be used with due consideration given to ground stability constraints and the potential flood risk to down-slope properties on Beacon Road.

The Lead Local Flood Authority considers the submitted surface water drainage strategy is satisfactory and recommends that conditions can be attached to limit the surface water discharge rate and to require full details of the surface water drainage design to be submitted for approval.

Yorkshire Water has no objections subject to standoff distances of 3m for development and 5m for trees from the sewer centre line. They advise that it is permissible for roads to be located over sewers provided there is no additional loading and protection measures are implemented during the construction phase. They also recommend conditions regarding separate systems of drainage and restrictions on the discharge rate.

### Community Infrastructure Levy

The site lies within the north east area where the CIL charge is £0 per sqm.

### Affordable Housing

The site lies within the north east affordable housing area where the contribution is 0%.

## RESPONSE TO REPRESENTATIONS

There is no reason to assume that new housing will lead to an increase in antisocial behaviour. In fact it is usually accepted that the increased natural surveillance resulting from new housing benefits public safety and security. Core Strategy Policy CS26 seeks to ensure the efficient use of housing land and sets a density range of 30-50 dwellings per hectare for a location such as this. The density of development would be in the range of 20 dwellings per hectare. However the above policy acknowledges that densities outside the preferred ranges will be allowed where they achieve good design, reflect the character of the area or protect a sensitive area. In this case due to the topography of the site lower density would be justified to reflect the character of the area.

Housing need figures are now set by the Government and Sheffield is predicted to have a rising population which along with falling household sizes means that there is a need for additional housing. 22 additional houses are unlikely to have a significant impact on the demand for services in the local area and might help to support local shops/pubs. The responsible bodies for the provision of health services can access additional funding if this is justified by the growth in demand. In addition the Community Infrastructure Levy is intended to replace funding for additional school places that would otherwise have been secured through the planning process.

Immediate neighbours of the site were consulted and site notices displayed on Sandstone Road, Beacon Road and adjoining the footpath leading from Beacon Road to the public open space to the south east of the site.

## SUMMARY AND RECOMMENDATION

The archaeological evidence submitted in support of the application adds a little more weight to the argument that the Roman 'Ridge' passed below the site rather than through the site by promoting a theory that it followed the alignment of the Parkgate Sandstone outcrop which faulted below the site. However there is no firm evidence of this and it could also have passed through the site; a view which the Planning Inspector inclined towards in the 2013 appeal. Neither Historic England nor the South Yorkshire Archaeological service concludes that the new information provides convincing evidence that it did not pass through the site. There is therefore no strong case for departing from the last appeal Inspector's conclusion:

- That the site and the adjoining land provide the context and setting for the separate parts of the ridge and the course of the ridge is part of the archaeological and historic landscape setting of the hillfort.
- That the ability to appreciate the continuous line of the Ridge is vital to understanding its overall form and nature, its historic significance and its relationship to the hillfort.

Building on the site would detract from the setting of Ancient Monuments and undermine the ability to understand their significance. It is considered that the indicative narrow green route across the site would allow the public to walk along a potential route of the Roman Ridge across the site but it would be dominated by the new housing. It would be a poor compensation for the wider green space within which the potential route of the Roman Ridge sits at the moment and would be unlikely to be appreciated in the wider landscape. The proposal therefore remains contrary to the Unitary Development Plan Policy BE22, Core Strategy Policy CS47 (b) and paragraph 192 of the NPPF.

In your officers' view the harm to the heritage assets is less than substantial. Paragraph 194 of the NPPF advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 196 says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In this case the public benefits of the proposal are the construction of 22 houses in a reasonably sustainable location when the city cannot demonstrate a 5 year supply of housing which has been tested in accordance with the NPPF. The housing could help to meet the needs of disabled people and be sustainably designed and the Council could have nomination rights. However these benefits are very uncertain for the reasons explained above and therefore should be given very limited weight. The applicant has also offered enhancement of access and improved interpretation of the schedule section of the Roman Ridge to the north east of the site although this can be given no weight as the applicant has declined to include this within the application boundary. The footpath along the extension of Sandstone Road providing improved access into the wider open space to the south west of the site is a benefit of the proposal as is the economic activity generated by the construction of the houses, both of which should be given some weight.

In addition to the harm to the heritage interest of the Scheduled Ancient Monuments the development would result in the loss of open space which is of landscape value in breaking up the mass of housing on the hillside in wider views and it is also valued by the local community. Therefore development will be contrary to Policy CS47b).

The presumption in favour of sustainable development in paragraph 11 of the NPPF means granting planning permission where the policies most important for determining the application are out-of-date, unless the policies in the framework protecting assets of particular importance provide a clear reason for refusal or any adverse impacts are significantly outweighed by the benefits.

Footnote 6 to paragraph 11 of the NPPF advises that designated heritage assets are assets of particular importance and as the proposal would have a harmful impact on the setting of the Ancient Monuments which would undermine the ability to understand their significance, this provides a clear reason for refusing the application. It is therefore recommended that planning permission be refused.



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of City Growth Department

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**Date:** 23 April 2019

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Author of Report:** Marie Robinson 0114 2734218

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**Summary:**

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

### REPORT TO PLANNING & HIGHWAYS COMMITTEE 23 APRIL 2019

#### 1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

#### 2.0 NEW APPEALS RECEIVED

- (i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for demolition of building/outbuilding and erection of 2 no. dwellinghouses 586 - 588 Manchester Road Stocksbridge Sheffield S36 1DY (18/03675/FUL).

#### 3.0 APPEALS DECISIONS – DISMISSED

#### 4.0 APPEALS DECISIONS - ALLOWED

#### 5.0 ENFORCEMENT APPEALS - DISMISSED

#### 6.0 RECOMMENDATIONS

That the report be noted.

Colin Walker  
Interim Head of Planning

*23 April 2019*



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