

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the Planning and Highways Committee  
Date Of Meeting: 18/02/2014

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

\*NOTE\* 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.

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Case Number	13/04127/OUT (Formerly PP-03034828)
Application Type	Outline Planning Application
Proposal	Erection of a dwellinghouse
Location	Land Adjoining 58A And 60 The Grove Totley Sheffield S17 4AS
Date Received	09/12/2013
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally

Subject to:

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

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

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

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

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

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

- 4 The development must be carried out in complete accordance with the following approved documents:

site location plan, received on the 10th December 2013

Reason; In order to define the permission.

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

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

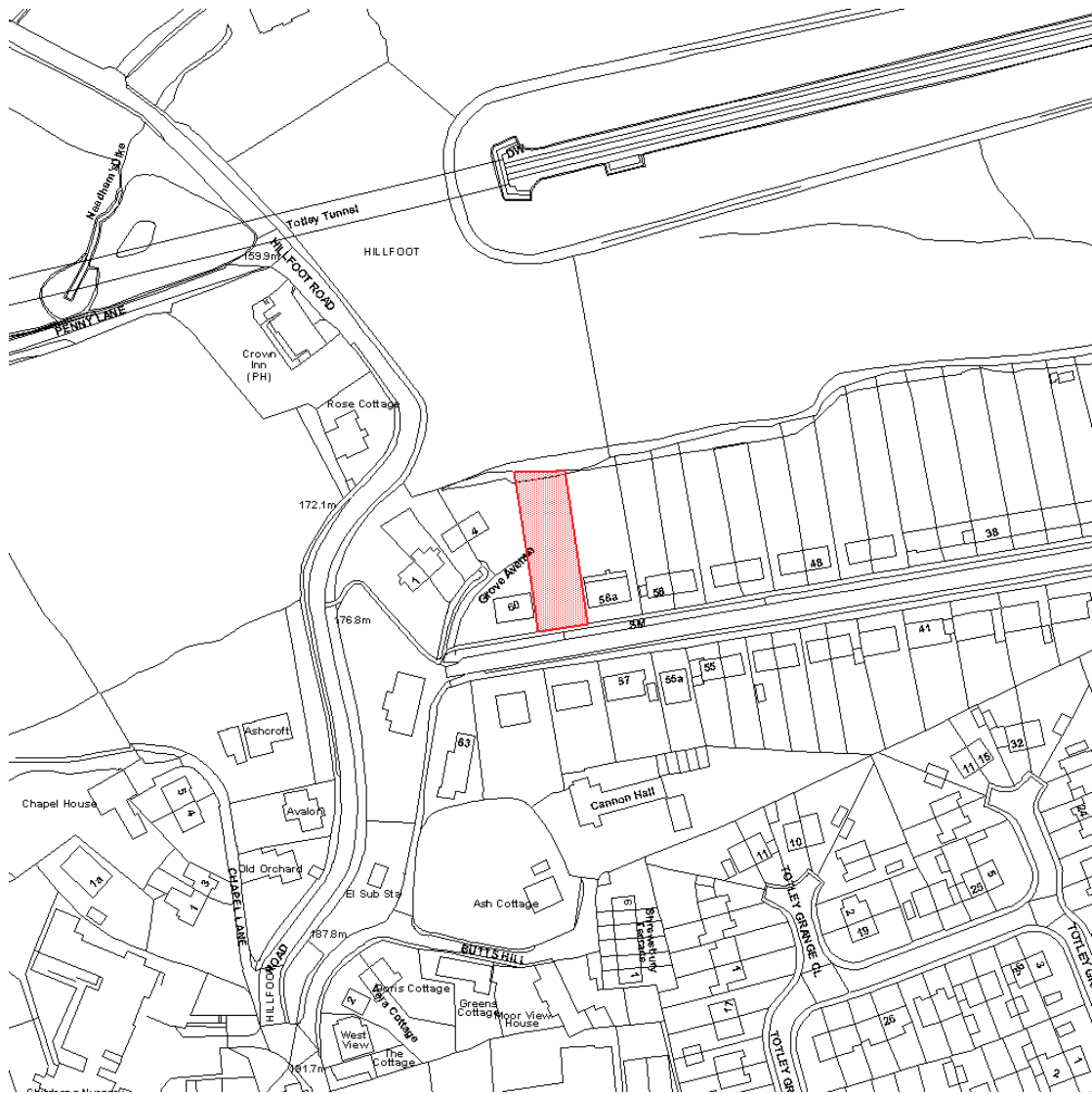
- 6 Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwelling shall not be used unless such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

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

Attention is drawn to the following directives:

1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

# Site Location



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## LOCATION AND PROPOSAL

This is an outline application (with all matters reserved) for the erection of a detached dwelling, on a vacant plot located between numbers 58A and 60 The Grove in the Totley area of Sheffield.

The application site is located within a Housing Policy Area as defined in the Sheffield Unitary Development Plan. The site is bordered to the north by Green Belt, and by Housing Areas on all the other sides. The site lies immediately adjacent to the boundary of the Totley Conservation Area to the west.

The site consists of a rectangular area of steeply sloping urban scrub, previously garden space, between Nos. 58A and 60 The Grove.

The street-scene of The Grove consists of a variety of detached and semi-detached houses and bungalows. It is worth noting that the two adjacent residential properties (nos. 58A and 60 The Grove) appear in the street-scene as bungalows. As a result of the steeply sloping land at the rear, both the adjacent properties also have a deep under-croft at the rear.

The facing materials on the road are quite varied and include brick, render and stone.

A noticeable feature of this stretch of road is the fact that the carriageway is in a significantly elevated position from both the adjacent public footpath and the development plot (the difference in levels between the road and the public footpath is approximately 1.3 metres) with a further difference in level of approximately 700mm between the public footpath and the natural ground of the development plot.

## RELEVANT PLANNING HISTORY

The planning history for the site includes:-

05/02358/OUT - this was an outline application with all matters reserved. This application was subsequently refused in September 2005 on the basis that the proposal did not include any off-street car parking provision on the site and, as a consequence would lead to an increase in on-street car parking within the vicinity of the site which would be detrimental to highway safety. The applicant appealed against the refusal decision and subsequently, the appeal was allowed in February 2006. The Inspector took into account that the proposal would lead to an increase in on-street car parking but felt that the level of increased on-street parking would be limited and, the Inspector felt that increased level of on-street parking would not unacceptably exacerbate the existing situation or affect the safety and free flow of traffic.

07/01041/FUL - This was an application for full planning consent for a two-storey 4/5 bedroom detached dwelling with an integral garage. This application was

subsequently withdrawn in November 2007. Prior to being withdrawn concerns had been raised from a highways safety perspective.

## SUMMARY OF REPRESENTATIONS

This application has resulted in 6 letters of representation being received in connection with this application. The representations are all in objection to the proposal. The reasons for objection have been summarised and are listed below:-

- The level of traffic on this stretch of road has significantly changed since 2006 (when the Appeal decision was made).
- The on-street parking situation on The Grove has significantly worsened since 2006 and this development will exacerbate that problem, thereby having a detrimental impact on pedestrian and highway safety.
- As a result of the on-street parking in the vicinity of the plot, there will be limited opportunity to create an access into the development site.
- The increased number of vehicles parking on the road as a direct result of this development will lead to displacement of existing resident's on-street parking and further problems of manoeuvring towards the head of the cul-de-sac.
- The increased level of on-street parking will affect existing visibility splays, thereby harming highway safety.
- Lots of people park their cars or walk along The Grove en-route to the nearby school, this proposal will therefore be detrimental to pedestrian safety which would be contrary to Policy H14 of the Sheffield UDP.
- The proposal will not be able to achieve the minimum standards for off-street car parking and as such, the proposal will be contrary to UDP policies.
- The Council should compulsory purchase the land and use it to create a turning head.
- The only place for delivery and service vehicles is at the entrance to The Green (a road junction off The Grove) therefore, to exit The Grove lorries have to reverse approximately 200 metres back along a narrow road which is detrimental to highway safety. This will be a particular problem during any future construction stage when building materials are delivered to the site.
- Due to the gradients and differences in levels between the site and the adjacent carriageway, the site will be difficult to develop and could lead to additional safety risks for pedestrians using the public footpath.
- Because there is no turning head, motorists sometimes use the private drives to carry out turning manoeuvres and in doing so, there has on

occasions been some damage to gates, gateposts and existing parked cars. This proposal will exacerbate those problems and risks.

- The increased level of cars parked on-street would also make it difficult for existing residents (on the southside of the road) to manoeuvre to and from their own access drives.
- The proposed construction of a dwelling on the plot would take away existing views towards the moors that are currently enjoyed by local residents and people walking along The Grove.
- The proposal represents an overdevelopment of the plot in a sensitive location (Conservation Area).

## PLANNING ASSESSMENT

### Policy Issues

The application site is situated within a Housing Policy Area as defined in the Unitary Development Plan. (UDP) The main policy considerations are therefore outlined within UDP policies:

- H10 'Development in Housing Areas';
- H14 'Conditions on Development in Housing Areas';
- T22 'Private Car Parking in New Development'.

In March 2009, Sheffield City Council adopted the Core Strategy policy document which is to run alongside the UDP until the Sheffield Development Framework is fully implemented. The policies which are most relevant from the Core Strategy are in this case:

- CS24 'Maximising the Use of Previously Developed Land for New Housing';  
and
- CS31 'Housing in the South West Area'.

### National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's requirements for the planning system, planning policies and the decision-making process. The NPPF provides the framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The most relevant planning policy from the NPPF which relates to this development is expressed at paragraphs 49 and 32.

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

Amongst other transport related points, Paragraph 32 stipulates that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". Clearly in this instance, whilst the scheme would lead to a likely increase of on-street car parking (of upto 2 or 3 vehicles), the cumulative impact of the development would not be considered as being "severe".

The application has been tested against all of the above-mentioned policy criteria and, the findings are covered elsewhere in this report (see below). Given that this proposal is for outline consent (with all matters reserved), it is considered that the main issue is whether or not the principle of a residential dwelling on the plot is acceptable or not and, given the known constraints of the site, whether or not a development (without any provision for off-street car parking) would be detrimental to highway safety and detrimental to the amenities of existing local residents.

The proposed development is to provide residential accommodation in a Housing Policy Area. Policy H10 of Sheffield UDP states that Housing is the preferred use in Housing Areas, and therefore, the principle of developing the site for residential purposes is clearly acceptable. The proposal therefore accords with UDP Policy H10.

The site is considered to be within a fairly sustainable location being within close walking distance of the shops and services at Totley where there are also frequent public transport/bus services in operation. Core Strategy Policy CS24 seeks to try and ensure that priority is given to developments on previously developed sites and that no more than 12% of dwelling completions are carried out on greenfield sites. As a former residential garden, this is classed as being a greenfield site however, the latest data shows that only approximately 6% of dwelling completions have been carried out on greenfield sites and therefore, the proposal will accord with policy CS24 of the Core Strategy.

Policy CS31 of the Core Strategy seeks to protect the character of south west Sheffield to ensure that new developments respect the character of an area. Officers do not feel that this proposal would represent an inappropriate "garden grabbing" development because the proposed plot has appropriate street frontage and garden/amenity space and has the potential to replicate the character of the street. The proposal therefore accords with policy CS31 of the Core Strategy.

## Design Issues

Policy H14 (a) of the Sheffield UDP seeks high quality designs which would reflect the existing character and appearance of the surrounding area whilst also ensuring that the proposal does not cause any detrimental harm for existing residents. This application seeks outline permission (with all matters reserved) for the erection of a dwelling and therefore, the details relating to the design, appearance, landscaping and layout will be dealt with at a reserved matters stage, when the details are submitted. However, the plot size can accommodate a dwelling in a manner that reflects the character of neighbouring properties.

## Highways Issues

The proposal is considered to be undesirable from a highway point of view.

A significant number of properties (approximately 10 in total - mainly from the northern side of the road) already have to rely on on-street parking (due mainly to the differences in levels between the carriageway and the plots). Those dwellings without off-street parking provision tend to park on the northern side of The Grove thereby allowing vehicles to pass on the southern side of the road.

This stretch of The Grove is relatively narrow with no turning head at this end of the road, and as a consequence, manoeuvring/turning is quite an arduous process that is also hampered at times when there is a heavy presence of on-street parking (particularly in the evenings and at weekends when most of the residents are at home). These parking issues mean that vehicles often either have to reverse a considerable length of the road or try and carry out a rather convoluted turning manoeuvre within the carriageway - neither of which are considered to be desirable from a highway safety point of view.

The Grove is also often used by parents dropping children off at school, so there are instances when motorists park on The Grove and walk along the public footpath at the end of The Grove to get to a nearby school. If there is no prospect of parking nearby and because of the known difficulties in manoeuvring local residents and those parents are more likely to park elsewhere on The Grove (possibly 20 or 30 metres further away, where there might be less parking congestion).

Despite these concerns about the parking, traffic and manoeuvring on The Grove, it should be noted that there are no records of any reported injury collisions occurring on The Grove between the 1st of January 2007 and the 31st of November 2013.

Depending on the size of the resulting dwelling (which would be considered as part of a subsequent reserved matters application), this development might need to provide between 1 and 3 off-street car parking spaces, it's clear however that in this instance (due to the site constraints and carriageway levels) that any future residential development is unlikely to satisfactorily achieve any off-street parking provision, and as such, any future residential development of the site is likely to lead to an increase in on-street car parking. It's clear therefore that any future



residential development of the site is unlikely to satisfy UDP Policies T22 and H14 (d), which require new developments to provide safe access to the highway network and appropriate provision for off-street car parking.

However, officers feel that the previous Appeal Inspector's judgement on this issue is a significant and material consideration. On this point the previous Appeal Inspector took into consideration the requirements of Policy H14 and the need to provide safe access to the highway network and appropriate off-street car parking. The Appeal Inspector also took into account the need for the development to achieve 2 to 3 off-street car parking spaces in line with approved guidelines. The Inspector also stipulated that the Council's supporting text says that the guidelines can be applied flexibly, reducing parking requirements in locations well served by other means of transport. The Inspector also noted the appellant's submissions on the proximity of the appeal site to local facilities located mostly on Baslow Road (A621) and the access to public transport services along that route, but still concluded that it was highly probable that prospective residents of any future dwelling on the plot would still also want to have access to a car and that any parking generated by the dwelling would have to be accommodated on-street. The Inspector concluded that the proposal would not unacceptably exacerbate the existing situation or affect the safety and free flow of traffic and therefore would not conflict with the objectives of development plan policies.

Officers feel that whilst there is a real likelihood that this development may result in an increase in on-street car parking (because of the likely difficulties in achieving a scheme that is capable of incorporating dedicated off-street parking provision), this would be limited and some weight must be given to the previous Appeal decision.

In this context, refusal of permission on highway safety grounds could not reasonably be sustained.

#### Amenity Issues

The development plot is considered capable of accommodating a new dwelling with a reasonably sized garden/amenity space. Indeed, it is considered that the plot is comparable with two adjacent residential plots and, subject to the design being agreed, there is no reason to suggest that a new dwelling on the plot would cause any overbearing or loss of privacy issues or affect the character of the street-scene.

#### RESPONSE TO REPRESENTATIONS

Whilst local residents have indicated that the level of traffic and car ownership on this stretch of road have significantly changed since 2006, there is no reasonable way of validating this statement. Officers can confirm however, that there are no new homes or residential developments in close proximity of the site on this stretch of The Grove that may have significantly increased traffic generation levels and therefore, officers can only make the assumption that car ownership is likely to be similar to the levels that they were in 2006.

With the exception of a marked disabled parking space on The Grove, the displacement of on-street car parking for existing residents is not considered to be a justifiable reason to refuse a scheme. Although officers accept that it might cause some inconvenience for some existing local residents, those same local residents do not have a right to park on the public highway immediately outside their home.

It is acknowledged that The Grove is a narrow road and has no suitable turning head, however, this factor was also taken into consideration by the previous Appeal Inspector when the previous outline appeal was allowed.

Officers are of the opinion that it would be unreasonable to argue that the limited increase in on-street parking (of up to 2 or 3 vehicles) would significantly affect pedestrian safety to the extent that the scheme should be refused, particularly taking into account the decision of the previously allowed appeal.

Delivery and service vehicles would have to continue operating in the same manner that they currently do and the addition of one new dwelling is realistically unlikely to lead to a significant shift in highway safety to justify a refusal of the scheme, again, all of these matters were previously considered in 2006 when the previous appeal was allowed by the Appeal Inspector and some weight must be given to that previous Appeal decision.

Construction and works vehicles are generally considered to be temporary in nature, and whilst there is no doubt there may inevitably be some challenges and inconvenience during that construction phase. Those problems are temporary and therefore could not reasonably form the basis for resisting the proposal.

Whilst it is clear that local residents and passers-by may have enjoyed views out across the moors for many years, the site does represent an infill development plot on a street frontage, amongst other dwellings. Local residents aren't entitled to retain views that they may have enjoyed for many years (particularly in a case like this, where the site is a development plot and has previously been approved as such).

The site adjoins the Totley Conservation Area and represents an infill plot between two existing dwellings, in this regard therefore, the proposal does have the potential to affect the adjacent Conservation Area but the reserved matters application will present the opportunity to consider the extent of this impact.

## SUMMARY AND RECOMMENDATION

This is an application for outline planning consent (with all matters reserved) for the erection of a dwelling on an existing vacant plot of land in the Totley area of Sheffield. The site, which is within a Housing Policy Area, is located on a vacant plot nestled between two existing bungalow properties close to the head of a narrow cul-de-sac road. Due to the gradients of the site and the differences in levels between the carriageway and the plot, there is no real likelihood of the site ever achieving any provision for off-street car parking and, as a consequence, any new dwelling on the plot is likely to lead to some on-street car parking.

A similar outline planning approval (reference no. 05/02358/OUT) was allowed on Appeal in 2006. The Inspector acknowledged that the proposal would lead to an increase in on-street car parking but did not feel that the level of increase was so harmful that it justified a refusal of the scheme. Officers feel that whilst it is undesirable to have a new development with no provision for off-street parking, the previous Appeal decision in 2006 is a significant and material consideration. There have been no significant changes either in policy or in the area since the previously allowed Appeal and therefore, officers do not consider it to be appropriate to justify a refusal of the scheme now.

Policy H10 of the Sheffield Unitary Development Plan states that Housing is the preferred use in Housing Policy Areas, and therefore, the principle of developing the site for residential purposes is clearly acceptable.

Therefore, on balance, and taking into account the NPPF presumption in favour of sustainable development, it is recommended that this application be conditionally approved.

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Case Number	13/04056/FUL (Formerly PP-03036102)
Application Type	Full Planning Application
Proposal	Erection of 34 dwellinghouses with associated car parking and landscaping
Location	Land Between 41 And 87 Buchanan Crescent And Land Adjoining 58 Buchanan Crescent And 262 Buchanan Road Sheffield S5
Date Received	30/11/2013
Team	West and North
Applicant/Agent	Triangle Architects Limited
Recommendation	Grant Conditionally

Subject to:

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

Drawing No(s) 1, 2A, 3A, 4A, 5A, 6A, 7A, 10, 11, 12A, 13A, 14, 15A, 20A, 21, 22, 23, 24, 25, 26A, 30, 31, 32A, 40  
Topographical Survey  
Design and Access (as amended)

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

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

- 4 Large scale details, including materials and finishes, at a minimum of 1:20 scale 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 and verges  
Entrance canopies  
Roof  
Ridge & valleys  
Rainwater goods

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

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

- 5 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 prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

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

- 6 Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason; In order to protect the character of the original building.

- 7 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

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

- 8 A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning

Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

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

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

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

Reason; To ensure that the local planning authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

- 11 No development shall commence until full details of measures to protect the existing trees/shrubs 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, 2005 (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 the visual amenities of the locality.

- 12 The development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans, surfaced and drained to the satisfaction of the Local Planning Authority, and thereafter retained/maintained for the sole purpose intended

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

- 13 The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use (including new kerbing, carriageway reinstatement/resurfacing, and street

lighting accommodation works). The detailed materials specification shall have been first approved in writing by the Local Planning Authority;

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

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

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

- 15 There shall be no gates or barriers erected at the means of access to the site.

Reason; To ensure access is available at all times.

- 16 The residential accommodation hereby permitted shall not be occupied unless the scheme of sound attenuation works given in section 6 of the noise report (ref. BlueTree Acoustics 1930/11.1) has been installed and thereafter retained. Such scheme of works shall be capable of achieving the following noise levels:

- a) Bedrooms: LAeq 15 minutes - 30 dB (2300 to 0700 hours),
- b) Living Rooms: LAeq 15 minutes - 40 dB (0700 to 2300 hours),

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

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

Be carried out in accordance with an approved method statement,

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.

- 18 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.

- 19 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.

- 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 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 or any part thereof shall not be brought in to 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 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.

- 22 This is classed as a 'greenfield' site therefore surface water discharge is limited to 5 litres per second per hectare, or 5 l/s total if the site is smaller



than 1 Ha. This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site. Detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved by the Local Planning Authority prior to commencement of building.

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

- 23 No building or other obstruction shall be located over or within 3 metres either side of the centre line of the sewer i .e. a total protected strip width of 6 metres, that crosses the site.

Reason; In order to allow sufficient access for maintenance and repair work at all times

- 24 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

- 25 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off -site works, have been submitted to and approved by the local planning authority .

Reason; To ensure that the development can be properly drained

- 26 There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works .

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal

- 27 No development shall commence unless and until all interests in the development site are subject to and bound by the terms of a section 106 agreement or undertaking in the form of the draft section 106 agreement annexed to the section 111 agreement related to this planning permission dated (DATE TO FOLLOW) and entered into between [NAMES OF PARTIES TO FOLLOW].

Reason; In order to secure the payment of open space and education monies and to secure the provision of affordable housing.

- 28 The dwellings shall not be used unless a level threshold has been provided to the entrance thereto in accordance with details to be submitted to and

approved in writing by the Local Planning Authority and thereafter such level threshold shall be retained.

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

- 29 The dwellings shall not be used unless the access and facilities for people with disabilities shown on the plans and cited in the design and access statement have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

Attention is drawn to the following directives:

1. 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 a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group  
Development Services  
Sheffield City Council  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

For the attention of Mr S Turner  
Tel: (0114) 27 34383

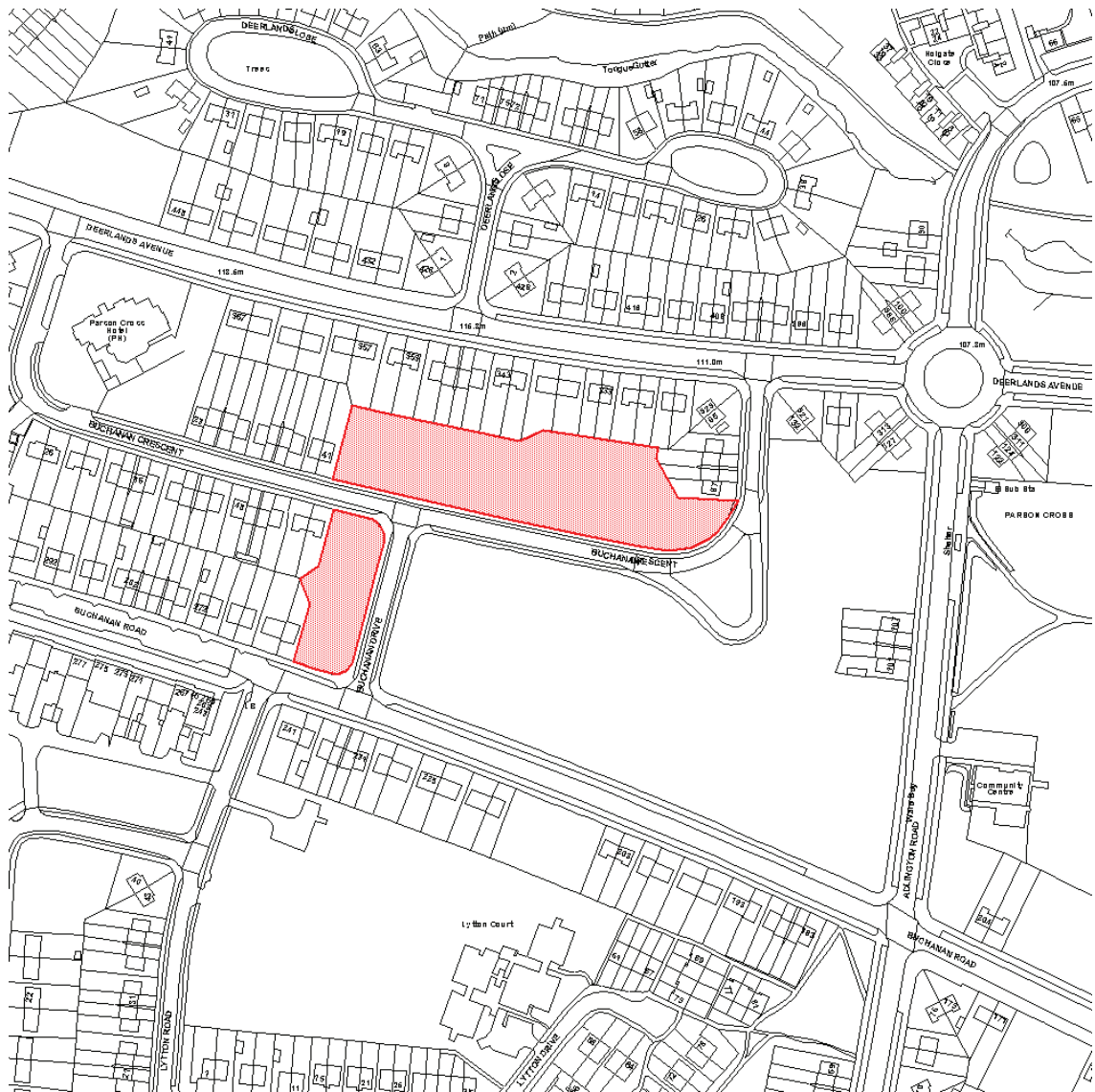
2. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
5. The applicant is advised to contact Edward Ashworth to progress the street lighting design/accommodation works as soon as possible (0114 205 7422).
6. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

7. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

## Site Location



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## LOCATION AND PROPOSAL

The application relates to two plots of land which are located on Buchanan Drive and Buchanan Crescent. The area of land which runs alongside Buchanan Drive is a cleared housing site whilst the second site, which runs along Buchanan Crescent, is a mix of cleared housing land and informal open space. The area of informal open space is the area of land adjacent to No.41 Buchanan Crescent. The land on which the development is to be constructed is designated as a Housing Area in the saved Unitary Development Plan.

The streetscene is currently one which is undergoing change. Immediately facing the site is a cleared site, similar to the subject site and which is now grassed over and pending future redevelopment. The remaining street scene consists of two storey semi-detached and terraced dwellings, which are typical for the area. The main materials are red brick and render. Around the corner from the site on Buchanan Road are some local shops, whilst the new Chaucer District centre is a short walk away.

The application seeks consent for the erection of 34 dwelling houses with associated car parking and landscaping. The accommodation to be provided will be a mix of accommodation and comprises 15no. two-bedroom dwellings, 8no. three-bedroom houses, 3no. bungalows, 4no. one-bedroom apartments and 4no. 2-bedroom apartments. The properties will have parking to the front/side along with a small area of landscaping, with the main amenity space being located to the rear.

## RELEVANT PLANNING HISTORY

03/01084/RG3

Prior notification to demolish dwellings on Buchanan Crescent (60-130 evens, 63-85 odds, 12-22 evens) and Buchanan Drive (1-7 odds, 2-12 evens) (Application under reg 3 - 1992)

GC 23/04/2003

## SUMMARY OF REPRESENTATIONS

There have been no letters of neighbour representation regarding this application.

## PLANNING ASSESSMENT

### Principle of Development

National Planning Guidance is set out within the National Planning Policy Framework, which was published on 27th March 2012. Paragraph 12 of the National Planning Policy Framework confirms that 'proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise'.

With regard to local planning policy, within the SDF Core Strategy, Policy CS24: 'Maximising the Use of Previously Developed Land for New Housing' states that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. As the subject site is a previously developed site, new housing here will contribute towards meeting the objective set out in Policy CS24.

Policy CS26 of the SDF Core Strategy 'Efficient Use of Housing Land and Accessibility' states that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. Density of new developments varies depending upon the location of the site. This location is both within 400m of a high frequency bus route along Adlington Road and the proposed District Centre at Chaucer, such that the appropriate density range is 50 – 80 dwellings per hectare. This proposal is for 18 x 2 bed houses, 8 x 3 bed houses, 4 x 2 bed flats and 4 x 1 bed flats, which represents a density of 51 dwellings per hectare and therefore meets the policy requirement.

Policy CS41 'Creating Mixed Communities' states that mixed communities will be promoted by encouraging development of housing to meet a range of housing needs including mix of prices, sizes, types and tenures. The development will provide a mix of housing types including houses, bungalows and apartments which will all help to meet a range of housing needs in accordance with Policy CS41.

As the site is located within an area designated as a Housing Area in the adopted Unitary Development Plan, Policy H10 is the most relevant policy in respect of establishing the principle of the site for use as housing. Policy H10 states that in Housing Areas Housing will be the preferred use. In this respect the proposal is considered to be acceptable in principle.

#### Informal Open Space and the Principle of Development

Whilst the land on which the development is proposed is designated as a Housing Area in the saved Unitary Development Plan, the area of land adjacent to No.41 Buchanan Road and extending in a linear strip for approximately 68 metres along the road is audited as informal open space. This space is not classed as open space in the Unitary Development Plan as it is too small, but it is considered to have value as a green space within the estate.

In 2005 a Masterplan for Parson Cross was developed as part of the work under the Transform South Yorkshire Housing Market Renewal Pathfinder. The intention of this project was to target resources over a period of 10 years, for interventions to help restructure the local and sub-regional housing markets, and create successful and sustainable communities through comprehensive regeneration. This Pathfinders project has now finished but the Masterplan remains as an approved documents following consultation in 2004.

The Masterplan for Parson Cross sets out an indicative vision for the site, which outlines the area of land which is the subject of this application, and the cleared site opposite, as an area for housing development with a an area of open space as

part of this development. This new area of informal open space would break up new development, help create a green link from Parson Cross Park to the new centre at Chaucer and would also be the replacement informal open space for the area that is now to be lost as part of this application.

The rationale for re-siting the open space as part of the redevelopment programme was that the open space could better serve residents in an alternative location and would add to the overall design of the development site in another location. At present, for example, the current site suffers from fly tipping and is not well overlooked and used by the community.

Paragraph 74 of the NPPF states that “existing open space, sports and recreational buildings and land, including playing fields, 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 needs for which clearly outweigh the loss.

This approach is reiterated in Policy CS47 of the Core Strategy ‘Safeguarding of Open Space’. With regards the context of this application, the policy essentially states that development of open space will not be permitted, unless, as soon as practicable, equivalent or better replacement open space would be provided in the local area.

Whilst there is not a shortage of informal space within the vicinity of the site overall, there is a shortage of amenity green space, which is the category of informal open space relevant to this development. The loss of this open space is therefore contrary to CS47, if it is not to be provided elsewhere in the same local area. To address this policy constraint the ideal solution would have been for the whole site to be developed as one and the open space replaced as per the intention of the Parson cross Masterplan. However, this is not the case. A smaller development proposal has essentially been brought forward due to an underspend of Homes and Communities Agency monies by Great Places this financial year and a desire to spend the monies allocated and deliver affordable housing for the City.

The intention is that development will start this financial year, so there is a strong indication that this is a development that will be delivered in the near future. This delivery of affordable housing is a consideration in determining the acceptability of the scheme.

Turning back to the principle of developing the open space, then it is the case that the larger cleared site between Buchanan Road and Buchanan Crescent is still within City Council ownership, and there are intentions that this site will still be brought forward for development in the future. In order to ensure therefore, that the development as proposed now can satisfy the policy requirements of the Core Strategy, confirmation has been sought from the Council’s Head of Sustainable City by the Interim Head of Planning that a replacement piece of open space will

be provided as part of the redevelopment of the larger cleared site, which lies opposite the subject site.

As the site is council owned and it is an agreement between council departments, then this cannot be achieved by a legal undertaking. It is considered in this instance however, that the statement from the Head of Sustainable City to the Interim Head of Planning is satisfactory in order to ensure that the re-provision is achieved.

It is therefore considered that the principle of the development proposal is satisfactory with regards the aims of the NPPF and CS47.

#### 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. It proposes a target of 30 - 40% affordable housing on sites of more than 15 units.

It is intended that all of the 34 dwellings proposed as part of this development will be provided at affordable social rent. They will be owned and maintained by Great Places Housing Group. The proposed development scheme is therefore considered to be consistent with the policy requirements of CS40.

#### Design

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

Core Strategy Policy CS 74 'Design Principles' reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city. Amongst other items, this includes views and vistas to landmarks and skylines into and out of the City Centre and across the city to the surrounding countryside.

#### Proposed Scale

The existing Parson Cross area is heavily characterised by 2 storey houses and terraces and there is a relatively consistent design to these throughout the area. The proposed height of the new buildings is 2 storeys, which is consistent with the residential scale of the surrounding roads. It is noted that the eaves height of the new dwellings will be slightly higher than those which are existing, but the difference proposed is not such that the new dwellings would be wholly out of rhythm and character in the street scene. As such, there are no significant concerns regarding scale and massing.



## Proposed Design and Layout

The layout of the development is considered to be appropriate for its location and the development responds to the current situation, whilst also considering how the development will work with future development phases.

The consistency of the building line has been retained and the strength of this carries through the development. To the corner plots, the building line has been brought forward to strengthen and emphasise these corners, as well as helping the development to turn the corner.

A strong boundary treatment is proposed, comprising a low brick wall with railings over and planting/hedgerow behind which is a positive attribute within the development and in conjunction with the overall soft landscaping scheme it will help to ensure that the car parking spaces to the front of the property do not become the dominant feature within the street scene.

The design of the new dwelling houses, bungalows and apartments, as a new development, are consistent in their overall design and utilise gable roofs, contrasting brick colours and cladding to the space around or between windows and doors. The design of the overall development will tie the three types of properties together and create a new identity for the development; whilst also being in keeping with the overall character of the existing street scene.

In terms of the detailing to the property elevations, projecting box windows are proposed, which break through the eaves line; these will be constructed in metal cladding. The use of metal cladding is also proposed to the canopies and copings on the properties and these details will help add to the overall design quality of the development. The cladding panels are proposed to be located around the entrances to the properties and also between or below the windows. These will be in contrasting colours to define the separate elements and to provide strength to the overall appearance of the dwellings and the contrasting elements.

## Amenity Issues

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

UDP Policy H5 'Flats, Bed-Sitters and Shared Housing' states that the creation of flats and the multiple sharing of houses will be granted only if (a) a concentration of these uses would not cause serious nuisance to existing residents; and (b) living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours; and (c) there would be appropriate off-street car parking for the needs of the people living there.

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.

#### Amenity of Existing Residents

The key potential impacts for existing residents are privacy, overbearing and noise/disturbance.

#### Privacy Issues

The dwellings proposed as part of this development have been designed to ensure that there are no windows to side elevations of the property, except where the property is on a corner plot and this would add articulation and natural surveillance to an elevation. The benefit of this is that privacy will not be compromised in this regard. The windows to the rear elevations of the properties on Buchanan Crescent facing Deerlands Avenue will be set along a similar building line to that which existed previously and the distance will be in excess of 21 metres. This distance is considered to be acceptable on the basis of the recommended distances set out in the adopted SPG on Designing House Extensions, which is 21 metres between main facing windows. Whilst the SPG is not strictly relevant to this scale of development, it does provide a useful set of parameters against which development can be assessed, particularly where the scheme is within an existing residential estate and the issues arising are similar to those which arise with applications for house extensions.

The property to the corner of Buchanan Crescent, identified as block 10 on the plans, will not achieve this distance, but it is equally noted that this property will not face directly onto a window but to a garden. The distance achieved here is approximately 9 metres which is considered to be reasonable to overcome any potential overlooking. To the properties on Buchanan Drive, there will be no unacceptable impact upon the privacy of the existing properties as the new dwellings will face over garden at a distance of between approx. 7 and 14 metres, which again is considered reasonable to ensure no unreasonable loss of privacy occurs. The new dwellings to either end of the Buchanan Drive block will face onto the blank elevations of new properties and so will not affect the privacy of these properties.

Overall, the proposed dwellings are considered to be acceptable with regards their impact upon the privacy of the neighbouring dwellings. Nor is it considered that the siting of the properties should unduly compromise the development potential of the adjoining site in the future on privacy grounds.

#### Overbearing and Loss of Light

The proposed new development is not considered to be unreasonably overbearing to the neighbouring properties. It is acknowledged that there are windows to the side elevation of the properties, which face onto the cleared sites, but these do not appear to be main windows which are the only light source to a habitable room, and therefore it is not considered appropriate that light to these is protected. It is also noted that there is a separation distance of approx. 4.5 metres between No.41

Buchanan Crescent and the nearest new property and to No. 262 Buchanan Road; there will be little impact as the new property will be set forward of the building line. There will be approx. 9 metres between No.58 Buchanan Crescent and the adjacent new property; this distance is considered to be sufficient to overcome any potentially unacceptable sense of being overbearing or loss of light.

#### Noise and Disturbance Issues

The development proposal is for a residential use within a residential area and it is not considered that the development will result in any unacceptable noise or disturbance issues.

#### Amenity of Future Residents

Key issues for future residents are outlook, privacy and outdoor amenity. These are discussed below.

#### Overbearing and Privacy

All of the habitable rooms within the development have well proportioned, clear openings with the intention of ensuring that internal living environments are well lit by daylight and comfortable for occupiers. The existing properties are not overbearing in relation to the proposed properties, nor will they result in an unreasonable loss of privacy due to the separation distances achieved between the properties, in the same way that the development will not cause unreasonable overbearing or loss of privacy to the existing properties.

#### Outdoor Amenity Space

Each property, including the apartments who will share a space, will have an appropriate area of external amenity space which is to the rear of the property and private. A small area of soft landscaping will also exist to the front of the property which will soften the outlook to the front.

For these reasons, it is concluded that the proposed development will provide an acceptable living environment for future residents, in accordance with relevant UDP policies.

#### Sustainability

Core Strategy Policy CS64 relates to 'Climate Change, Resources and Sustainable Design of Developments' and requires all new buildings to be energy efficient and to use resources sustainably. It also advises that all new significant developments (5 dwellings or more) should achieve Code for Sustainable Homes Level 3, or equivalent.

The Design and Access Statement confirms that the building will be designed to achieve Code Level 3.

Paragraph 96 of the NPPF states that, in determining planning applications, local planning authorities should expect new development to:  
comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. Core Strategy Policy CS 65 relates to 'Renewable Energy and Carbon Reduction' and requires new significant developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy unless it can be shown not be feasible or viable.

The applicants have submitted a viability statement which effectively states that the scheme is not sufficiently viable to provide 10% of energy needs from decentralised and renewable or low carbon energy.

As the scheme is unviable then it is considered reasonable that the feasible/viability clause be used with regards to Policy CS65. The viability of the development also links with the provision of s106 contributions which are due with this development. In this regard, a balanced view has therefore been taken that the scheme needs to comply with Policy H16 requiring open space contributions, regardless of whether or not the scheme is viable; but that the scheme does not need to comply with CS65 if it is not viable. As the viability assessment demonstrates that it is clearly not viable, but there is some money available, then it is considered more appropriate to accept the monies towards open space (and education) given that they are needed as a result of the development and are required by a policy that does not have a viability clause.

It is therefore considered that the viability report provides an appropriate justification for non-compliance with CS65. Overall, the proposed development is considered to be acceptable with regards the aims of the NPPF and Policies CS64 and CS65.

#### Highway & Transport Issues

UDP Policy H14 relates to 'Conditions on Development in Housing Areas' and part (d) states that new development or change of use will be permitted provided that it provides safe access to the highway network, provides appropriate off-street parking, and does not endanger pedestrians.

Core Strategy Policy CS 23 'Locations for New Housing' states that new development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. The main focus will be on suitable and sustainably located sites.

Core Strategy Policy CS 53 relates to 'Management of Demand for Travel' and part b. encourages the promotion of good quality public transport and routes for walking and cycling to broaden the choice of modes of travel.

The proposed development will provide off street parking at a ratio of one space per property. This is considered to be an appropriate level of provision, and it is noted that the properties are within reasonable walking distance of Chaucer District

centre, Buchanan Road shops and bus stops which are served by a high frequency bus network, which means that the site is considered to be in a sustainable location. Overall, it is considered that the proposal meets the requirements of policy H14, CS23 and CS53 and that all other matters such as requiring the provision of the car parking can be addressed through the imposition of appropriate conditions

### Landscape

UDP Policy BE6 'Landscape Design' expects good quality landscaping in new developments and refurbishment schemes. Landscape work should provide an interesting and attractive environment as well as integrating with existing features and promoting nature conservation.

UDP Policy GE15 'Trees and Woodland' states that trees and woodland will be encouraged and protected. There is a requirement for developers to retain mature trees, wherever possible, and replace any trees which are low.

The proposal will see the inclusion of new trees and shrub and hedge planting to the front of properties and predominantly grass and paving to the rear of the property. Where it is appropriate and the development facilitates, existing trees are to be incorporated into the development. 4 trees are to be lost as part of the development but it is not considered that these are of sufficient quality to require their retention and it is noted that the trees to be removed would not necessarily be in the best place for the redevelopment of the site. The replacement planting proposed to the frontage of the sites will help compensate for the loss of these trees.

It is considered appropriate that a condition be applied requiring details of the soft landscaping be submitted for the front of the properties, in order to ensure an acceptable quality and scale of landscaping.

### Public Art

UDP Policy BE12 'Public Art' encourages the provision of public art where it would be readily seen by the public and integral to the design of major developments. Normally for a scheme such as this we would require the provision of public art. In this instance however, due to the financial issues addressed earlier in this report and a prioritisation of obligations associated with the development, it is considered that the need for the open space contributions in this instance outweighs the need for public art and therefore a decision has been taken to claim the monies initially set out for public art to make up the shortfall in open space monies.

### Open Space Enhancement

UDP Policy H16 'Open Space in New Housing Developments' requires that developers ensure that there would be sufficient open space to meet the local needs of people living there. The Supplementary Planning Guidance document 'Open Space Provision In New Housing Development' (updated 2013) supports Policy H16.

Overall, it is expected that this scheme should provide a contribution towards open space in the local area. Therefore, under the terms of Policy H16 and the Supplementary Planning Guidance an open space contribution of £51,550.50 will be required.

Great Places have advised that they have a problem meeting the s106 requirements for the site due to financial viability issues. The applicants have confirmed that that if they do not comply with the requirement for 10% renewable energy (which is viability based) then they are able to offer some contribution towards the s106 payments. The offer available for open space is £35,000. This still does not fully comply with the requirements of Policy H16 and technically the proposal is contrary to this policy.

However, the NPPF paragraph 205 states that, "Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled."

Members are therefore asked to consider this lesser amount on the basis that the development will be providing 34 affordable housing units (100% of the development, not just the 30-40% required by planning policy) and that the development is likely to commence shortly and will provide a kick start to a stalled cleared housing site, which is considered to be important in the development and regeneration of Parson Cross. It is considered that this is very much an on balance decision but that the scheme is offering a number of benefits, namely 100% affordable housing and that this should be given some weight.

#### Education

Education requested a contribution of £82,290 towards education provision within the area. As with the open space the extent of this contribution was considered to be unviable within the scope of this development. Negotiation has therefore been undertaken with colleagues in education who have agreed to accept a reduced contribution, which is based upon the additional number of bedrooms created over and above those which were previously demolished. Education have accepted this revised approach by taking into account the factors which members have been asked to consider with regards the open space issue. A contribution of £30,000 is therefore made towards the expansion of capacity at Chaucer school which is necessary for the next academic year. It is considered that this is considered to be acceptable in principle.

#### Mobility Housing

UDP Policy H7 'Mobility Housing' seeks to ensure that a proportion (25%) of mobility housing will be encouraged as part of new developments except where the physical characteristics of a site or existing buildings make it difficult.

The supporting Design and Access Statement states that 9 of the units (equivalent to 26%) will conform to the Council's Mobility Housing guidance and Lifetime Homes space standards, which is a positive of the proposal.

### Bin Storage

Bin storage will be provided to the rear of the properties in a designated area which is capable of storing 3 bins. This will ensure that the bin stores are out of view and not detrimental to the street scene. Where the properties are terraced, there is a rear access route serving the property to facilitate the bringing of bins around to the front for collection.

### Section 106 Agreement

As noted above, this application would be subject to a Section 106 agreement with the following Heads of Terms:

1. The Owners shall pay the Council [on or before the commencement of Development] the sum of £35,000.00 to be used by the Council towards the provision or enhancement of recreation space in the locality of the Site be provided in accordance with the principles set out in the Council's Supplementary Planning Guidance 'Open Space Provision in New Housing Development'.

2. The Owners shall pay the Council [on or before the commencement of Development] the sum of £30,000.00 to be used by the council towards the provisions of secondary education in the locality of the site. This shall be provided in accordance with the principles set out in the Council's supplementary planning guidance 'planning obligations and education provision'.

3. Affordable Housing shall be provided and comprise of 34 dwellings.

The section 106 agreement is required to be signed upon the completion of the lease, and this is obligated to via the signing of a section 111. Confirmation that the necessary legal agreements have been signed will be reported to Members at the Committee.

### SUMMARY AND RECOMMENDATION

The development of the cleared site for 34 dwellings is considered to be acceptable in principle. It is concluded that the scheme sufficiently meets the Council's policies in terms of the density of development, its layout, design, form and scale, its impact upon the residential amenity of both the existing surrounding and future occupiers of the dwelling and impact upon the highway. The development will provide 100% affordable housing and meet Level 3 of the Code for Sustainable Homes.

On the grounds of viability, the development proposal will not meet the full obligations required for open space or education nor will it provide 10% of energy needs from decentralised or low carbon energy but there are benefits to the

development of this site as outlined in this report that are considered to justify, on balance, a recommendation for approval.

Overall, it is therefore concluded that the proposal is satisfactory with regards the aims of Policies CS23, CS24, CS26, CS40, CS41, CS47, CS53, CS64, CS65, CS74 of the SDF Core Strategy and Policies, BE5, BE6, BE12, H5, H7, H10, H14, H15, H16 and GE15 of the Unitary Development Plan. A recommendation is therefore made for approval subject to the completion of a Section 111 and Section 106 Agreement, following a change in the ownership of the site.



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Case Number 13/04008/FUL (Formerly PP-03019749)  
Application Type Full Planning Application  
Proposal Use of dwellinghouse as a residential care home  
Location 29 Toll Bar Drive  
Sheffield  
S12 2QX  
Date Received 27/11/2013  
Team South  
Applicant/Agent Mrs Carole Ainscough  
Recommendation Grant Conditionally

Subject to:

- 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.

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

Ground Floor Layout Plan  
First Floor Layout Plan  
Rear and Front Garden Plans

Reason; In order to define the permission.

- 3 The use hereby approved shall operate in accordance with the details given within the Applicants letter to neighbours regarding the application and sent by email to the planning officer on 16 December 2013, and the applicant's e-mail to the planning officer dated 5 February 2014.

Reason; In order to define the permission.

- 4 The use hereby approved shall not accommodate more than three clients at any point.

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

- 5 The use hereby approved shall not commence unless car parking accommodation for two cars has been provided, and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

- 6 Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the premises shall be used solely for the use hereby permitted and shall not be used for any other purpose within Class C2, and shall enure solely for the benefit of the Applicant.

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

- 7 The use hereby approved shall not be occupied unless sound insulation measures have been implemented, details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to installation. Thereafter the approved sound insulation measures shall be retained.

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

Attention is drawn to the following directives:

1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

Site Location



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## LOCATION AND PROPOSAL

The application site relates to a semi-detached dwellinghouse, which is located to the north of Toll Bar Drive. Toll Bar Drive is a cul-de-sac, accessed from Gleadless Road.

The premises has most recently been occupied as a four bedroomed dwellinghouse, and incorporates a garage as well as off-street parking at its frontage.

The application seeks planning permission for the change of use of the property to a Residential Care Home, within Use Class C2. The Care Home would be for adults aged eighteen and over with learning disabilities, and would provide respite care. It would provide short term care, giving single and multi-night stays as well as day time care. A staff member would stay overnight with any clients. One of the existing four bedrooms would become the staff office and bedroom, leaving three client bedrooms. During daytime periods two staff members would be frequently present at the site.

## RELEVANT PLANNING HISTORY

93/01538/FUL; Extension to form garage and utility room with extension to bedroom and to form bedroom over.

Approved - 04.11.1993

## SUMMARY OF REPRESENTATIONS

Following neighbour notification twenty representations have been received. The comments made can be summarised as follows:

### Objection

Concern about types of residents.

- One objector pointed to strong objections to use for young offenders, but was more open to occupation by the elderly or to provide assisted living.
- The initially proposed change of use may be followed with occupation by other types of residents.

### Highways issues.

- The portion of the cul-de-sac is already subject to parking issues, which will be increased by visits from relatives, health and other professions. Increased highway movements will stop children playing on street.
- Proposal would involve daily dropping-off of clients.
- Garage is not able to accommodate a car. Two cars will not fit on the property's frontage.
- Air quality will worsen.

Impacts on residents amenity.

- Uncertainty about who will be arriving/leaving the property.
- Area is a residential locality, and its character will be undermined by proposed business use.
- There will be eight members of staff in the care home which will undermine safety of three, vulnerable foster children currently living in the adjacent premises, which could affect adjoining neighbour's work as a foster carer.
- Adjoining rear garden/s will be overlooked from upstairs windows in application premises. As residents in home will be unfamiliar this becomes more invasive, and staff members would not respect neighbours privacy. (Issue raised by Num's. 27 and 31 Toll Bar Drive).

#### Noise.

- Party wall of adjoining property is extremely thin. Noise generated within care home would pass through walls and would be likely to lead to disturbed sleep.
- General concerns about noise pollution at unsociable hours and weekends.

#### Other matters

- Other vacant buildings through the city, or more suitable local, detached houses should be used instead.
- Neighbouring property prices will be affected.
- Proposal has caused great anxiety.
- No confirmation that the property will meet the necessary safety standards in terms of fire escapes, fire doors etc. Or that the provided accommodation will be adequate.
- Query whether property is large enough for the intended purpose.

#### Petition

A petition objecting to the scheme, with 18 signatures, has been submitted. The petition's covering letter has been sent by the occupant of Num. 31, the adjoining semi-detached dwelling, and includes quotations taken from neighbours' letters and also some additional comments. These additional comments can be summarised as follows:

- Neighbour would not be able to provide care to grand-daughter with extra traffic movements, making outdoor play unsafe.
- From adjoining property, voices and general noise from application premises can be heard.
- People with learning disabilities can be confused, loud and intrusive at day and night, which would lead to disturbance and sleep loss.
- Clients of proposed use may be inappropriately friendly, leading to loss of privacy.
- Query whether house is large enough for the proposed use.

#### Neutral

-Many people are suspicious of this type of accommodation. Area is mainly for elderly residents. Any approval should be subject to conditions to ensure the use will not be changed or expanded.

### Support

The applicant sent a letter to neighbours covering the intended method of operation, client details, expected staff numbers and shift arrangements. One representation was submitted in response:

-Given it is clear that residents are not young offenders, a previous objection is changed to support, assuming parking will not be a problem.

## PLANNING ASSESSMENT

### Land Use Policy

The Unitary Development Plan (UDP) designates the site within a Housing Area, where policy H10 applies. H10 classes Residential Institutions (C2) as 'acceptable' uses for the area.

Policy H14 'Conditions on Development in Housing Areas' applies, and requires, amongst other things, that:

(c) development does not deprive residents of privacy or security

(d) development provides safe access to the highway network and appropriate off-street parking and does not endanger pedestrians.

For non C3 uses, proposals are required to:

(i) occupy a small area and not lead to a concentration of non-housing uses which would threaten the residential character of the Housing Area

(k) not lead to air pollution, noise, smell, excessive traffic levels or other nuisance or risk to health and safety for people living nearby

(l) be on a scale consistent with the residential character of the Area (and) occupy an existing building set in its own grounds.

### Need for Permission

Certain types of hostel use, such as 'half way houses', may not require planning permission at all, falling within the Use Class – C3 Dwellinghouses. This applies where the use is not by more than 6 residents living together as a single household (including a household where care is provided for residents). Circular 03/2005 explains that small group homes play an important role in the Government's community care policy which is aimed at enabling disabled and mentally ill people to live as normal lives as possible in touch with the community.

In this case, research of case law decisions leads to the conclusion that the proposed use would fall under the C2 use class. This is generally as a result of the short-term nature of the proposed occupancy/s, which alter the class of occupancy towards a C2 use class.

## Nature of Use

The proposed use of the building is to provide short term respite care for adults with learning disabilities. The clients would be aged 18 years and over, and otherwise live with their own families in their respective communities. Some of the individuals would attend college, whilst others are engaged in work or visit day centres. Those staying at the house will have been assessed by Social Services as being appropriate to the proposed service.

Overnight stays would be available, and these would be supported by a trained member of staff. Two members of the service (staff) expect to be based at the house during weekdays, as well as providing some of the sleepover support. Allowing for shift changeover, the maximum expected number of staff members present at any one time is three.

The length of each client's stay at the property would be variable, but from previous experience the applicant expects that people would select an overnight stay every week. Across the 3 bedrooms this would result in a maximum of 21 different users of the service per week, though the applicant explains that this level of change is highly unlikely, and in practice would be significantly less.

## Highways Issues

The Applicant states that there would not be routine visits to the site by GPs, health professionals, ambulances or hairdressers, as these types of appointments would be organised by clients' families for other times. Clients would stay overnight, arriving from 4pm onwards, being collected the next morning.

Based on a maximum occupation of 3 clients, a worst case level of vehicle movements relevant to the site would be around 11 per day. The latest movement being at the mid to late afternoon period, when the sleep over staff member arrived.

The proposed traffic movements would be marginally in excess of a larger standard dwellinghouse. In very general terms a standard house, with two adults would have an average of 4-6 car movements per day. A larger household including car driving children would typically generate more movements per day, typically 8-10 would be expected.

The marginal increase in movements would be expected to be acceptable within a residential area. The traffic movements associated to the proposed use would be dispersed through the course of the day. It would not be expected that there would be an obvious peak in arrivals/departures to the premises. Staff movements would not be at unsociable hours. Family visits will not take place, given the nature of the short-term respite facility. Some of the movements may be by mini buses taking clients to day centres etc. Based on these conclusions the level of movement increase would not lead to impacts on air quality within the locality.

As a result, it is the officer recommendation that the proposal will not conflict with the aims of UDP policy H14 (particularly k and l) relating to excessive traffic levels affecting people living nearby and ensuring that the scale of the use is consistent with the residential character of the area.

There are not considered to be any highway safety issues associated with resulting on-street parking implications. There is a hard standing at the property's frontage, and a garage space. However, the garage space is described within an objection letter as being under-sized and the site is unable to accommodate two cars. Officers acknowledge the garage is small and would not accommodate most vehicles. The Unitary Development Plan seeks 1 space per every 5 to 10 residents and 1 space per every 3 non-resident staff on duty at the busiest time. The proposed use would therefore be expected to be provided with two off-street parking spaces to meet these requirements. Concern has been expressed that the frontage area is unable to accommodate two cars. With adaptation, officers consider this would be possible. To ensure that two off-street spaces are available, a condition could be added to any consent granted to confirm this.

Overall, the proposal would be expected to avoid generating significant on-street parking implications, and would not have a detrimental impact upon local highway safety circumstances. Therefore, the scheme would be considered to meet the requirements of UDP policy H14 (d).

#### Noise

In order to avoid disturbance to the local area and especially towards the immediate neighbouring properties, there is need to ensure that the proposed use class would not result in noise levels significantly greater than arising from a standard residential house.

The proposed respite facility will provide activities similar to those associated with a residential dwelling. Representations refer to noise disturbance, however it does not necessarily follow that occupants of the facility would be any noisier than residents in residential dwellinghouses elsewhere along the street. It is not expected that noise from each of the bedrooms will be greater than noise potentially generated in bedrooms of standard residential dwellinghouses, such as those occupied by teenagers for example. Residents will sleep through the night, and as such night time noise levels will be expected to be minimal.

However, acknowledging that the proposed use is not a dwellinghouse, involves a regular changeover of occupants and that it shares a party wall with a neighbouring dwelling, it is considered necessary to require sound insulation to protect the amenities of the neighbouring occupiers.

It is therefore concluded that the proposal will meet the requirements of UDP policy H14 part k in regards to noise impacts.

#### Nature of Users

A number of representations have raised concerns that, if consent is granted in this case, the nature of occupation of the property may evolve leading to it being used for different purposes subsequently. It is correct that this could potentially occur, as movements within the same use class would not require planning permission. This could include residential care homes, hospitals, nursing homes, boarding schools,



secure residential institutions such as prisons, young offender institutions, detention centres, custody centres or secure hospitals.

The application has been assessed in consideration of the specific use described in the application, and given the location of the site within a residential area, and immediately adjoining another residential property, it is considered appropriate to prevent the potential use of the property for these other types of uses.

Also, given the applicant's method of management has been assessed and is considered to be appropriate to the property and its location, it is therefore considered to be appropriate to make any consent specific to the current applicants. This would preclude the use being run by another operator in a different manner, potentially leading to impacts which may be unacceptable.

### Privacy

The proposal does not involve the addition/adaptations of existing windows, and therefore no additional opportunities for overlooking will be created. Concerns have been raised by adjoining occupiers that the residents of the proposed unit will change frequently and may not be equipped with the relevant social-skills to respect privacy.

The institution will be operated within a management structure and members of staff will be present at all times. Clients' time will be managed, which will include their involvement in activities. Consequently, there will not be significant periods of time where clients will be left unoccupied, potentially gazing out of windows. In addition, neighbours in any typical residential situation may be prone to such activity, and cannot be prevented from overlooking onto neighbouring gardens. The overlooking which would occur would not therefore be expected to be significantly more invasive than would occur when the application property is occupied as a C3 residential dwelling.

On this basis it is considered that the proposal would avoid leading to significant impacts upon the privacy of neighbouring occupiers. As such the proposal would be considered to meet the requirements of policy H14 (c).

### Impact on the Character of the Residential Area

Representations have raised concerns that the proposed business use is inappropriate in a residential area. However, the proposed use is providing a residential function, albeit within a C2 residential institutional use class. An assessment of the locality shows that the surrounding buildings are exclusively occupied as dwellinghouses. No physical alterations are proposed to the building. The applicants have stated that they would not erect any advertising / name boards for example that would otherwise 'badge' the property as a non-housing use.

As such the proposal would not lead to a concentration of non-housing uses, and it is considered that this concern could not be substantiated.

It should also be noted that the city consists of many residential institutions within residential areas. Most of these are not overly noticeable due to the residential nature

of the occupation, and the residential character of the buildings when viewed from the street.

On this basis the proposal would be considered to meet the requirements of UDP policy part i.

## RESPONSE TO REPRESENTATIONS

The majority of comments have been addressed in the above assessment. The following comments can be made in relation to the remaining items:

-The application is required to be assessed on its own merits, and the availability of other possible locations is not a material planning consideration.

-The applicant's clearly consider that the proposal is capable of accommodating the proposed use.

-Impact upon local property prices is not a material planning consideration, however, some of the factors which do affect property values are relevant and have been assessed above.

-The property's ability to meet the relevant safety standards is not a material planning consideration, but is resolved through other legislation.

## SUMMARY AND RECOMMENDATION

The application seeks planning permission to change the use of an existing semi-detached dwelling from C3 Residential to C2 Residential Care Home.

It is considered that the proposed change of use would have an acceptable impact upon the character of the surrounding locality, and the amenities of neighbouring occupiers. The proposed users would not be considered to create noise significantly greater than a standard dwelling house, but given the neighbouring dwelling shares a party wall with the application property it is considered appropriate to require sound attenuation to ensure appropriate noise levels are maintained. The impacts upon highway movements would not be considered to be significant, and to not harm amenities of neighbouring occupiers or local highway safety.

Overall, the proposed use would be considered to comply with the requirements of policies H10 and H14 from the Unitary Development Plan. It is therefore recommended that planning approval is granted.

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Case Number	13/03955/FUL (Formerly PP-03023924)
Application Type	Full Planning Application
Proposal	Demolition of existing garage, erection of two-storey side and rear extensions with habitable rooms in roofspace and single storey rear extension (Amended scheme to 13/03202/FUL)
Location	23 Holdings Road Sheffield S2 2RD
Date Received	21/11/2013
Team	City Centre and East
Applicant/Agent	Space Studio
Recommendation	Grant Conditionally

Subject to:

- 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.

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

Site Plan Ref: A13-128/01/A received on 21 November 2013

Floor Plans Ref: A13-128/04/F received on 09 January 2014.

Roof Plan & Section Ref: A13-128/07/E received on 09 January 2014.

Elevations/Sections Ref: A13-128/05/G & A13/128/06/F received on 09 January 2014.

Reason; In order to define the permission.

- 3 The extension shall not be used unless the car parking accommodation for 3 cars as shown on the approved plans has been provided in accordance with those

plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

- 4 The new parking area/hard standing to the frontage shall be constructed in permeable materials, or surface water from this area shall drain to a permeable or porous area within the domestic curtilage. Surface water shall not spill onto the adjacent public highway.

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

- 5 The proposed facing materials shall match the facing materials to the existing building.

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

- 6 The proposed roofing materials shall match the roofing materials to the existing building.

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

Attention is drawn to the following directives:

1. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel - 0114 2734651.
2. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

Site Location



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## LOCATION AND PROPOSAL

This application relates to an existing two storey semi-detached dwellinghouse. The application property, which is set centrally within a residential street, has a hipped roof and is constructed in red brick and render. A single storey side extension and a rear conservatory have been added to the property in the past. The applicant intends to remove these previous additions and is applying to erect the following:

- A two storey side extension that would sit flush with the existing front elevation and incorporate a hipped roof.
  
- A two storey and two single storey rear extensions. The two storey element will be set in from the common boundaries and the single storey elements will be constructed on either side of the two storey element. The single storey element set closest to the boundary with number 25 projects further from the back of the house (5.4 metres) than the two storey section, which projects 3 metres. These rear extensions will mainly have hipped roofs to match the main property.

Generally, the proposed extensions will match the materials and fenestration details evident on the original dwellinghouse.

The proposals would result in the property having a large open plan living/dining room, a ladies room and a large kitchen at ground floor. The first floor would provide five bedrooms and the family bathroom. A sixth bedroom would be provided in the roof space. The scheme also includes three en-suite bathrooms.

Holdings Road is made up of two storey semi-detached properties, which have a very similar (if not identical) character and appearance as the application property. It is also noted that the land surrounding the application site has a varying topography, which includes:

- 21 Holdings Road (the adjoining property) set at a similar level.
- 25 Holdings Road set approximately one metre higher.
- The land slopes upwards to the rear and as a result the properties that front Essex Road are set at a higher level.

The application site is set within a Housing Area as defined by the Sheffield Unitary Development Plan (UDP).

## RELEVANT PLANNING HISTORY

An application for similar extensions on the property has recently been withdrawn by the applicant (Ref: 13/03202/FUL).

Consent was granted for the single storey side extension and the rear conservatory in 1998 under planning reference 98/02835/FUL.

## SUMMARY OF REPRESENTATIONS

Thirteen letters of representation have been received from local residents (two from both 17 & 27 Holdings Road) raising the following points:

- The scale of the proposed extension suggests the property is to be used for shared housing rather than as a family home. If this is not the case immediately, what is to stop it becoming shared housing in the future?
- The property will have a significant impact on the amenity of the adjoining property (21 Holdings Road). This impact includes overshadowing to both the house and garden and a loss of view.
- The plot is being overdeveloped and as a result the proposals are not in context with the existing character of the street or the original property.
- The scale of the rear extension will threaten the privacy of surrounding properties.
- The removal of the front garden and the garden wall to facilitate car parking will damage a wildlife habitat and remove a natural soakaway.
- The provision of three parking spaces for a six bedroom property is insufficient.
- This proposal will place additional undue pressure on the drainage system.
- The side extension could create a wind tunnel along the driveway with number 25 Holdings Road.
- The lighting and noise from the extension will cause residents disturbance.
- Approving this proposal could set a precedent for similar proposals in the area.
- The proposal would devalue the adjoining property.
- Section 5 of the application forms state that there will be no alteration to the vehicle access, which is not the case.
- The proposal represents 'garden grabbing'.
- If approved a condition should be imposed to control the construction hours.

## PLANNING ASSESSMENT

### Design

Policy BE5: Building Design and Siting within the UDP promotes good design in all new development.

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

Policy CS 74: Design Principles within the Core Strategy (CS) states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

Guideline 1 within the Supplementary Planning Guidance on Designing House Extensions (SPG) states that extensions should be compatible with the character and built form of the area. In addition, Guideline 2 states that extensions to dwellings shall not detract from that dwelling or the general appearance of the street or locality.

The applicant has ensured that the form, materials and details are reflective of the original dwellinghouse. As an example, the front elevation of the side extension will mirror the bay windows already evident on this elevation. In addition, the majority of the proposed roofs, including on the two storey extensions are hipped.

In terms of scale, the side extension is comparable in size to similar extensions seen across the city and, with the matching details, does not look out of place. The rear extensions are relatively large, but they are not visible from public areas and, given the size of the plot, they do not represent an overdevelopment.

It is noted that similar alterations are not prevalent in the area, but this does not rule out the principle of such proposals if they are carried out sympathetically, which is the case in this instance.

The proposal is therefore considered to be acceptable from a design perspective.

#### Amenity

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

Guideline 4 within the SPG states that overdevelopment of a house plot with extensions that leave little garden space will not be permitted. In addition, Guideline 5 within the SPG states that unreasonable overshadowing and over dominance of neighbouring dwellings should be avoided.

#### - Dominance and Shadowing

The side extension will only have the potential to cause a shadowing and dominance issue to number 25 Holdings Road, as it will be set on the common boundary. Although there are several windows in the gable elevation of number 25, none of these serve main habitable rooms. In addition, the gable wall of number 25 is set to the south and is approximately 2.4 metres away from the common boundary.



The two storey rear extension will be set 2.2 metres away from the common boundary with 25 Holdings Road and, as this property sits to the north and is set in from the common boundary, this creates no issues from a light and dominance perspective.

The single storey rear extension closest to the boundary with number 25 Holdings Road projects beyond the rear elevation of the original dwellinghouse by 5.4 metres. In addition, number 25 Holdings Road is set 1.2 metres further forward than the application property, which results in an overall projection of 6.6 metres beyond the rear elevation of this neighbouring property. This is clearly in excess of the 3 metres advocated by the SPG. However, when the following factors are taken into account this extension is viewed as acceptable from a shadowing and dominance perspective.

- The garden area of number 25 Holdings Road is set approximately one metre higher than the garden level of the application plot.
- Number 25 Holdings Road is set 2.2 metres in from the common boundary.
- The roof of the single storey extension will hip/slope away from the common boundary.

In relation to the adjoining property (21 Holdings Road) the single storey rear extension set on the common boundary will project three metres, which accords with the SPG.

The two storey rear extension will also project beyond the rear elevation by 3 metres, but is set 2.1 metres in from the common boundary. To measure if such extensions have an undue shadowing and/or dominance impact, the SPG advocates drawing a forty five degree angle from the closest point of the neighbours ground floor window and, if the extension does not breach this, then it should be considered as acceptable. Having assessed the information, this extension would not breach this standard and is therefore in accordance with the SPG. It should be noted however that this is guidance and the orientation of the plots, along with level differences, need consideration.

There is no notable level difference between the properties, so this is not a factor. Number 21 is however set to the north of the application site, which is the worst possible orientation in relation to shadowing impacts. As a result the applicant has created a hipped roof and this feature slopes away from the boundary. Although this alteration will not make a significant difference, when all the circumstances are assessed, this element of the proposal is on balance considered to be acceptable from a dominance and shadowing perspective.

- Privacy

The first floor windows in the rear extension will be most notable in relation to privacy for the properties to the rear. As these windows will be set 12 metres from the rear boundary, and 28 metres from facing windows, any loss of privacy will not be notable, even with the level difference accounted for, bearing in mind it is in excess of the usual standard of 21 metres between facing windows.

The new windows in the front elevation will be no further forward than the existing windows, which is viewed as acceptable.

There are no side facing windows.

- Garden Space

With the extensions in place the plot would be left with in excess of 100 square metres of rear private garden space. Even though the property will have six large bedrooms this size of garden is considered to be ample to cater for future need for a family home and is in line with current accepted standards.

In light of the above the proposal is considered to be acceptable from an amenity perspective.

Highways

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

Guideline 8 within the SPG states that proposals for extensions should not adversely affect highway safety and should ensure acceptable parking levels are maintained.

The provision of three parking spaces for a six bedroom property is in accordance with parking standards and the site is also in fairly close walking distance to several bus stops.

Highways have confirmed that they have no issue with the proposed extent or location of the access points.

A condition will be attached to ensure surface water does not spill onto the highway.

The proposal is therefore considered to be acceptable from a highway perspective.

## RESPONSE TO REPRESENTATIONS

The majority of the points raised in the representations have been addressed in the above planning assessment. The remaining points are addressed as follows:

- The applicant has confirmed that the property is to be used as a family house. If the situation changes at some point in the future then planning permission would be required as the site falls within the designated Article 4 Area. Any future proposal would be considered on its merits at that point.

- Although the loss of the stone front boundary wall and front garden is regrettable, this can be done without the need for planning permission, provided that the area

is constructed of a permeable surface and drainage is contained within the site. It would not therefore be reasonable to resist it in this instance.

- The applicant has confirmed that the existing drainage infrastructure will be utilised. This capacity issue is covered under separate legislation.
- The potential for the side extension to create a wind tunnel along the driveway with number 25 Holdings Road is very limited and this is a relationship repeated across the city. A domestic house extension could not be refused on these grounds.
- The lighting and noise from the extensions will not be significantly more notable than with any other domestic property.
- Approving this permission would not set a precedent as all schemes are judged on their merits. The merits of this scheme have been considered above.
- The impact on property value is not a planning consideration.
- The proposal is not 'garden grabbing' as this relates to building new dwellings in gardens.
- A directive will be imposed to identify the relevant restrictions in relation to construction hours.

## SUMMARY & RECOMMENDATION

Overall, the proposed extensions have been designed to reflect the scale, form and details of the original dwellinghouse. In addition, the facing and roofing materials will match the existing materials.

Owing to several factors, including siting the two storey rear extension in from the common boundaries, the orientation of the plot and the topographical situation, the proposals are not considered, on balance, to have an impact on the living conditions of neighbouring residents that would be harmful enough to justify a refusal of planning permission in this case. This assessment takes account of overshadowing, overdominance and privacy impacts on those properties that adjoin the site.

The provision of three parking spaces for a six bedroom property is in accordance with the relevant parking standards and the highways officer has confirmed that the proposed extent and location of the access points is acceptable.

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

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Case Number 13/03849/FUL (Formerly PP-02991725)

Application Type Full Planning Application

Proposal Demolition of Public House and erection of 7 dwellinghouses (Amended plans)

Location The Wheel  
19 Plumbley Hall Road  
Sheffield  
S20 5BL

Date Received 13/11/2013

Team City Centre and East

Applicant/Agent J V N Architecture Ltd

Recommendation Grant Conditionally Legal Agreement

Subject to:

- 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.

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

- Drawing no. 01, Rev C, emailed 05.02.2014;
- Drawing no. 011, Rev B, emailed 05.02.2014;
- Drawing no. 010, Rev A, emailed 13.01.2014;
- Drawing no. 08, Rev A, emailed 13.01.2014;
- Drawing no. 06, Rev A, emailed 09.01.2014;
- Drawing no. 03, Rev A, emailed 09.01.2014;
- Drawing no. 09, received 13.11.2013;
- Drawing no. SS7994, received 13.01.2013;
- Confirmation of window reveals, emailed 30.01.2014;
- Phase 1 Desk Study, ref: 2385-2, dated 17/11/2013, received 22.11.2013 and Amended Phase 1 Desk Study emailed 20.01.2014;
- Access, Design and Sustainability Report, received 12.11.2013;

Reason; In order to define the permission.

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

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

- 4 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:

- Entrance canopies
- Window in relation to external wall
- Retaining walls

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

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

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

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

- 6 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.

- 7 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

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

- 8 No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how the following will be provided:

A minimum of 10% of the predicted energy needs of the of the completed development being obtained from decentralised and renewable or low carbon energy.

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

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

- 9 The dwellinghouses on Plots 5 and 6 shall be designed to meet the Council's Mobility Housing Standards, as set out in Supplementary Planning Guidance.

Reason; In order to meet the requirements of Policy H7 of the Unitary Development Plan.

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

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

- 11 The dwellinghouses shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and 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.

- 12 The dwellinghouses shall not be used unless the car parking accommodation for 2 cars per dwellinghouse 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.

- 13 There shall be no gates or barriers erected on the driveways.

Reason; To ensure access is available at all times.

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

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

- 15 Before any hard surfaced areas are constructed, full details of all those hard surfaced areas within the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of porous materials, or for surface water to run off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. Thereafter the hard surfacing shall be implemented in accordance with approved details.

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

- 16 The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

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

- 17 Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Mondays to Fridays, and 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.

- 18 No development shall commence until the Phase 1 Desk Study (ref: 2385-2, dated 17/11/2013) received 22.11.2013 and Amended Phase 1 Desk Study emailed 20.01.2014 has been further amended as required by the Local Planning Authority and/or Environmental Protection Service and has been submitted to and approved in writing by the Local Planning Authority. The report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

- 19 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.

- 20 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.

- 21 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.

- 22 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 or any part thereof shall not be brought in to 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 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.



- 23 Surface water and foul drainage shall drain to separate systems.  
Reason; To ensure satisfactory drainage arrangements.
- 24 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.  
Reason; To ensure satisfactory drainage arrangements.
- 25 There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.  
Reason; To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.
- 26 The dwellinghouses shall be fitted with 5 artificial bird boxes or bat boxes in the structure of the buildings, but before such boxes are installed, details thereof shall have been submitted to and approved in writing by the Local Planning Authority.  
Reason; In the interests of biodiversity.

Attention is drawn to the following directives:

1. The applicant should be aware that a Section 106 Legal Agreement is attached to this planning permission.
2. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. 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 Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
5. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
6. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

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

Development Services  
Howden House  
1 Union Street  
Sheffield S1 2SH

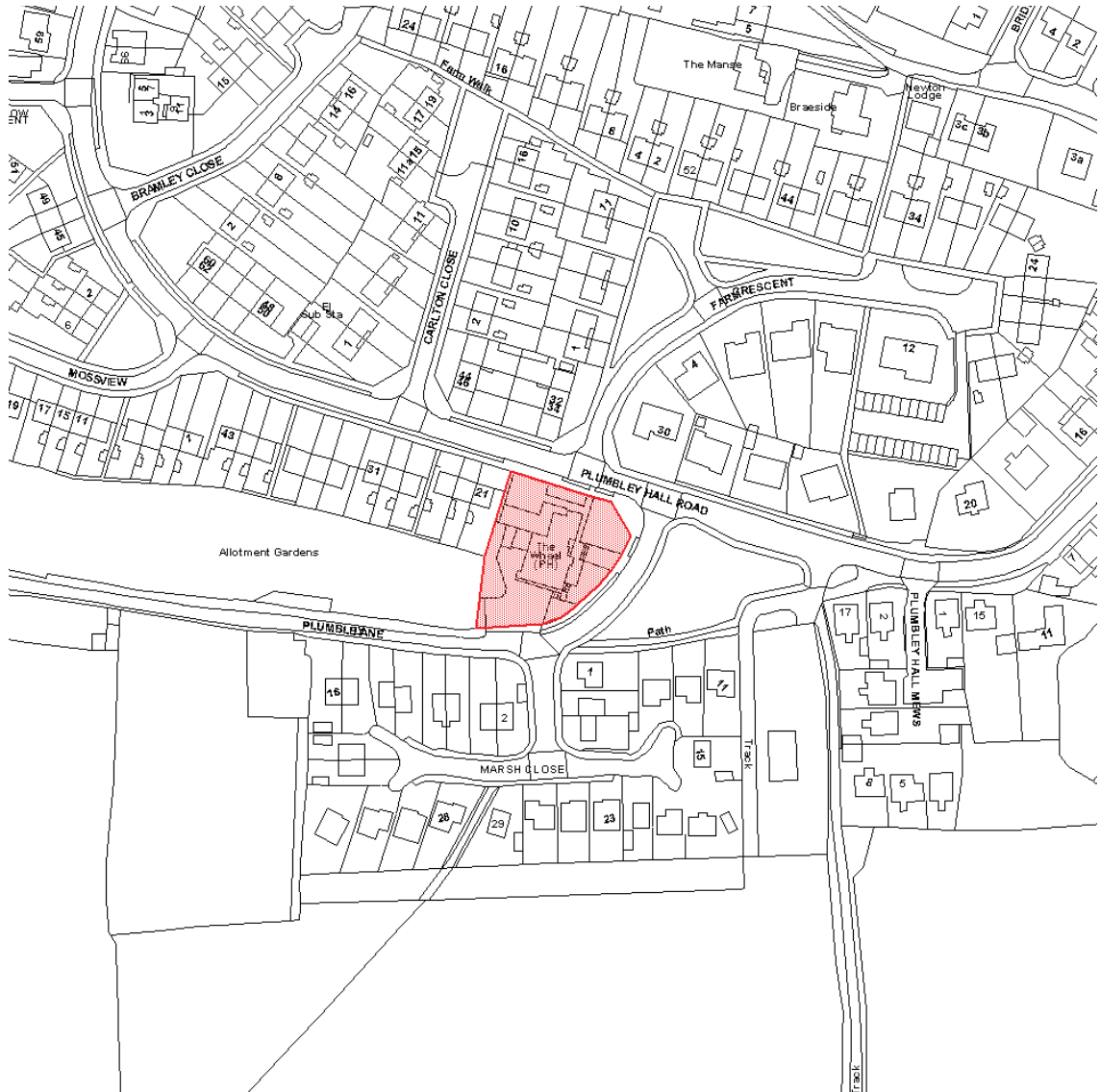
For access crossing approval you should contact the Highway Development Control Section of Sheffield City Council on Sheffield (0114) 2736136, quoting your planning permission reference number.

7. The applicant is advised that further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.
8. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

9. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

### Site Location



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## Location and Proposal

The application site lies within a designated Housing Area, as defined in the Unitary Development Plan and relates to a piece of land positioned on a prominent corner on the south side of Plumbley Hall Road, at the junction with Plumbley Lane. Positioned centrally within the site is a building which, until recently, had been used as a public house, 'The Wheel'.

The land falls away from the north to the south and from the west to the east, such that the building on the site is multi-levelled, ranging in height from 1 to 3 storeys. The site comprises a centrally positioned building, of brick construction with partial render and clad facades, with a pitched roof to the principle building. Smaller scale, flat roofed extensions wrap around the building, which provided additional public house accommodation and garage facilities. Along the northern edge of the site is a means of vehicular access extending to a large hardstanding, and further along to the east is an open aspect, lawned frontage, which wraps around the corner along the east boundary. An additional wide hardstanding leads up to a stepped approach to the main entrance to the building. To the rear, the southern half of the site comprises of an extensive hardstanding leading to a garage to the west and an external stairway to the east. A number of trees and shrubs extend along the west boundary.

The site is set within a residential context, with residential properties of varied architectural style, size and type located to the north, south and west. Opposite the site, immediately to the east, is an area of open space containing a number of trees. To the south-west is a row of allotments, which extend further to the west behind existing residential properties.

Planning permission is sought to demolish the public house, to facilitate the redevelopment of the site, and erect 7 dwellinghouses. The proposal comprises 6 x 3 bedroom, semi-detached dwellinghouses and 1 x 3 bedroom, detached dwellinghouse. The properties are arranged around the periphery of the site, and will incorporate a stepped roof line, to reflect the topography. The properties are two-storeys in height and will have a brick exterior with simple openings and a pitched tiled roof covering. A simple canopy will be placed above the front entrance doors. Each property will be served with a driveway and 3 properties will also benefit from a garage. A small enclosed garden set behind a simple boundary wall will be provided at the front of the properties and private, enclosed amenity space will be provided at the rear. Soft landscaping will be introduced.

## RELEVANT SITE HISTORY

There is no planning history which is directly relevant to this proposal.

## SUMMARY OF REPRESENTATIONS

The application was advertised 29th November 2013 and a site notice was displayed 4th December 2013. Following neighbour consultation, 9 letters of representation (3 of which are in support) have been received in respect of this application; issues raised are summarised below:-

- Loss of facility;
- Increase in traffic;
- Overdevelopment;
- Proposed houses will be well in front of any of the adjacent housing;
- In front of building line;
- Spoil open atmosphere;
- No need for more housing;
- Reference to permission not being granted for a canopy to an extension on a neighbouring house as it would contravene the building line;
- Suggested positioning houses further back on the plots;
- Questions why objections have to be sent in by 19th/20th December;
- Reference to activities/events taking place within the building and history of the public house;
- Reference to the Localism Act 2011 and 'Community Assets';
- Council should give consideration to implementing Article 4 Direction, to prevent the demolition of the public house;
- Detrimental effect on the design, appearance and layout of the area;
- Loss of jobs;
- Reference to the Spatial Strategy, which states that 'the outer built up areas of Mosborough will continue to be served by jobs and services in the rest of the city but local provision will also be safeguarded and, where possible, expanded';
- Local Plan confirms that new housing in the area will be limited to Owlthorpe and the completion of the partly built township there.

Clive Betts MP has made representations on behalf of local constituents and has provided advice in respect of the 'Community Right to Buy' issue.

A petition was lodged 16th January 2014, containing 28 signatures, which raises the same issues referred to above.

The application has been amended and local residents have been re-notified, allowing the opportunity to make further representations, within a 14 day period. This time period has not yet expired and it is envisaged that additional representations will be submitted, prior to the Planning Committee meeting. Such representations will be presented in a supplementary report at the Committee meeting.

The Coal Authority has responded, confirming that the submitted Coal Mining Risk Assessment Report is broadly sufficient, demonstrating that the application site is, or can be made safe and stable for the proposed development and as such, has no objection to the proposed development.

PLANNING ASSESSMENT

## Land Use Policy

It is necessary to identify and assess the development against relevant local planning policies, which are those contained within the Unitary Development Plan (UDP) and the Local Development Framework, Core Strategy (March 2012).

The site is located within a 'Housing Area', as defined in the Unitary Development Plan and as the proposal seeks to demolish a formerly used public house, 'The Wheel' and erect 8 dwellinghouses, Policy H10 is relevant. UDP Policy H10 identifies Housing (Class C3) as the preferred use and therefore, in principle, the use of land for residential purposes is considered acceptable.

The former public house also served to provide a community function, by providing the venue for charity events, and celebrations/meetings relating to football, golf and pool teams. This application seeks to demolish the building and thus, will result in the loss of this community facility. The National Planning Policy Framework (NPPF), paragraph 28, states that planning policies and decisions should 'promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of workshop'. It also states in paragraph 70 that Local Planning Authorities should 'plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.'

The public house has stopped trading and the evidence submitted, suggests that, given the very low turnover, the viability of the public house is in doubt. There are also equivalent facilities in the local area which are easily accessible. Local residents may wish to secure the building by seeking a 'Community Right to Buy' but this has not been established/agreed. Furthermore, paragraph 49 of the NPPF states that 'Housing applications should be considered in the context of the presumption in favour of sustainable development'. The site is located in a Housing Area, in a residential location which is not unsustainable. On this basis, the loss of the public house to facilitate new housing development is considered acceptable, and a refusal of planning permission on this basis is not justified in this location.

## Design/Visual Amenities

UDP Policy H14 requires new buildings to be well designed and in scale and character with neighbouring buildings; new development to be well laid out and not lead to over-development; nor deprive residents of light, privacy and security. The development should also comply with Policies for the Built and Green Environment, and in this case, Policy BE5 is relevant. UDP Policy BE5 relates to design issues and requires that new buildings complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS74 says that high quality development will be expected that takes advantage of and enhances the distinctive features of the City including the landscape and townscape character of the city's quarters with their associated scale, layout and built form, building styles and materials.

The site occupies a prominent position in the street owing to the rise in land from the east to the west, offering fairly extensive views down Plumbley Hall Road towards the centre of Mosborough village. It is considered essential in this instance, that the layout of the site addresses its prominent location, with particular emphasis on addressing the corner, at the junction with Plumbley Lane. The layout demonstrates a perimeter development, which wraps around the corner, creating a continuous frontage from two principle frontages; facing north onto Plumbley Hall Road and the other, facing east on to Plumbley Lane. The splay elevation fronting onto the junction has been amended such that it now provides a strong frontage, which addresses the corner. This has been successfully achieved.

The scale of the proposed development is considered acceptable. The submitted drawings indicate that the dwellinghouses will be two-storeys in height, with pitched roofs above. The scale, massing and proportions of the buildings are consistent with the properties within the street. The dwellinghouses are appropriately positioned on the land and respond positively to the topography of the site. This is demonstrated by the incremental rise in height of the individual dwellinghouses. The properties will be incrementally stepped up 0.5 metres, when viewed from the south to the north, up Plumbley Lane.

Concern has been expressed with regard to the position of the dwellinghouses and the notable building line. Properties opposite the site, to the north, are set back with generous gardens and/or open aspect frontages. This is acknowledged, however, it is not considered that the proposed development should be prejudiced by not providing a generous setback. Adjacent to the site, to the west, fronting onto Plumbley Hall Road, are blocks of townhouses, which have frontages that are progressively stepping forward. Immediately to the west is 21 Plumbley Hall Road, which is set back 6 metres from the back edge of the footway and as one continues further to the west, the set back is increased to 9 metres, 13 metres and 20 metres respectively. This demonstrates that the building line along the southern side of Plumbley Hall Road is progressively stepping forward as it continues further to the east.

The site represents the book end to this frontage and as it occupies a corner position it also necessitates appropriate articulation and treatment to address the corner/junction. The position of the proposed dwellinghouses is stepped forward, continuing a similar building line pattern as already evident. The dwellinghouses (Plots 3 and 4) positioned on the corner will be set back 2.36 metres from the back edge of the footway. A strong frontage will be achieved with individual defensible space being provided to each residential unit. The site is very exposed and occupies a prominent position within the housing estate and it is acknowledged that the proposed development will be a dominant feature in the street scene. This is inevitable but it is not considered that it will have a detrimental impact on the street scene, rather it will enhance the visual quality of the immediate area.

The existing townscape is varied in terms of building styles, size and siting of properties and materials, although the overriding materials used within the immediate locality are brick and roof tiles. The proposed dwellinghouses will have

a brick exterior with contrasting roof tiles and thus, will be consistent with the existing street scene. In terms of the detailing to the external elevations, amendments have been made and the level of modelling has been improved. Gable frontages have been stepped fractionally forward to avoid a flat frontage and the introduction of horizontal bands around the buildings provides a subtle but noticeable change in materials, which helps to break up the expanse of brickwork. The design of the windows has been simplified to reflect the same simplicity as existing properties and avoids the need to introduce unnecessary UPVC cladding above windows. Larger, vertically orientated windows have been provided in end elevations to avoid blank elevations. Soldier course detailing has been introduced to sills and headers, providing additional visual interest and increasing the depth of window reveals to 75 mm provides greater shadowing, thus breaking up the frontages and avoiding flat facades. Such amendments have resulted in a higher quality build.

The design of the proposed development is considered acceptable in terms of scale, siting, form and detail and will enhance the visual appearance of the street and surrounding area. On this basis, the proposed development will accord with UDP Policy BE5 and H14 and Core Strategy Policy CS74.

#### Sustainability

Core Strategy Policy CS64, which relates to climate change, resources and sustainable design of developments, requires that all new buildings and conversions of existing buildings be designed to reduce emissions of greenhouse gases and function in a changing climate. Of particular relevance is section (a) which requires all developments to achieve a high standard of energy efficiency; and (b) make the best use of solar energy, passive heating and cooling, natural light and natural ventilation. All buildings must also be designed to use resources sustainably, including minimising water consumption and maximising water recycling; designing buildings flexibly to allow a variety of possible future uses; using sustainable materials wherever possible; and minimising waste, promoting recycling, during construction and occupation. To satisfy this policy, all new developments of 5 or more dwellings should achieve Code for Sustainable Homes Level 3 as a minimum.

Core Strategy Policy CS65, which relates to renewable energy and carbon reduction, requires that all significant developments (that being new developments of 5 dwellings or more) should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

An Access, Design & Sustainability Statement has been submitted which indicates that a number of design features and energy efficiency measures will be introduced, which includes the installation of water meters, showers, low pressure wc's and taps in bathrooms, water butts provided, timber frame construction, Grade A double glazing, insulated to meet current Building Regulation standards, high efficiency gas boilers, and an energy efficient PIV ventilation system. It is predicted that the building will achieve Code for Sustainable Homes Level 3, and thus will comply with Policy CS64.



In respect of meeting the 10% of predicted energy needs from decentralised and renewable or low carbon energy, this will be achieved via photo voltaic panels, which will accord with the requirements of Policy CS65.

Conditions will be imposed to secure the above measures are implemented.

#### Effect on Residential Amenity

UDP Policy H14 (c) states that residents should not be deprived of light, privacy or security.

The proposed use, for a residential purpose is consistent with the character of the area, and therefore does not present any concerns in respect of its use.

The proposed development will be positioned adjacent to an existing dwellinghouse - 24 Plumbley Hall Road. Plot 1, which will be occupied by a semi-detached dwellinghouse will be set away from the boundary with the existing property in order to accommodate a driveway and although the proposed dwellinghouse will be set forward approx. 2.3 metres in front of the existing dwellinghouse, it will not have an overbearing impact or result in significant overshadowing. There is sufficient separation between the two dwellinghouses, such that there will be no adverse impact on the residents of that property.

Residents occupying surrounding properties will not be adversely affected by the proposed development, by virtue of the fact that they are not immediately adjacent to the application site.

#### Amenities of Future Occupants

The accommodation proposed is sufficient in size and will provide adequate outlook. The orientation of the plots are such that the degree of overlooking will not be significant. Adequate separation between the dwellinghouses and main habitable room windows has been achieved and generally a garden depth of 10 metres has been maintained. The size of the rear gardens although modest, do meet current Supplementary Planning Guidance relating to House Extensions, which recommends 50 square metres.

The land falls away significantly from the north to the south, which necessitates the need for some retaining walls. Plot 7 to the south will be the property most affected but acceptable outlook will still be achieved. Addressing the topography has been problematic but this has been overcome by a combination of infilling where appropriate, eg to the rear of Plots 1 and 2, and regrading land to the rear of Plot 7. Some compromises have been made and it has necessitated the need to provide a retaining wall to enclose the rear garden of Plot 7. However, the height of the retaining wall has been kept to a minimum, where possible.

The amenity spaces at the rear, to the remaining plots will be laid out to provide a small terrace, with steps leading down to a rear garden, which will be adequately screened by timber fencing. Soft landscaping will provide additional screening, such that minimum levels of privacy will be achieved.

The properties have been designed, to incorporate a bin store at the rear, where they are not readily visible from the street.

#### Highway Issues

UDP Policy H14, which relates to Conditions on Development in Housing Areas, states that (d) a safe access to the highway network should be provided and appropriate off-street parking and developments should not endanger pedestrians.

There are no significant highway implications arising from the proposed development. An amended layout plan has been submitted which demonstrates that on-site parking will be provided in the form of driveways, which will accommodate 2 vehicles. Given the proposed boundary treatments between the plots and differing land levels, drive widths have been extended to ensure adequate space is available to get into and out of the vehicle. Additional car parking provision is also provided in the form of garages, which will serve Plots 1, 2 and 7. Gradients of 1 in 12 will be achieved.

Driveways will be surfaced using permeable paving, which will reduce surface water runoff on to the highway.

There have no highway objections received. As such, the proposed development will accord with UDP Policy H14.

#### Drainage

The layout as submitted indicates that garden space will be provided at the rear of properties, which will allow some natural drainage to occur. However, to ensure that the site is satisfactorily drained, a condition will be imposed requiring a 30% reduction in surface water runoff.

#### Landscaping

There are a number of trees and shrubs within the site, which will inevitably be removed. The trees are inappropriately positioned and do not appear to have any wider amenity value and as such, their loss is not considered to be a detriment to the visual amenities of the locality. A degree of soft and hard landscaping will be introduced in the development in the form of planting and permeable paving. Low maintenance planting is likely to be introduced around the periphery, which will soften the appearance of the site. A condition will be imposed requiring details to be submitted and approved.

#### Ecology

To safeguard and enhance the biodiversity within the area, the Council's Ecology Unit have recommended that artificial bird boxes or bat boxes be provided. A condition will be imposed to secure that such bird and/or bat boxes are provided.

## Environmental Protection Issues

A Phase I Risk Assessment has been carried out, which identifies the site as having the potential for contaminated land, as the site was formerly used for agricultural purposes. The site is also within a High Risk Coal Mining Referral Area, where there is the potential for mine gases to occur.

Following consultation with the Environmental Protection Officer, it is considered that the submitted Phase 1 Desk Study Report and subsequent amended Report do not adequately address the concerns raised by the Officer. Further investigations are required and the Agent has confirmed that such investigations are currently being carried out but the outcome of such investigations will not be known prior to the Committee meeting. It will therefore be necessary to impose conditions, which will secure investigations are carried out and appropriate measures implemented before the development is commenced.

The proposed development is located within a residential context and not positioned immediately adjacent to highways which experience high levels of traffic, and thus, will not be affected by high levels of noise. It is considered that standard thermal glazing with standard window frame trickle vents will provide acceptable internal noise levels for future occupiers.

## Mobility Housing

UDP Policy H7 requires a proportion of the development to meet mobility housing standards. A minimum of 25% of the development should be provided to this standard, which equates to 2 units. Plots 5 and 6 have been identified as properties which will be to this standard.

## Open Space Contribution

In accordance with Policy H16 of the UDP, the developer is required to make a financial contribution towards the provision of public open space, in lieu of direct open space provision. A Unilateral Undertaking under Section 106 of the Town and Country Planning Act, 1990, will be required to secure a financial contribution of £8,327.55. It is envisaged that a signed Unilateral will have been provided prior to the Committee Meeting.

## SUMMARY AND RECOMMENDATION

The site is located within an existing Housing Policy Area, where the proposed residential development is a preferred use, in accordance with Policy H10 of the Unitary Development Plan.

The redevelopment of the site to form residential accommodation will result in the demolition of a building, which is not considered to be of special architectural interest such that it is worthy of retention. Whilst the pub did serve the local community, there are other similar facilities close by, such that its loss is not a reason to resist this proposal in this location.

The layout and scale of development is considered to be appropriate and the development will comfortably fit within the site. The design of the proposed development is considered acceptable in terms of siting, scale, massing, form and detail. The design of the dwellinghouses relates well with the street and general topography.

Occupiers of neighbouring properties will not be adversely affected.

There are no significant highway implications arising from the proposed development.

On this basis, the proposed development is considered acceptable and will accord with UDP Policies H7, H14, H16, BE5 and Core Strategy Policies CS64, CS65 and CS74, Supplementary Planning Guidance relating to Open Space in New Housing Developments, and the National Planning Policy Framework (NPPF). The application is therefore recommended for approval subject to the completion of a legal agreement with the following heads of terms.

#### HEADS OF TERMS

Before the development commences the developer shall contribute the sum of £8,327.55 towards the provision of public open space in the catchment area of the site in line with the requirements of Policy H16 of the Unitary Development Plan and the Supplementary Planning Guidance on Open Space in New Housing Developments.

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Case Number 13/03502/FUL (Formerly PP-02953100)

Application Type Full Planning Application

Proposal Alterations to car showroom including installation of roller shutters for use as a car repair garage, rendering of building and erection of 1.8 metre boundary wall (retrospective), use of basement workshop as car parking and reduction of boundary wall brick piers (adjacent access) to 1 metre

Location The Meersbrook Garage  
1 - 7 Meersbrook Road  
Sheffield  
S8 9HU

Date Received 16/10/2013

Team South

Applicant/Agent Mr Matthew Bagnall

Recommendation Grant Conditionally

Subject to:

- 1 The development must be carried out in complete accordance with the following approved documents:

Drawings:

PRC 0807/7.4 dated 17.10.13.  
PRC 0807/7.5K dated 17.10.13.  
PRC 0807/7.3 dated 17.10.13.  
Section through roller shutter door dated 17.10.13.  
PRC 1310/2.1A dated 09.12.13.

Reason; In order to define the permission.

- 2 The development shall not be used unless the car parking accommodation for 24 cars as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

3 Within 3 months of the date of this permission, the improvements (which expression shall include traffic control measures) to the highways listed below shall have either;

a) been carried out; or

b) details, including a timescale for implementation, shall have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out.

Highway improvements:

Northcote Avenue (traffic regulation order - both sides for extent of site frontage)

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

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

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

5 Within 1 month of the date of granting planning permission a management plan detailing the management of on site parking shall be submitted to and approved in writing by the Local Planning Authority and the site shall thereafter operate in accordance with the agreed management plan.

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

6 Within 3 months of the date of granting planning permission the wall either side of the site entrance shall be lowered to a height of 1 metre for a length of 2 metres either side of the entrance and shall thereafter be retained.

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

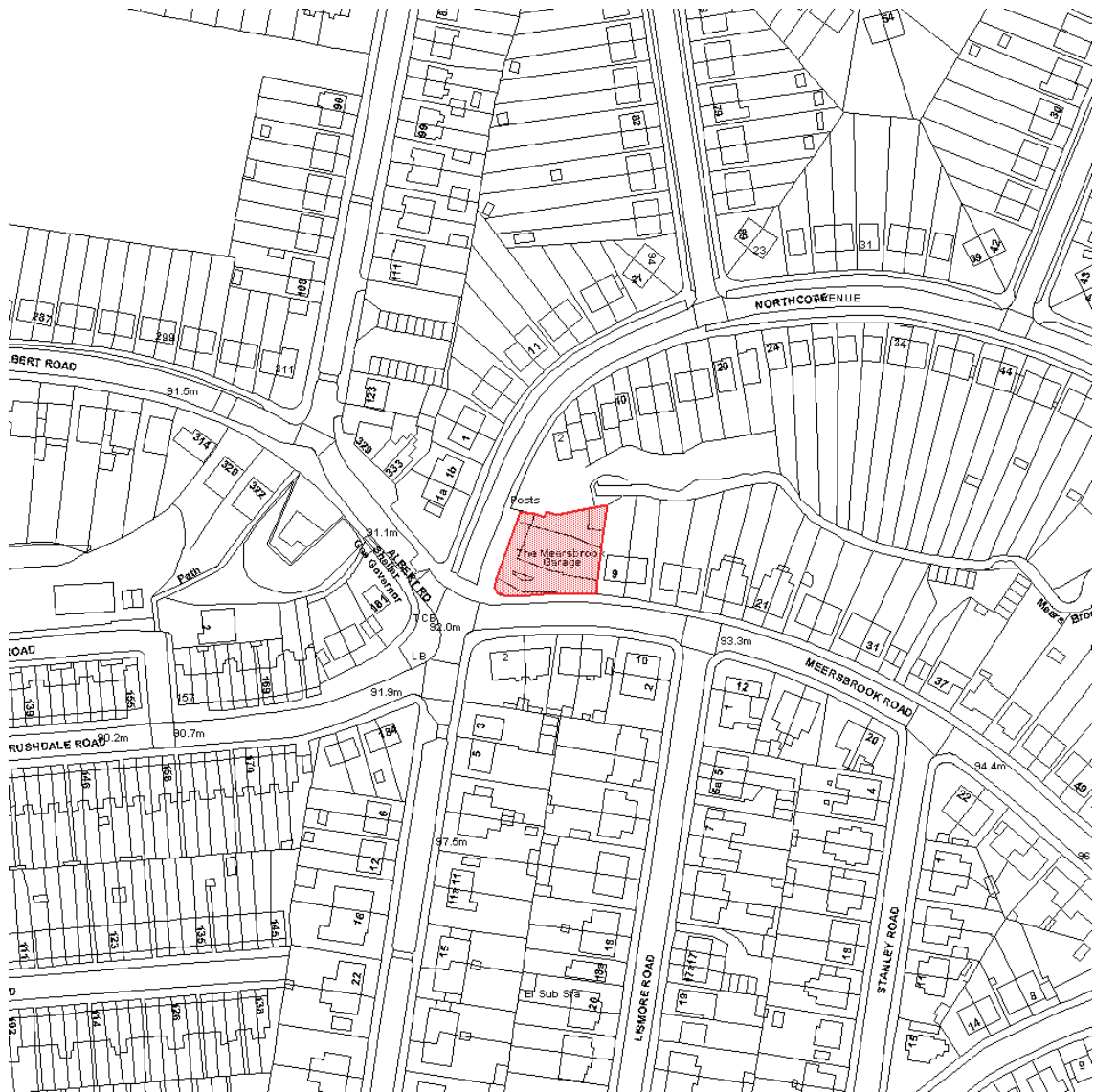
Attention is drawn to the following directives:

1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.
2. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local

Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

# Site Location



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## LOCATION AND PROPOSAL

Members will recall that this application was deferred from the 28 January 2014 Planning Committee to allow a Committee visit to take place, and for officers to reconsider the implications of draft condition 3, relating to the need for a traffic regulation order.

Meersbrook Garage lies at the junction of Northcote Avenue, Meersbrook Road and Albert Road. All surrounding uses are residential and at the rear, the Meers Brook flows past the site in a culvert. At the front, rear and west of the site, there are areas used for car parking.

The main frontage of the garage faces Meersbrook Road and here the garage is a mix of single and two storeys with a flat roof and there are five service bays each with a metal roller shutter door. At the rear, due to falling levels, is a basement area reached by a sloping access track.

This is a retrospective planning application which relates to the former showroom part of the building and the boundary walls only. The use of the remainder of Meersbrook Garage for car repairs, servicing and MOTs and ancillary offices and toilets is established and not included as part of this application.

Planning approval is sought for the change of use from a car showroom to a workshop, alterations to form three additional workshop bays and the erection of a 1.8 metre high boundary wall with lower sections either side of the entrance. The three bays open out on to the forecourt on the Meersbrook Road side.

This new retrospective application, as amended, is very similar to two previous applications, 09/00365/FUL and 13/00177/FUL (see Planning History). This new application has submitted the Noise Survey that was previously submitted with 13/00177/FUL but the main difference is that this proposal has revised the parking layout to increase off road parking capacity, which is in response to the Inspector's Decision Letter relating to the appeal decision for 13/00177/FUL.

The appearance and use of the garage has not changed since the earlier application was submitted in 2009 and it has continued operating without planning consent for the showroom, three new bays and new boundary wall since the refusal of permission in June 2011.

The previous decisions are material considerations of significant weight that are relevant to this new application.

## RELEVANT PLANNING HISTORY

09/00365/FUL Alterations to car showroom for use as additional bays to repair garage/MOT testing centre and erection of a 1.8 metre high boundary wall and external lighting (retrospective application) (amended plans dated 07/08/2009) refused on 14.06.2011.

The application was refused because the proposal would result in an over intensification of an inappropriate use within a Housing Area that results in noise and disturbance from vehicle repair and servicing and excessive and indiscriminate on street (and footway) car parking to the detriment of the living conditions of nearby residents and to highway and pedestrian safety. The application was considered to be contrary to policies H10 and H14 of the adopted Unitary Development Plan (UDP).

11/02111/LU1. Application to establish the lawful use of the building for servicing, repair, maintenance, MOT and other works to vehicles refused on 17.01.2012.

This application related to the showroom area of the building which is on the western side and failed to establish that the balance of probability was in favour of the showroom having been used for the purposes applied for during the previous 10 years.

The subsequent appeal to the Secretary of State against the decision was dismissed on 18 December 2012.

13/00177/FUL. Alterations to car showroom including installation of roller shutters for use as additional bays to repair garage/MOT testing centre, rendering of building and erection of 1.8 metre boundary wall (retrospective application) refused on 19.03.2013.

The application was refused for the same reasons as 09/00365/FUL, namely because of the noise and disturbance from vehicle repairs and excessive and indiscriminate parking. The view of the Local Planning Authority was that the Noise Survey submitted in support of 13/00177/FUL did not alter the earlier view relating to this matter. The application remained contrary to UDP policies H10 and H14.

The subsequent appeal to the Secretary of State against the decision was dismissed on 23 July 2013. There are a number of key points in the Inspector's Decision Letter which are material to the consideration of this new application, which are set out below.

A material change of use has occurred being operational development in the form of alterations to the building and the erection of a new boundary wall.

The design of the buildings and the perimeter wall are acceptable. The Inspector concluded that whilst noise levels have, no doubt, increased with the increase in activity arising from the appeal development, it is not so great as to give rise to material harm to the amenity of neighbours. It is not contrary to the aims of UDP policy H14.

With respect to car parking, the Inspector noted that the site could accommodate 18 vehicles but cars were parked in the cul-de-sac next to the garage at the end of Northcote Avenue which does support the Council's assertion that more parking spaces are required for this particular business.

The Inspector commented that the premises are situated close to a busy road junction where five roads intersect and parked vehicles here could be a hazard to road safety. Road widths here are also limited and parked vehicles would restrict the free flow of traffic. This is exacerbated by the presence of a bus stop and the Inspector felt that the imposition of a Traffic Regulation Order at the cul-de-sac would simply move the problem along Meersbrook Road.

He concluded that the parking available within the garage site is insufficient to meet the needs of this use and that parking takes place during the day along adjacent streets with consequent impact upon the safety of residents and the free flow of traffic in an area which has already had traffic management measures applied to it.

Regarding the new boundary wall, he considered the 1.8 metre height either side of entrances would be a significant hazard to highway safety for drivers and pedestrians. It would be unnecessary to remove the entire wall as the issue can be resolved by lowering the height of the wall to 1 metre adjacent to entrances.

In response to neighbours' concerns about light intrusion, he concluded the level of use of the site has resulted in greater light levels in the area than would be normally be expected in a housing area. However, this alone would not justify the refusing of planning permission because it is associated with a long established commercial use.

The appeal was dismissed because the intensive parking of cars, which has resulted from the material change of use and intensification of activity of the site constitutes a serious hazard to highway safety and is contrary to UDP policy H14(d). This would not be overcome by imposing a condition requiring a Traffic Regulation Order restricting parking in the cul-de-sac because this would very probably result in the problem being moved further along the adjacent streets.

#### SUMMARY OF REPRESENTATIONS

One letter of support has been received from a local resident which says that the garage is neat, tidy and useful, the building is of good quality and looks professional, the shutters are clean and bright and the site is well maintained.

Seven letters of objection from local residents have been received from four addresses.

There are too many hazards to pedestrians.

The site lies close to a dangerous junction.

It is difficult to find a parking space on the street.

The current traffic calming no longer works because of increased traffic particularly affecting schoolchildren crossing Meersbrook Road.

This site attracts a wholly inappropriate and unacceptable number of customer vehicles.

The road restrictions and one way signs are disregarded by employees and visitors.

Employees park on the road.

50% of the parking spaces shown on the plans are unworkable.

About half the cars would be blocked in by other cars.

Half the entrance to workshop 2 would be blocked and all at the basement level.

There is no parking provision for delivery vehicles.

There is excessive and indiscriminate parking.

Cars are delivered 24 hours a day, seven days a week.

There is no account taken of vans and low loaders in the parking layout and these are much bigger than cars.

The wall stops the children using the site as a short cut.

The wall at 1.8 metres high has no regard for pedestrian safety.

The reduction in height of the wall at the entrances will do little for pedestrian safety.

Noise and light pollution

This is an over intensification of an already inappropriate use in a housing area.

Excessive noise from vehicle repairs resulting in a detrimental impact on residents' amenities.

There are too many signs.

The shutters are out of character with the rest of the area.

The application remains contrary to UDP policies H10 and H14.

## PLANNING ASSESSMENT

Land Use Policy.

The adopted UDP shows that the site is designated as part of a housing policy area. Policy H10 deals with development in housing areas and says that housing is the preferred use.

The National Planning Policy Framework (NPPF) in its Core Planning Principles, paragraph 17 says that sustainable development and the effective use of previously developed land should be supported. The same paragraph says that, in achieving this, a good standard of amenity for all existing and future occupants of buildings should be sought.

The use of the site as a car repair garage and MOT centre falls into a General Industry (B2) classification and this use is listed as being unacceptable in a housing area. In this instance, the garage has been in use for a considerable period of time and the issue is whether the development is unacceptable due to the intensification of the use.

The recent Inspectors Decision will be material to the consideration of this new application and if this application is to receive support, the applicant will need to resolve all issues that resulted in that scheme being unacceptable.

Design, External Appearance and Layout.

UDP policy H14 requires new development to be well designed and in keeping with the scale and character of the locality.

Core Strategy policy CS74 deals with design and this says that new development should contribute to the creation of attractive and sustainable neighbourhoods.

Prior to the unauthorised alterations to the building, Meersbrook Garage was in a dilapidated state with an unsightly exterior. At this time, there were only two workshops with a car showroom at one side and a body shop and spray booth in the basement. The boundary wall was also in a state of disrepair.

The building now has a render finish to the exterior and there are five bays. The remaining space within the building remains the same but repair and servicing has been extended into the former showroom.

The main change to the appearance of the building is the introduction of the three new openings with metal roller shutters. There is also the repair of the boundary wall and increase in the height to 1.8 metres.

The exterior has lost its dilapidated appearance but the functional appearance reflects the use and it contributes little to the character of the area. However, the consideration of application 13/00177/FUL concluded that the external appearance was acceptable and this was not included within the reason for refusal. The Inspector confirmed that design and appearance was acceptable.

Sustainability.

Core Strategy policies CS64 and CS65 deal with sustainable design and carbon reduction. There are no new extensions and the fabric of the building has changed little, apart from the new openings and replacement of windows. This issue was not included in the reason for refusal of the previous application nor was it mentioned in the Inspector's Decision letter. There is little scope for works to be carried out to enhance the sustainable credentials of the building and it would not be reasonable to require this in the circumstances.

Noise and Disturbance.

UDP policy H14 says that the amenities of local residents should not be harmed by noise or disturbance.

Core Strategy policy CS74 says that new development should contribute to the creation of attractive, successful and sustainable neighbourhoods.

The applicant has re-submitted the Noise survey that was part of the previous application.

With respect to the previous application which was refused and dismissed at appeal, the Inspector, in his Decision letter, made it clear that the reason he dismissed the appeal was because of the hazardous impact on highways safety caused by parked cars. He said that, regarding noise levels, although they had increased due to the more intensive use of the garage, this was not so great that this would give rise to material harm to neighbours. He concluded, therefore, that the proposal was not contrary to UDP policy H14 in this respect.

The Inspector takes the view that the impact of noise and disturbance is acceptable and this is a material consideration in terms of this new application. The circumstances regarding noise remain the same with this application as the previous one and there has been no material change in circumstances. This means that considerable weight must be afforded to the Inspector's view and the impact of noise and disturbance remains acceptable and, therefore, is not contrary to UDP policy H14.

Parking, Access and Transport.

UDP policy H14 says that there should be safe access to the highway and adequate off street parking.

Core Strategy policies CS51 and CS53 deal with transport priorities and management and seek to reduce vehicle miles.

In dismissing the appeal for the previous application 13/00177/FUL, the Inspector said, in paragraph 29 that:

'The intensive parking of cars around the appeal site is a result of the material change of use and intensification of activity on the appeal site. It does constitute a serious hazard to highway safety and is contrary to policy H14(d) of the UDP. This would not, in my judgement, be adequately overcome by imposing the conditions

suggested by the Highway Authority because it would very probably result in moving the problem further along the adjacent streets. Consequently, I find this matter justifies refusing planning permission.'

The Inspector also gave weight to the following:

Parked in the vicinity of the busy road junction where five roads intersect could be a hazard to highway safety. (Paragraph 20.)

There is a significant amount of parking available within the appeal site but this is insufficient to meet the needs of the use which has become too intensive for the capacity of the site. Parking takes place during the day along adjacent streets with consequent impact upon the safety of pedestrians and the free flow of traffic in an area which has already had traffic management measures applied to it. (Paragraph 23.)

The conditions referred to by the Inspector relate to imposing a Traffic Regulation Order that would restrict all parking in the cul-de-sac at the end of Northcote Avenue. Currently, this is well used by the garage for the parking of vehicles. The Inspector feels that the vehicles parked here would simply be parked elsewhere on the streets near to the garage.

Consequently, the applicant needs to address this issue and demonstrate that the amended proposals submitted as part of this application can significantly lower the reliance on parking on the street.

The plans, as amended, show a total of 24 parking spaces within the site. The Inspector remarked in his Decision Letter that the 18 spaces, although meeting Council parking guidelines are insufficient to meet the current needs of the garage. The issue is whether the additional six spaces are sufficient to reduce the reliance on street spaces to a level that would meet the Inspector's concerns.

The garage is located close to a busy junction and a bus stop and the Inspector has said that he found the previous application unacceptable because of the impact on highways safety and the free flow of traffic in the area. The addition of six extra spaces on site will, in the opinion of officers, make a significant impact because it will take these six vehicles away from the vicinity of the junction and bus stop, thus improving road safety and the free flow of traffic.

The Inspector took the view that the imposition of a Traffic Regulation Order (TRO) at the cul-de-sac at the end of Northcote Avenue would only move the problem of street parking elsewhere in the vicinity of the site. However, officers are of the opinion that a TRO would still be applicable.

In the report that was presented to the 28 January Committee, officer opinion was that the TRO should apply to all sides of the cul de sac at the end of Northcote Avenue and also along the north side of Meersbrook Road in front of the garage, in order to prevent parking in these areas. Representations made by local residents suggested that a TRO may not be supported, and at members request, this has been reconsidered. Officers consider that extending the TRO along Meersbrook

Road has less benefit than restricting Northcote Avenue so it is considered that the TRO should revert back to Northcote Avenue only.

TRO's are subject to a local consultation exercise with residents which is separate to the planning application consultation process. This means that a TRO would only be put in place after consultation with local residents who would express their preferences. It is not the case that if there are objections to a TRO then it would not be implemented. All representations would be taken into consideration prior to an officer recommendation to the Highways Committee.

Members were concerned about the status of the permission in the event that the condition (no.3) requiring the TRO could not be complied with (i.e. if objected to and not pursued). It would not be necessary for the whole of the TRO to be implemented for the condition to be complied with, and therefore an amended TRO taking into account residents' views would not affect the status of the permission.

This condition is considered necessary in order to prevent indiscriminate parking on the end of Northcote Avenue, and to provide a safe area of public highway for the manoeuvring of vehicles at times when shunting of vehicles from within the site is required.

It is likely to be the case that with the increase in car parking spaces within the site this will mean that there would be an increase in the shunting of cars. If there is no TRO at the lower end of Northcote Avenue then it is very likely that this would be used for car shunting, including reversing on to Meersbrook Road and this would intensify and increase vehicle movements here over and above existing levels. This would, therefore, have an increased detrimental impact on highways safety because this is the point where schoolchildren tend to cross the road.

The Inspector did not feel that the imposition of a condition requiring the TRO merited significant weight. However, your officers feel that the condition is necessary because of the increased risk to highways safety because of the additional vehicle movements close to a road junction with some restricted widths. The Inspector took the view that the TRO would move the problem elsewhere on Meersbrook Road but the new application proposes extra car parking on site which mitigates against this and there would be a condition requiring a parking management plan.

It is considered to be both necessary and reasonable to require the applicant to provide a management plan relating to the parking and positioning of cars within the site. 24 spaces are shown on the accompanying plans but a number of these are blocked by other spaces. This would mean that cars would have to be moved around to allow blocked cars to move. The management plan should aim to restrict the movement of vehicles as much as possible and should also include movements of vehicles parked on the street.

It is the case that the movement or shunting of cars to allow blocked cars to move is a matter common to many garages. It is unlikely that this issue can be completely eradicated but the management plan will set out controls and efficiencies to improve matters at this site.



The TRO and management plan would both be controlled by appropriate conditions.

Since the 28 January Committee, the applicant has submitted a framework for the parking management plan and the key points are set out below:

- All customers will be directed to specific car parking spaces on site when delivering a vehicle.
- Customer cars will be manoeuvred within the site by garage employees to any of the spaces available before and after work has been carried out.
- The six basement parking spaces will be primarily used by staff and for secure overnight retention of customer vehicles.
- No customer cars will be parked on the public highway.
- The operator will seek to ensure that all deliveries will be undertaken on site. (The applicant points out that many of the deliveries are carried out by independent operators outside the control of the applicant).
- All vehicle movements on site will be limited to hours of operation only.
- Manoeuvring of vehicles into the public highway by garage staff will be restricted to Northcote Avenue.

It is considered that the principle of the management plan framework is acceptable but the submission of the full document would be controlled by a condition.

It is considered that the additional car parking spaces provided on site along with the TRO and management plan would significantly improve highways safety and the free flow of traffic in the vicinity of the site. Officers take the view that the combination of the three factors would not result in the problem simply being moved along Meersbrook Road because of the TRO, as the Inspector feared. Therefore, the application would comply with UDP policy H14.

The Inspector commented on the issue relating to visibility either side of the entrances. The new wall has a uniform height of 1.8 metres which restricts visibility, particularly for drivers leaving the premises. The Inspector took the view that this could be resolved by lowering the wall to 1 metre high either side. This is considered to be an acceptable solution and this would be controlled by a condition.

Remaining Issues.

It has been established as part of previous applications that the site lies within Flood Zone 3 and the Meers Brook flows close to the rear of the site. A Flood Risk Assessment has been submitted with the application. However, the brook is culverted next to the garage and this is an intensification of an existing non

vulnerable use. The provisions of Core Strategy policy CS67, which deals with flood risk, have been satisfied.

With respect to disabled access, it has been established that the entrance and circulation arrangements meet current regulations and they are acceptable.

Members should also be aware that these matters were not part of the refusal of the previous application.

## RESPONSE TO REPRESENTATIONS

It has already been explained that issues relating to noise and disturbance have been resolved by the appeal decision and any objections about this are no longer relevant.

With respect to parking, highways safety and vehicle movements, these have been addressed in the report.

A management plan will be required which should encompass the adherence to road restrictions and obeying one way signs.

Delivery vehicles tend to stop for only a very short period so parking on the street close to the site if they are unable to access the site is considered to be acceptable.

The land within the site is private and children have no right of access to use this as a short cut.

## Enforcement

An Enforcement Notice was issued in January 2013 requiring

- i) the removal of the three vehicle access points and roller shutter doors on the Meersbrook Road elevation of the building, and
- ii) the reinstatement of glazing in those locations; removal of glazing and reinstatement of the vehicle entrance on the Northcote Avenue elevation; and
- iii) the removal of the 1.8m boundary wall surrounding the site.

An appeal was submitted against the service of the notice, and was dismissed, with variation of item iii) such that it only required removal of the sections of wall closest to the access points.

Following dismissal of the appeal in July 2013, the owner had six months in which to comply with the requirements of the notice (until 10th January 2014). This period has now lapsed, and the notice has not been complied with, however, this current application was lodged in mid-October.

If Members agree this recommendation, the conditions include time limits for compliance which would be monitored, and enforced, through breach of conditions notices where necessary.

If Members do not agree the recommendation of this report, and refuse planning permission, the requirement to enforce the terms of the original notice as set out above, through prosecution, would be triggered.

## SUMMARY AND RECOMMENDATION

This retrospective planning application, as amended, seeks permission for alterations to a vehicle repair/servicing garage including three new bays, alterations to the exterior, a new boundary wall and car parking layout.

There is a long planning history for this site and certain issues have been resolved as part of past applications. Most recently, even though application 13/00177/FUL was refused and dismissed at appeal, the Inspector, in his Decision letter, set out the reasons for dismissing the appeal but he found that the noise and disturbance had an acceptable impact on neighbours' amenities but the proposal resulted in an unacceptable impact on highways safety and the free flow of traffic in the vicinity of the site.

The applicant proposes an additional car parking spaces within the site and this, along with a TRO along the cul de sac at Northcote Avenue and a management plan for car parking and movements is considered to carry enough weight to resolve concerns relating to highways safety and traffic flow.

All other matters have either been resolved or are considered to be acceptable. The application is considered to be acceptable, it complies with all relevant policy criteria and is, therefore, recommended for conditional approval.

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Case Number	13/02751/FUL (Formerly PP-02831147)
Application Type	Full Planning Application
Proposal	Erection of a split level 5 bedroomed dwellinghouse with habitable accommodation at basement level (Amended plans received 14/11/2013 and Tree Assessment received 18/11/2013)
Location	Land Adjacent 31 Carsick View Road Sheffield S10 3LZ
Date Received	14/08/2013
Team	West and North
Applicant/Agent	Architecturals
Recommendation	Grant Conditionally

Subject to:

- 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.

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

- Drawing No. MARKHAM/A1/EXOS01 (Existing Site Plan);

received on the 16 August 2013 from Terry-Anne Constable of Architecturals; and

- Drawing No. MARKHAM/A1/PRO01 Revision A (Proposed Plans, Elevations and Location Plan)

received on the 14 November 2013 from Terry-Anne Constable of Architecturals;

Reason; In order to define the permission.

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

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

- 4 A comprehensive and detailed hard and soft landscape scheme for the site that shall include the planting of four extra heavy standards (native species) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

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

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

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

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

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

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

- 8 Notwithstanding submitted details, full details of the proposed rear decking area to include its external measurements (height, width, depth), means of enclosure and privacy screens shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site.

Reason; In the interests of protecting the residential amenity of neighbouring properties.

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

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

Attention is drawn to the following directives:

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

Development Services  
Howden House  
1 Union Street  
Sheffield  
S1 2SH

For access crossing approval you should contact the Highway Development Control Section of Sheffield City Council on Sheffield (0114) 2736136, quoting your planning permission reference number.(D007)

By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

2. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

3. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

### Site Location



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## BACKGROUND

Planning permission was granted to erect a 4-bedroomed detached dwellinghouse on this site in October 2012, under planning approval No. 12/02027/FUL.

## LOCATION AND PROPOSAL

The application relates to a rectangular parcel of land of some 495 square metres that is situated along the southern side of Carsick View Road in Ranmoor. The application site is situated in a Housing Area.

The site is 'sandwiched' between two residential properties with 31 Carsick View Road to its east and 182 Tom Lane to its west. The site was last used as an 'additional garden area' by the residents of the two neighbouring properties.

The site slopes down quite steeply from Carsick View Road with the ground levels significantly lower at its southern section. The site is enclosed along its boundary to Carsick View Road by an attractive stone retaining wall. Behind this stone wall are a small group of self-set sycamore trees. At the site's north-eastern corner to Carsick View Road is a small vehicular hardstanding.

The street scene is predominantly residential and characterised by dwellings of varying age, size and appearance.

The applicant is seeking full planning permission to erect a 5 bedroomed detached dwellinghouse as a variation of the scheme approved in October 2012. On account of the ground levels, the proposed dwellinghouse would be split-levelled and present itself as a two storey house from Carsick View Road and three storeys to its rear. Two of the dwellinghouse's bedrooms would be provided within the roof with additional headroom provided by a three dormers, two along its front roof slope.

Parking for three vehicles would be provided within the dwellinghouse's integral garage and hardstanding. To accommodate the dwellinghouse, the small group of sycamore trees would be felled.

## RELEVANT PLANNING HISTORY

12/00238/FUL – Erection of two 2/3 storey dwellinghouses with integral garages – Withdrawn 14/05/12

12/02027/FUL – Erection of 2/3 storey dwellinghouse with integral garage (Re-submission of application No. 12/00238/FUL) – Granted 30/10/12



## SUMMARY OF REPRESENTATIONS

Twelve letters have been received in response to this application from the occupants of nine properties. A summary of the comments received are listed below:-

- No objection to the principle of the development with the scheme being more in-keeping than previous proposals;
- The loss of these mature sycamores would be detrimental to the leafy character of the locality and have a drastic impact on the street scene and local amenity;
- No drawings that show the building lines comparable with neighbouring properties to the front or rear in order to establish that
- the proposed rear decked area will not stand proud of the existing rear patio area of 31 Carsick View Road and create problems of overlooking;
- The front of the house protrudes in front of the street's established building line;
- Loss of privacy. The proposed dwelling would completely over look No. 23 Meadow House Drive;
- Drainage Issues;
- Unacceptable design quality, harmful to the character and appearance of the street;
- The development would lead to unacceptable loss of privacy to 182 Tom Lane from the side bay windows and lower ground floor window;
- Bay windows are not in keeping with the character of the area;
- Recommend that the properties 'PD' rights be removed

## 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) Residential Amenity Issues; and
- (v) Landscaping Issues – Loss of Trees

These are considered in turn below.

### (i) Principle of Development

The application site is situated in a Housing Area, where housing is the preferred use under UDP Policy H10. The proposal to erect a dwellinghouse on this site would therefore accord with Policy H10.

While the development would accord with Policy H10 of the UDP in terms of use, consideration should also be given to the development of a greenfield site, given that the application site was last used as a garden in connection with the two adjacent dwellinghouses. The relevant policy position with regard the use of previously developed

land for new housing is Policy CS24. This policy states that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. It goes on to state that the development of greenfield sites may be acceptable on small sites within the existing urban areas and larger villages, where it can be justified on sustainability grounds.

With regard to this, the latest figures show that the Council is exceeding its target of achieving 88% of all development on previously developed land. The site is situated within Fulwood and close to a range of shops, schools and good public transport service within walking distance of the site.

The erection of a single dwellinghouse on this site is therefore unlikely to prejudice or undermine the Council's targets for the development of previously developed land across the city, while its location close to shops and good public transport links can be justified on sustainability grounds.

Significant weight should also be given to the earlier and extant planning approval to erect a single split levelled detached house on this site in October 2012.

Based on the above, the principle of erecting a single detached dwellinghouse as a variation of the earlier and extant planning approval should be viewed acceptable. UDP Policy H10 and Core Strategy Policy CS24 are considered to be met.

#### (ii) Highway Issues

It is not considered that the development raises any significant highway implications. The proposed dwellinghouse would be provided with three off-street parking spaces, one within the proposed integral garage and two being provided on a hardstanding adjacent to Carsick View Road. This level of parking is considered to be acceptable and would meet the likely parking requirements of the proposed dwellinghouse without resulting in any significant pressure for on-street parking that would prejudice highway safety..

#### (iii) Design Issues and the Effect of the Development on the character and appearance of the surrounding area

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

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

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

The proposed dwellinghouse would be erected on the same alignment of the neighbouring house (No. 31) with the property's front and rear elevations aligning up with this property. It would be rectangular in appearance with an external footprint of 9.6m (depth) by 10.5m (width) and a height to its ridge (viewed from Carsick View Road) of approximately 8.8m. The dwellinghouse would be designed with an integral garage, double height bay windows (front and rear elevations) and front and rear dormer windows. It would be faced in a combination of render and natural stone with its roof covered under natural slate. Other features of note include large glazed patio doors and glass entrance canopy, and glazed rear balcony. It is proposed that the windows and doors would be grey uPVC or aluminium. A set of steps would be constructed along the side elevation of the property adjacent to 31 Carsick View Road that would allow access down onto the rear garden.

The application has been amended on the advice of officers following concerns that the design quality of the house was unacceptable and did not represent an appropriate form of development. Following receipt of amended drawings, it is considered that the concerns raised by officers have been satisfactorily addressed with the dwellinghouse being of acceptable design quality that would sit within the context of the site without harming the character or appearance of the surrounding area. Due care has been taken with regard to the scale and massing of the dwellinghouse as well as in terms of the window proportions and their hierarchy to create an attractive well-proportioned dwellinghouse appropriate to the site's setting. The use of dormer windows is considered acceptable and would reflect those found on the front roof slope of its immediate neighbour (No. 31).

The street scene is very varied containing dwellings of differing appearances, ages and styles. Immediately to the west of the application site is a row of three large stone fronted terraced properties, these dwellings dating from the early 1900s have a dual aspect as they also front Tom Lane to the south. To the east are Victorian terraces finished in render, followed by a pair of stone built Victorian semis. Beyond this and to the north are a range of semi-detached 1950s style brick built semi's and detached 70s/80s dwellings. Planning permission was granted in 2011 (app 11/01032/FUL) for two modern infill dwellings adjacent to 11 Carsick View Road. Low stone boundary walls are a common characteristic of the area which along with an array of trees and landscaping all add to the character of the area.

It is considered that a dwelling can be accommodated on the site without being harmful to any of the distinct features of the South-West Housing area as referred to in CS31. The site has a generous frontage that would allow the house to be sited without harming the character of the area, with the spatial distances between the house and the two neighbouring properties side elevations consistent with the general built form of the surrounding area. The density of the development will be in line with the character of the surrounding area and as such the proposal is considered to represent an appropriate infill site.

For the reasons set out above, it is considered that the development is acceptable from a design perspective and would be in general accordance with UDP Policies H14 (a) and Policy BE5 and Core Strategy CS74.

(iv) Residential Amenity Issues

Policy H14 (c) states development should not result in over-development, deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

Supplementary Planning Guidance on Designing House Extensions is also relevant. Although the proposal is not for an extension, the principles of this document are considered to be relevant to new housing development and provide detail over and above that found in the Unitary Development Plan.

The existing dwellinghouse to the east of the site (No. 31 Carsick View Road) has two windows within its side elevation facing the application site. At lower ground floor level a window serves a corridor which provides access through the site from the highway to the garden, whilst at first floor the window serves a bathroom. As neither of these windows serve main habitable rooms, it is not considered that the proposed development would result in any unacceptably overbearing to these windows. The dwellinghouse would be erected on the approximate alignment of No.31 and would not therefore project beyond this property's front and rear elevations. Any effect on this property's amenity with regards overshadowing or outlook would therefore be minimal. Although some concerns have been raised with regard the rear deck, this would project out at the approximate depth of the rear terrace area of No. 31. However, limited details of the rear decking area have been provided with this application. As such, it is recommended that a condition be attached that requires details of this rear decking area to be submitted to and approved prior to work commencing.

The dwelling to the west (No. 182 Tom Lane) has three windows within its side elevation facing the site and a garden room at lower ground level. None of these windows are main primary windows to main habitable rooms of the house. As these windows serve non-habitable rooms of the property, it is not considered that the proposed dwellinghouse would result in any significant loss of privacy or outlook to the detriment of this property's residential amenity. Although it is acknowledged that the outlook from the garden room would be affected by the development given that proposed dwelling will be set away from the side elevation of this property by 5m, the degree of protection that this room should be afforded is limited given it's a non-habitable room. It should also be noted that the distance of the proposed house from this side elevation remains unchanged from the previous approved and extant scheme.

A distance of approximately 14.5m would be maintained between the rear elevation of the proposed dwellinghouse and the rear garden boundary which runs parallel to the side elevation of No.23 Meadow House Drive. Guideline 4 of the Supplementary Planning Guidance on Designing House Extensions states that a minimum distance of 10 metres should be allowed for rear gardens in order to prevent unacceptable overlooking. The proposed scheme allows for a distance well in excess of this and therefore will not result in an unacceptable loss of privacy for residents to the rear even when taking into account the difference in ground levels.

It is noted that the residents of No. 182 have requested that the lower ground floor window (basement floor kitchen) along the property's side elevation be either omitted or obscured glazed in the interests of protecting their privacy. While this was put to the applicants, they are opposed to removing the window or its obscuring and do not consider that its retention would result in any problems of overlooking between properties. Officers would accept this

view and consider that it would be unreasonable to insist that this window be omitted or obscured on ground of loss of privacy. Owing to the lower ground floor position of the window views from the window would be mainly restricted onto the side garden of the proposed house and not into main habitable areas of the neighbouring property. To insist that this window be omitted or obscured glazed would be unreasonable and likely to be challengeable at appeal. It is nevertheless important that the LPA have control over any new upper floor openings within this side elevation facing No. 182. A condition would secure this.

Officers are also satisfied that the future occupants of the dwellinghouse would be provided with a high level of amenity with a private amenity space in excess of 250 square metres, which is considered to be commensurate to the size of the proposed dwellinghouse. Given the size of the plot, it is considered unreasonable to require the property's PD' rights be removed, despite this being requested by the residents of a neighbouring property.

### Landscaping Issues

The proposed development involves the loss of the four sycamore trees, a matter that has raised a number of concerns from local residents. On the advice of officers, the applicant commissioned a report by a qualified tree surgeon/arboriculturist to assess the welfare of the trees.

The report details that the trees are self-set and are approximately 15-20 years. He confirms that all the trees are not in particularly good health and that one of the trees (Tree 2) has a great amount of dead wood to its canopy and another (Tree 1) will constantly require remedial works due to the close proximity of the 'phone lines'. All trees also run a risk of affecting the highway retaining wall due to their close proximity. The proposed building works will affect the health of these poor specimens further and ensuring their more rapid decline. His recommendation is to remove the four trees and implement a managed tree planting schedule to retain the character of the area.

It is accepted that the trees currently have some amenity value. However, it is evident from the report that the trees are not in particularly good health and all run a risk of affecting the highway retaining wall and compromise the development of the site. Although their loss is regrettable, it is considered that the removal of the trees can be justified subject to a condition being attached to the grant of planning that secures a comprehensive hard and soft landscaping plan that includes the planting of four extra heavy native trees to compensate for their loss. It should also be noted that the proximity of the trees to the approved house on this site and hardstanding would have placed the trees at significant risk and in officers' opinion the trees would not have been able to be kept in conjunction with this earlier scheme despite being identified as such.

### SUMMARY AND RECOMMENDATION

Full planning permission is being sought to erect a split levelled detached dwellinghouse in Ranmoor. The site was last used as a garden in connection with the two adjacent properties and benefits from an extant planning approval to erect a 2/3 storey split-levelled detached house.

The principle of erecting a house on this site is considered to be acceptable and is unlikely to prejudice or undermine the Council's targets for the development of previously developed land across the city.

It is considered that the proposed dwellinghouse is of acceptable design quality and would not unduly harm the character or appearance of the street. The development does not give rise to any significant highway concerns, while any effect on the residential amenity of neighbouring properties from overlooking, loss of outlook and loss of light would be minimal. While the development involves the loss of four sycamore trees, the trees have been assessed to be in poor health and all run the risk of affecting the highway retaining wall due to their close proximity. A condition seeking a comprehensive landscaping scheme including the planting of four extra heavy standard native trees should be attached as a condition of planning approval, which in time should compensate for their loss.

For the reasons set out in the report, Policies H10, H14 and BE5 of the UDP and Policies CS24 and CS74 of the Core Strategy are considered met and the application is recommended for approval subject to the conditions listed.

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Case Number	13/01528/FUL (Formerly PP-02584441)
Application Type	Full Planning Application
Proposal	Demolition of workshops and offices, and erection of mixed use development comprising 341 Student Accommodation Units (sui generis use) (maximum of 11 storeys high and contained within 319 studios and 22 apartments, ancillary resident only facilities, and business space (use class B1 (a)(160 square metres), 29 retirement apartments (use class C3) (maximum of 5 storeys high), a care home facility (use class C2) (maximum of 4 storeys high and including 60 bedspaces), associated car parking and landscaping works (Amended description and plan received 28/01/2014)
Location	Globe II Business Centre 128 Maltravers Road Sheffield S2 5AZ
Date Received	03/05/2013
Team	City Centre and East
Applicant/Agent	Axis Architecture
Recommendation	Grant Conditionally Legal Agreement

Subject to:

- 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.

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

BP Block Plan (1:1000)  
LP Location Plan (1:2500)  
(02)14 Rev. B - Site Plan

ST-GF Student Accommodation - Ground Floor Plan - Rev. B  
ST-1F Student Accommodation - First Floor Plan - Rev. B  
ST-2F Student Accommodation - 2nd, 3rd, 4th, 5th Floor Plan - Rev. B  
ST-6F Student Accommodation - Sixth Floor Plan - Rev. B  
ST-7F Student Accommodation - Seventh Floor Plan - Rev. B  
ST-8F Student Accommodation - Eighth Floor Plan - Rev. B  
ST-9F Student Accommodation - Ninth Floor Plan - Rev. B  
ST-10F Student Accommodation - Tenth Floor Plan - Rev. B  
ST-E1 Student Accommodation - Elevation 1  
ST-E2 Student Accommodation - Elevation 2

RA-GF Retirement Apartments - Ground Floor Plan - Rev. B  
RA-1F Retirement Apartments - First Floor Plan - Rev. B  
RA-2F Retirement Apartments - Second Floor Plan - Rev. B  
RA-3F Retirement Apartments - Third Floor Plan - Rev. B  
RA-4F Retirement Apartments - Fourth Floor Plan - Rev. B

RA-EL1 Retirement Apartments - Elevations 1- Rev. A  
RA-EL2 Retirement Apartments - Elevations 2 - Rev. A  
RA-EL3 Retirement Apartments - Elevations 3

RA\_DDA1 Retirement Apartments - Mobility Units  
RA-DDA2 Retirement Apartments - Mobility Units

CH-GF Care Home - Ground Floor Plan - Rev. A  
CH-1F Care Home - First Floor Plan  
CH-2F Care Home - Second Floor Plan  
CH-RF Care Home - Roof Plan

CH-EL1 Care Home - Elevations 1  
CH-EL2 Care Home - Elevations 2 - Rev. B  
CH-EL3 Care Home - Elevations 3  
CH-EL4 Care Home - Elevations 4  
CH-DDA1 Care Home - Mobility Units

(21)01 Details Proposed 01 - Rev. A  
(21)02 Details Proposed 02 - Rev. A  
(21)03 Detail Proposed 03 - Rev. A  
(21)04 Detail Proposed 04 - Rev. A  
(21)05 Detail Proposed 05 - Rev. A  
(21)07 Detail Proposed 07 - Rev. A  
(21)08 Detail Proposed 08 - Rev. A

EL-DET Elevation Details (Materials)

LAND - Rev. A



Landscaping - Areas 1 and 4  
Landscaping - Area 3  
Landscaping - Area 5  
Landscaping - Area 6  
Landscaping - Area 7

Reason; In order to define the permission.

- 3 No development shall commence until a phasing plan of the proposed works has been submitted to and approved by the Local Planning Authority.

Reason; In order to define the permission and for reasons of clarity.

- 4 The works of demolition hereby authorised shall not be carried out before evidence of a contract for the carrying out of the works of redevelopment of the site hereby approved as part of this application has been submitted to and approved by the Local Planning Authority

Reason; To ensure that premature demolition does not take place and result in an undeveloped site, sometime before rebuilding, which would be detrimental to the visual character of the locality.

- 5 No development shall commence until details have been submitted to and approved by the Local Planning Authority of arrangements which have been entered into which will secure the improvements to the highways listed below and that such improvement works will be carried out before the buildings within the first phase of development are brought into use.

Highway Improvements:

1. Renew all carriageway markings between no 134 Maltravers Road and the junction of Maltravers Road with St Johns Road.

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

- 6 No demolition and / or construction works relevant to any phase of development 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 by the Local Planning Authority before it is installed.

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

- 7 No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have

been submitted to and approved by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

- 8 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 by the Local Planning Authority prior to the relevant phase 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.

- 9 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 by the Local Planning Authority prior to the development of the relevant phase 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.

- 10 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..

- 11 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 relevant phase of development or any part thereof 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 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.

- 12 Each individual building hereby approved shall be constructed in full and shall not be constructed in phases nor occupied before works on that phase have been completed.

Reason; In the interests of amenity and to prevent the piecemeal construction of buildings on the site which would be detrimental to the visual character of the locality.

- 13 Prior to the first occupation of any new building on the site full details of how any undeveloped land on the site will be secured, landscaped and maintained shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved works shall be carried out on site and completed within 3 months of the date of the Local Planning Authority's approval of the condition details.

Reason; To ensure that the development is adequately maintained and does not result in an untidy site, sometime before rebuilding, which would be detrimental to the visual character of the locality.

- 14 The use of the ground floor and mezzanine areas of the student accommodation building for the purpose of a student shop (A1), student cafe (A3), and gym (D2) shall at all times remain ancillary to the main use of the building for student accommodation purposes and shall not be used for any other purpose.

Reason; In order to define the permission.

- 15 Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the B1 office accommodation space (160 square metres in total) shall be used solely for the use hereby permitted and shall not be used for any other purpose within Class B1.

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

- 16 Each unit of the retirement apartments hereby permitted shall be occupied by:

- a) Persons 55 years of age or older.
- b) Persons living as part of a single household with such a person over 55 or older.
- c) Persons who were living as part of a single household with such a person over 55 or older or persons who have since died.

Reason; In order to define the permission.

- 17 No development within the proposed Student Accommodation or Care Home phase of works shall commence until a report has been submitted to and approved by the Local Planning Authority identifying how the following will be provided:

a) a minimum of 10% of the predicted energy needs relating to that phase being obtained from decentralised and renewable or low carbon energy; and

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

Reason; In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 18 The Retirement Apartment phase shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any apartment is occupied (or within an alternative timescale to be agreed) a validation report, prepared by an accredited expert in the relevant field, shall have been submitted to and approved by the Local Planning Authority showing that the corresponding phase has achieved Code for Sustainable Homes Level 3. The measures incorporated to achieve this rating shall thereafter remain in place and operational for the lifetime of the development.

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

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

Reason; In the interests of biodiversity.

- 20 The Local Planning Authority shall be notified upon completion of the green/brown roof at each phase of development.

Reason; In the interests of biodiversity.

- 21 Final details, including samples, of the proposed material/s for each element of the scheme shall be submitted to and approved by the Local Planning Authority before the corresponding phase of development is commenced. Thereafter, the relevant phase shall be carried out in accordance with the approved details.

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

- 22 Sample panels of the proposed masonry for each phase of the development shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. Each sample panel shall be approved by the Local Planning Authority prior to the commencement of the corresponding phase and shall be retained for verification purposes until the completion of such phase.

- 23 Notwithstanding the details submitted with the application, final large scale details, including materials and finishes, at a minimum of scale 1:20 of the items listed below shall be approved by the Local Planning Authority before that part of the development commences:

Windows

Window reveals

Glazing (including glazed ground floor and link sections)

Entrances

External wall construction

Brickwork detailing

Balconies and terraces

Proposed Pattern/arrangement of coloured infill panels proposed in the windows openings across the development.

Rainwater goods

Plant equipment enclosures

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

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

- 24 Before each phase of development is commenced, details of all means of site boundary treatments, fences and gates shall be submitted to and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 25 Prior to implementation, full details of any external signage proposed to be installed on the building or within the curtilage of the site shall have been submitted to and approved by the Local Planning Authority. The approved signage shall be provided in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 26 Before each phase of development is commenced, full details of all external lighting shall have been submitted to and approved by the Local Planning Authority prior to installation and thereafter the lighting shall be installed in accordance with the approved details and shall not be altered without further permission.

Reason; In the interest of design and the amenities of the locality and surrounding occupiers.

- 27 Before each phase of the development is commenced, details of the means of ingress and egress for vehicles engaged in the construction of that phase shall have been submitted to and approved 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 traffic safety and the amenities of the locality.

- 28 Before each phase of the development is occupied arrangements shall be agreed with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of that phase of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the city at any time.

Reason; In order to define the permission.

- 29 There shall be no gates or barriers erected at the means of access to the site unless otherwise approved by the Local Planning Authority.

Reason; To ensure access is available at all times.

- 30 Before each phase of the development is brought into use, the car parking accommodation as shown on the approved plans shall be 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.

- 31 Prior to the commencement of each phase of this development, or an alternative timeframe to be agreed by the Local Planning Authority, a

detailed Travel Plan relating to that phase shall have been submitted to and approved 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 building within the relevant phase, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved by the Local Planning Authority.

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

- 32 Notwithstanding the details on the approved plans, before each phase of the development is commenced, or an alternative timeframe to be agreed by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved by the Local Planning Authority and the buildings within that phase 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 Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

- 33 The gradient of shared pedestrian/vehicular access shall not exceed 1:12 unless otherwise approved by the Local Planning Authority.

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

- 34 Each phase of the development shall not be used unless the access and facilities for people with disabilities shown on the plans have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

- 35 Before each phase of development is commenced full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of the site, shall have been submitted to and approved by the Local Planning Authority and the relevant phase 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.

- 36 Notwithstanding the details on the approved plans, before work on any phase of the development is commenced, a comprehensive and detailed hard and soft landscape scheme for the corresponding phase shall have been submitted to and approved by the Local Planning Authority. This shall include details of all seating areas and patios (including furniture designs). The schemes shall be carried out in accordance with the approved details within 1 month of the occupation of the relevant phase or within an alternative timescale to be first agreed with the Local Planning Authority. When the above-mentioned landscaping has been carried out, thereafter the landscaped areas shall be retained. The separate landscaped areas shall be cultivated and maintained for 5 years from the date of implementation and any failures within that 5 year period shall be replaced in accordance with the approved details unless otherwise authorised by the Local Planning Authority.

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

- 37 The Local Planning Authority shall be notified in writing when the landscape works for each phase are completed.

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

- 38 Each phase of the residential accommodation hereby permitted shall not be occupied unless a scheme of sound attenuation works has been installed and thereafter retained. Such scheme of works shall:

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

b) Be capable of achieving the following noise levels:

Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours),

Living Rooms: Noise Rating Curve NR35 (0700 to 2300 hours),

(Noise Rating Curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 kHz to 8 kHz),



c) Include a system of alternative acoustically treated ventilation to all habitable rooms.

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

Once installed it shall thereafter be retained.

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

39 The shop (A1), student cafe (A3), and gym (D2) and office accommodation (B1) uses hereby approved as part of the student accommodation building shall not be occupied unless a scheme of sound attenuation works has 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 specified uses to the street to levels not exceeding:

- the background (LA90) noise levels by more than 3 dB(A) when measured as a 15 minute Laeq,

- any octave band centre frequency by more than 3dB when measured as a 15 minute Leq,

c) Be capable of restricting noise breakout from the specified uses to the flats above to levels complying with the following:

Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours),

Living Rooms: Noise Rating Curve NR35 (0700 to 2300 hours),

(Noise Rating Curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 kHz to 8 kHz).

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

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

40 The B1 office space hereby approved shall not be occupied unless the approved sound attenuation works been installed and thereafter retained in accordance with the details submitted to and approved by the Local Planning Authority. Such works shall be capable of achieving the following noise levels:

Offices - Noise Rating Curve NR45 (07:00 to 23:00)

(Noise Rating Curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8kHz)

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

- 41 Before the relevant phase of development is occupied a Validation Test of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such validation test shall:

a) Be carried out in accordance with a Local Planning Authority 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 relevant phase is occupied. Such further scheme of works shall be installed as approved by the Local Planning Authority before the relevant phase is occupied and shall thereafter be retained.

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

- 42 Before the each phase of development is brought into use, details a scheme for the installation of equipment to control the emission of fumes and odours from the premises shall be submitted to and approved by the Local Planning Authority. These details shall include plans showing the height, location and design of any fume extraction and additional plant equipment required. The use shall not be commenced until the approved equipment has been installed and is fully operational.

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

- 43 No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to any building hereby approved unless full details thereof have first been submitted to and approved by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority.

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

- 44 No amplified sound shall be played within the ancillary student shop (A1), student cafe (A3), and gym (D2) uses in the student accommodation building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall have received the prior approval of the Local Planning Authority.

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

- 45 No deliveries to the student accommodation (including the ancillary student shop (A1), student café (A3), and gym (D2)) and the care home buildings shall be carried out between the hours of 2100 to 0700 hours Monday to Saturday and 2000 hours to 0800 hours Sundays and Public Holidays.

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

- 46 No movement, sorting or removal of waste bottles, materials or other articles, nor movement of skips or bins shall be carried on outside any buildings within the site of the development between 22:00 hours and 08:00 hours Monday to Saturday and between 21:00 hours and 09:00 hours on Sundays and Public Holidays.

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

- 47 Before any development is commenced, a drainage strategy shall be submitted to and approved by the Local Planning Authority. The strategy shall detail how the completed development shall reduce surface water discharge from the site by at least 30% compared to the existing peak flow. Thereafter, each phase of development shall be carried out in accordance with the approved strategy and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved by the Local Planning Authority prior to the commencement of that phase, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres / hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

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

- 48 Before each phase of development is brought into use, details showing how surface water will be prevented from spilling onto the public highway shall have been submitted to and approved by the Local Planning Authority. Once

agreed, the measures shall be put into place prior to the use of the building within the relevant phase commencing, and shall thereafter be retained.

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

- 49 Unless otherwise agreed by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the water main, which enters the site.

Reason; In order to allow sufficient access for maintenance and repair work at all times.

- 50 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.

- 51 Before each phase of the development is commenced, full details of the proposed means of disposal of foul and surface water drainage for that phase, including details of any balancing works and off-site works, shall have been submitted to and approved by the Local Planning Authority.

Reason; To ensure satisfactory drainage arrangements.

- 52 Unless otherwise approved by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the surface water drainage works relating to that phase. No buildings within the phase shall be occupied or brought into use prior to the completion of the approved foul drainage works.

Reason; To ensure satisfactory drainage arrangements.

- 53 No building shall be occupied until the improvements (which expression shall include public transport infrastructure) to the items listed below have either;

a) been carried out; or

b) details have been submitted to and approved by the Local Planning Authority of arrangements which have been entered into with South Yorkshire Passenger Transport Executive (SYPTTE) which will secure that such improvement works will be carried out before the first property is occupied.

Public Transport Infrastructure Improvements:

The provision and potential relocation stop number 37023045 to a specification to be confirmed by SYPTTE.

Reason; In the interests of improving public transport infrastructure and promoting more sustainable forms of transport.

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

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.

Attention is drawn to the following directives:Attention is drawn to the following directives:

1. The applicant is advised that there is a 225mm diameter public combined water sewer recorded to cross the red line site boundary. Yorkshire Water (YWS) has confirmed that the applicant/agent is being contacted direct and that in this instance YWS would look for this matter to be controlled by Requirement H4 of the Building Regulations 2000.
2. The applicant is advised that there is a 225mm diameter public combined water sewer recorded to cross the red line site boundary. Yorkshire Water (YWS) has confirmed that the applicant/agent is being contacted direct and that in this instance YWS would look for this matter to be controlled by Requirement H4 of the Building Regulations 2000.
3. The applicant is advised that Yorkshire Water has confirmed that the local public sewer network does not have capacity to accept any additional discharge of surface water from the proposal site. The applicant is advised to contact the relevant drainage authorities with a view to establishing a suitable watercourse for the disposal of surface water.
4. The applicant is advised that Yorkshire Water has confirmed that the local public sewer network does not have capacity to accept any additional discharge of surface water from the proposal site. The applicant is advised to contact the relevant drainage authorities with a view to establishing a suitable watercourse for the disposal of surface water.
5. The applicant is advised that foul water from kitchens and/or food preparation areas of any restaurants and/or canteens etc. must pass through a fat and grease trap of adequate design before any discharge to the public sewer network. The developer is required to consult with Yorkshire Water's Industrial Waste Section (Tel. 0845 124 2424) on any proposal to discharge a trade effluent to the public sewer network.
6. The applicant is advised that foul water from kitchens and/or food preparation areas of any restaurants and/or canteens etc. must pass

through a fat and grease trap of adequate design before any discharge to the public sewer network. The developer is required to consult with Yorkshire Water's Industrial Waste Section (Tel. 0845 124 2424) on any proposal to discharge a trade effluent to the public sewer network.

7. In order to improve the proposed landscape design of this scheme the following advice is recommended:
- Maltravers Road Frontage: A tree species of bolder form would be preferred to reflect the scale of the development. For example, *Tilia cordata* or *Quercus rubra* planted as a semi mature specimens. Alternately, Birch trees on a double row, 3m, grid would be similarly bold if space allowed. The low hedge shown on the drawings is overly fussy and unlikely to be maintained. Low level evergreen shrub bed would suffice.
  - Landscape Space 5: Sunny sheltered areas in the main space are encouraged to allow residents more useable external space. The layout should include tree planting centrally to provide shelter.
  - Care Home Courtyard: The central area would be better all at ground level to create more useable space with wider paths for more flexibility in outdoor seating and grass for guests to access.
  - Green Roof Details - Drawing (21) 05 shows a green roof detail with a Sedum carpet. The depth of substrate here is not acceptable and should be a minimum of 80mm depth. However, rather than a sedum carpet it is recommend that the Green Roof centre or equivalent be consulted to provide a planting mix that better reflects the location and can be capable of supporting and enhancing wildlife
8. 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:-

Sheffield City Council  
Highways and Transport Division  
Howden House  
1 Union Street  
Sheffield  
S1 2SH

For the attention of Mr P Vickers

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.

9. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. 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.
10. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
11. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
12. You are advised that residential occupiers of the building should be informed in writing prior to occupation that:
  - (a) limited/no car parking provision is available on site for occupiers of the building,
  - (b) resident's car parking permits will not be provided by the Council for any person living in the building.
13. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel - 0114 2734651.
14. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document "Guidance Notes for the Reduction of Obtrusive Light (GN01: 2011)". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available for download from the Institution of Lighting Professionals' website, or telephone (01788) 576492.

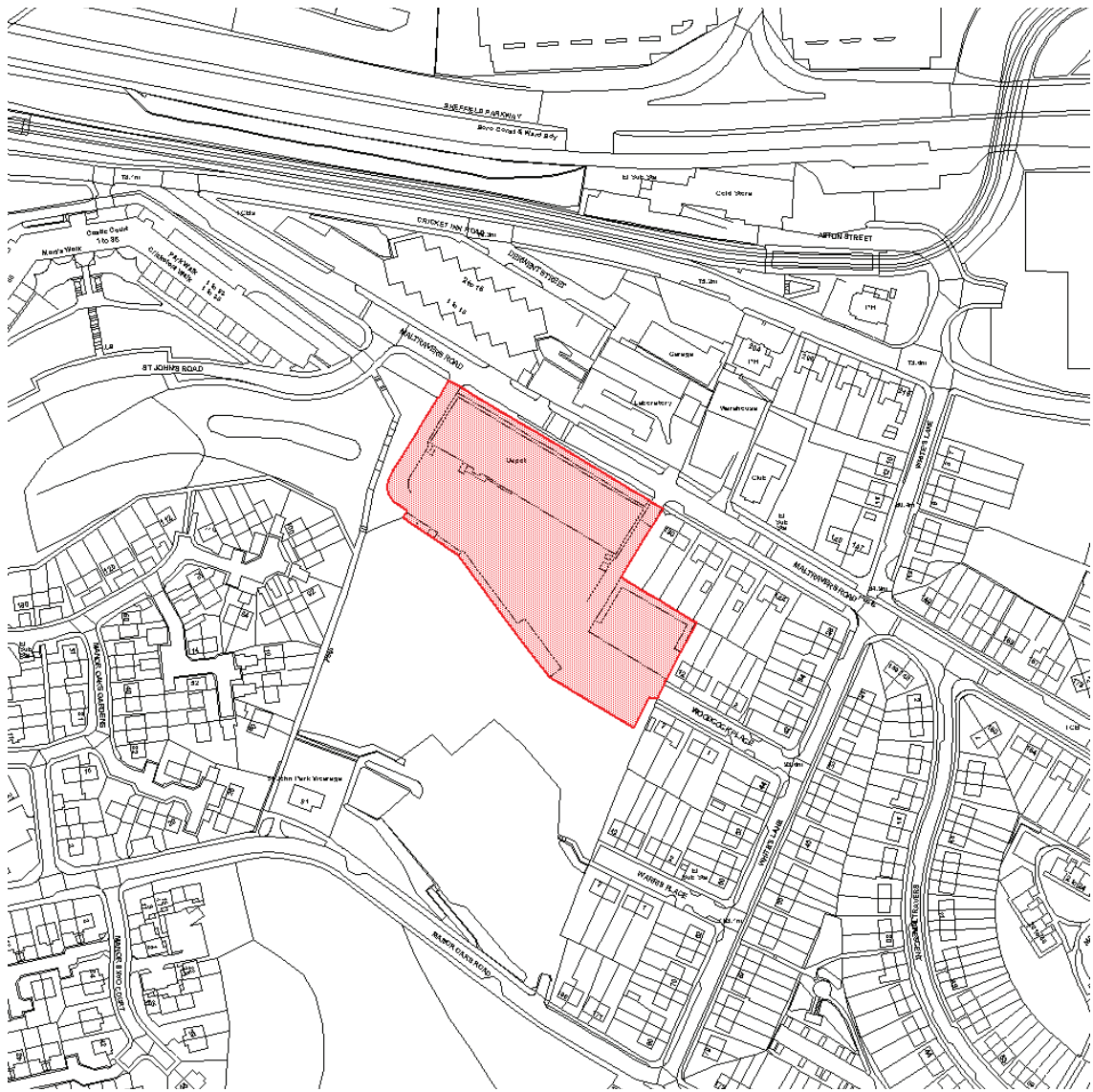
15. The applicant is advised that responsibility for the safe development and occupancy of the site rests with the developer. The Local Planning Authority has evaluated the risk assessment and remediation scheme on the basis of the information available to it, but there may be contamination within the land, which has not been discovered by the survey/assessment.
16. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
17. Plant and equipment shall be designed to ensure noise levels do not exceed 10dBA (LA90) below background noise levels when measured at the site boundary.
18. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee

19. The applicant should be aware that a legal agreement has been completed in respect of this proposal.



## Site Location



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## INTRODUCTION

Members will recall that this application was presented to them for consideration at the Planning Committee on 17th December 2013. A decision was taken to defer the application to allow the applicant to consider changes to the proposed development in respect of:

- (i) a reduction in density, scale and massing of the student accommodation block to provide a more appropriate, complimentary and balanced development to the adjacent residential area; and
- (ii) increase the number of car parking spaces to accord more closely with the Local Planning Authority's maximum car parking standards, as opposed to the minimum standards currently indicated.

Negotiation has taken place since the decision to defer and the purpose of this report is to inform members of the applicant's proposed amendments which seek to revise the proposal and respond to the above concerns.

With reference to the student accommodation block, the following changes have been made:

### Scale and Massing Changes:

1. The maximum height of development has been reduced by 2 & 3 storeys.
2. The mezzanine has been omitted, leaving a generous single storey to the ground floor to provide a podium to the building.
3. The massing of the elevation facing Hyde Park Flats has been broken up by introducing a glazed link.

### Density and Internal Design Changes:

4. The number of student beds has been reduced from 452 to 341. This is a reduction of 25%.
5. All of the cluster flats have now been amended to 1 bedroom apartments and studios.
6. The communal areas have been reduced in correspondence with the reduced number of residents.

7. The ground floor communal areas have been re-arranged to position the student accommodation entrance at the most northerly point of the site – adjacent to Hyde Park.

#### Car Parking Changes:

8. Car parking numbers are proposed to remain as previously proposed because owing to the reduction in student beds the car parking ratio will increase.

#### Future Proofing:

9. In order to demonstrate the flexibility of the scheme, an exercise has been undertaken to illustrate that the student building could be converted to house 2 and 3 bedroom apartments without structural alterations.

There are proposed to be no changes to the retirement apartments or care home phases of this development.

In response to the proposed changes, the original officer report has been updated to reflect those changes.

## LOCATION AND PROPOSAL

The application site is located on the southern side of Maltravers Road, close to its western end and junction with Cricket Inn Road. The site contains existing buildings, has a gross area of approximately 1.08 hectares (ha), and is designated within a 'Fringe Industry and Business Area' in the Council's adopted Unitary Development Plan (UDP).

The site is situated to the east of the city centre, approximately 1.8km away from Park Square roundabout and the Inner Ring Road. The site's surrounding context is mixed, comprising an assortment of land uses and building types.

To the site's north are existing commercial/industrial buildings/workshops. These units are predominantly single storey and have limited architectural quality. As per the application site, these units lie within the UDP's designated 'Fringe Industry and Business Area'.

To the site's south is grassland that was formerly a playing field belonging to former St. John C of E Junior and Infant School on Manor Oaks Road. This school has now been demolished. Owing to the topography of the area (rises steeply upwards from north to south) this land is situated at a higher level to the application site and is designated 'Open Space' land in the UDP.

To the site's east is the Hyde Park Flats, a large-scale high rise 1960s flat block containing high density mixed tenure housing. Given its large scale and elevated position, this flat complex has a very prominent appearance on the city skyline and dominates the junction of Maltravers Road, Cricket Inn Road and St. John's Road.

To the site's west are existing residential properties, which form part of the Wybourn estate and were originally built as inter-war council housing stock. The properties generally comprise of 2 and 3-bedroom semi-detached properties and predominantly constructed from red brick. The closest residential properties immediately about the site's south-eastern boundary and are situated on Maltravers Road and Woodcock Place.

The application site currently contains the Globe II Business Centre which is a commercial complex containing office accommodation and workshops. The site comprises a large 2-storey workshop space, which spans the full width of the site and fronts onto Maltravers Road and extends backwards into the site. This building is characterised by a bright yellow paint scheme. Above the workshops, towards the western end of the site closest to Hyde Park Flats, there is a 6 storey office building (1960s design) characterised by a concrete frame and horizontal windows which wrap around each floor. Vehicle access to the site is provided at either end of the workshop space leading to an elevated car parking area and land that appears to be used as a storage area by the occupying businesses. At the rear of the site - bordering the adjacent open space land to the south - is a large retaining wall which is approximately 3.5m high and runs for the length of the site. On top of the wall there are mature trees, which run along this boundary but appear to belong to the open space land beyond rather than the application site.

In terms of topography, the land in this part of the city rises quite dramatically from north to south. With reference to the site, the supporting Design and Access Statement indicates that the difference in height across the site is relatively large; at 9 metres from the north-west corner to the south-east corner of the site.

Following amendments to this application, planning permission is sought to demolish the existing workshops and offices, and erect a mixed use development comprising:

- 341 Student Accommodation Units contained within 319 x 1 bedroom studios and 22 x 1 bedroom apartments. The maximum height of this development will now be 11 storeys. Ancillary student resident only facilities are proposed to be included as part of the student development, which will include reception and communal areas, business space, gym, and laundry areas;
- 29 Retirement Apartments. The maximum height of this development will be 5 storeys;
- Care Home Facility with 60 bedspaces. The maximum height of this development will be 4 storeys; and
- Associated car parking and landscaping works.

It is advised that the final scheme presented to the Planning Committee has evolved since the original submission and has changed from a wholly student based scheme to one that includes a greater mix of residential types/tenures, including the retirement apartments and care home facility proposed.

## RELEVANT PLANNING HISTORY

There is no recent relevant planning history associated with the application site.

## SUMMARY OF REPRESENTATIONS

- The ORIGINAL submission (received and advertised May 2013):

This was advertised by site notices, neighbour notification letters and press advert in the Sheffield Telegraph.

### 1. Local Residents' Objections:

8 objections were received from local residents, including occupiers of No.130 Maltravers Road and Nos. 8 and 12 Woodcock Place. These are summarised below:

#### Land Use Issues

- This is the wrong use for the area. High density should be saved for inside the Inner Ring Road. The student population should be contained within existing areas where their attendant problems can be mitigated more cost effectively.
- Concerns about the proposed pub. There are many pubs already within the local area and to bring another for students so close to housing generates considerable unease.
- The site should be used for starter homes instead.
- The proposal is quite a shock. What will the community gain from this project?
- Consider that Sheffield has already reached saturation levels of students. Where will it end? We need more social housing instead.

#### Student Housing Issues

- Concern that the development will introduce a large volume of students into the Wybourn area and the impact of this will not be positive. It will have negative implications for the existing community, which is currently full of families and elderly people.
- Concern that a high volume of students will overcrowd the area and generate more noise, transport pressures and car parking problems.

#### Amenity Issues

- Privacy - The close proximity of the student townhouses to the rear and side of properties on Maltravers Road and Woodcock Place, which will impinge upon the privacy of residents.
- Overshadowing - The height of the buildings would cause a reduction of natural light to the closest properties on Maltravers Road and Woodcock Place.
- Traffic to the development would increase - potentially occurring 24 hours per day. The current business centre can only access between 7am and 7pm.
- Loss of View resulting from the proposed development.
- Concern about the proposed intention to create a pedestrian link from the site to Woodcock Place. This would encourage a high level of pedestrian traffic on Woodcock Place encouraging unsociable and unsafe behaviour as well as vandalism. Woodcock Place will become a car park for all users of the new facilities to the detriment of existing residents and causing danger to children.

#### Highway Issues

- The number of car parking spaces seems inadequate.
- The main entrance to the complex could have been redesigned to take it away from the houses and the community centre, which are positioned adjacent to the site.
- The impact of construction traffic on local roads which will be unable to accommodate heavy vehicles leading to disruption and damage in the area.

#### Method of Advertisement

- Concern about the manner in which the application has been advertised. There has been no notification posted on lamp posts in the area or listed in the Sheffield Star. There was an article published in the Sheffield Telegraph but this paper is rarely purchased and read by the residents of Wybourn.
- Concern that existing businesses within the Globe II Business Centre have not been informed about the proposal - either by the Council or the Landlord.
- Consider that it would have been appropriate for the Council or the Applicants to arrange a local meeting to explain the proposals given it is such a major application.

#### 2. Local Ward Councillor Concerns:

In addition to the objections above, Councillor Terry Fox (Manor Castle Ward) has raised concerns about the original proposal. These concerns relate to:

#### Loss of industrial land

- With large areas of the ward being highlighted for housing in the future this is squeezing industrial areas available to be developed for future employment.
- The National Planning Policy Framework (NPPF) is quoted in relation to the role of planning in delivering sustainable development, supporting existing business and contributing to building a strong, responsive and competitive economy.

#### Promoting Healthy Communities

- Community tensions are a possible area for concern at this location. There is an established housing stock that has its own individual concerns and the one issue we can affect is the flowing connectivity of an area. The Wybourn estate is very much a tight infrastructure estate with not a lot of natural pathways through, so to build a gated 600 student village to the edge and just bolt it on does not give an opportunity for engagement. With the Park Hill development nearby and with the opportunity of shops and bars in the area, we should look at how we can integrate a route to connect the 2 schemes.
- Again the NPPF is quoted in relation to the role of the planning system playing an important role in facilitating social interaction and creating healthy, inclusive communities. Including, the creation of safe and accessible developments and planning positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.

#### Meeting the Challenge of Climate Change

- If this development is allowed, we need to get this connected to the district heating system as most of the high rise flats etc. in the area are connected. This is backed up by the NPPF which guides the planning system toward supporting the move to a low carbon future.

#### 3. Sheffield Hallam University Comments:

The University's Accommodation Services Manager has commented on the application and has advised that this is not an area where students would choose to live. It is accepted that there is a student accommodation property in the vicinity of the site (The Pinnacles) but this is closer to the City Centre on the Park Square roundabout and it has a location that meets the needs of some students studying at SHU. It is considered that there are other potential sites that offer better locations and are more suited to students studying at the University.

It is explained that there are now over 20,000 bedspaces available in the City for students, whether they are studying at the University of Sheffield, Sheffield Hallam or Sheffield College and this gives a vast amount of choice both in location, quality and value for money. As a City we need to ensure we do not over exceed what demand there is.

#### 4. The Sheffield Sustainable Development and Design Panel

The proposal was reviewed at pre-application stage by the Panel and their conclusions are set out below. The scheme has since been revised considerably.

##### Appropriateness of the location

The Panel was far from convinced that this site represented an appropriate one for student housing, given the quality of the pedestrian route between the site and the city centre and university campus.

The relative proximity of the site was noted, but the Panel was of the view that there was a generally poor quality environment and lack of natural surveillance along this route, which would make it feel unsafe and unattractive to use.

The Panel reflected that students would be obliged to use this route a significant amount, especially once public transport had finished running late at night.

##### Height and Massing

Whilst the wildly varying context surrounding the site was accepted, the Panel did not consider that Hyde Park flats represented an appropriate baseline that justified the massing across the site.

There was a consensus that the proposals represented more development than the site could take satisfactorily.

Nevertheless, the Panel supported the cascade approach, which would mediate between these scales, but considered that further design development was necessary to rationalise the plan form, resolve the heights of the link blocks and introduce the efficiencies of plan demanded by this type of development.

##### Line of security

The Panel considered that there needed to be greater clarity about how the spaces were going to be used, where the line of security is and how it will be designed.

This particular type of use demands a robust approach to security, and the Panel was of the view that this needed to be clearly expressed and attractively detailed, particularly in those spaces adjacent to the highway.

The Panel questioned whether there might be an opportunity to link the townhouses to Woodcock Avenue, which might help integrate the proposals into the wider community.



## Mix

Although it supported the intention, the Panel was not convinced about the amount of business space being proposed, and whether it would prove a commercial success in this location.

This use represented a significant amount of the street elevation closest to the city centre, and the Panel queried the deadening effect upon the street if it remained empty space.

## Design

The Panel commended the approach to develop a strong, different architectural language, which was felt to be successful, and supported the aspiration to introduce a strong, well articulated brick frame, coloured panels and deep reveals.

The intention to introduce wildflower planting within the public areas was supported, and reflected a distinctive design concept that originated within the city.

The Panel reflected that the strength and success of this approach depended on close adherence to the techniques and planting mix developed at the University of Sheffield School of Landscape.

Alongside this, there needed to be some further consideration given to how the spaces might operate; what activities would take place, how well used they might be and how this might inform the design approach. A more robust mix, or an alternative approach, might prove to be necessary in areas under constant use.

## Sustainability

The Panel recognised that the proposals were at an early stage, but commended the range of energy systems being investigated, and encouraged the design team to develop this thinking as the scheme progressed.

## Conclusions

The Panel had some reservations about the proposals, but recognised that there were some strong elements, such as the architectural approach and incorporation of distinctive wildflower planting.

There remain a number of key issues that need to be resolved, in particular the broad approach to massing and layout, and greater clarity about how the spaces would work, in order to ensure that the scheme was a success.

- The FIRST AMENDED proposal (received and advertised September 2013):

The proposed plans have been advertised by site notices, neighbour notification letters and press advert in the Sheffield Telegraph.

No further representations have been received from local residents or other interested parties.

- The SECOND AMENDED proposal (received January 2014)

These amendments relate to the latest changes following deferral by the Planning Committee. Given that the main changes propose significant reductions in scale it has not been necessary to re-advertise the latest plans received.

## PLANNING ASSESSMENT

### 1. Land Use Policy

The amendments to the scheme do not impact on the policy/land use position. Therefore, members are advised that the assessment remains largely as previously presented.

The application proposal is a mixed use development comprising of various planning uses, which include:

1. Student Accommodation with ancillary communal facilities - Sui Generis
2. Business Space (160 square metres) - Use Class B1
3. Retirement Apartments (with assisted living available, if required) - Use Class C3 (housing)
4. Care Home Facility - Use Class C2 (residential institutions)

### National Planning Policy Framework

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

In regard to the existing conflict between a UDP and SDF aspirations for the site, the NPPF applies. Based on policies set out in the NPPF (paragraph 216), weight should be given to the emerging residential allocation. The UDP allocation for the application site is based on an out of date planning policy. The NPPF is clear that "where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless 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 or specific policies in this Framework indicate the development should be restricted."

### Unitary Development Plan (UDP)

Policy IB6 'Development in Fringe Industry and Business Areas' advises that whilst Business (Use Class B1), General Industry (B2) and Warehousing (B8) uses are preferred, a range of other uses including small shops (A1), food and drink (A3),

leisure and recreation (D2), residential institutions (C2) housing (C3) may also be acceptable. In the case of housing, IB6 states that the better environment of these areas might, exceptionally, allow some houses where living conditions are satisfactory and they would not hinder industrial and business development.

UDP Policy IB9 'Conditions on Development in Industry and Business Areas' seeks to limit development that would prejudice the dominance of business and industry in the area, and determines that residents should not be made to suffer unacceptable living conditions by way of noise, air pollution, or ground contamination.

The intention of Policy IB9 (part a) is to ensure that existing employment areas continue to provide employment and confirms that in industry and business areas, the preferred uses should effectively remain dominant. The application proposal, by removing a preferred use from the policy area, will generate a dominance issue and thus conflicts with Policy IB9(a). This dominance issue occurs because approximately half of the Fringe Industry and Business Area is already dominated by the Parkway Retail Park, which was developed after the adoption of the UDP.

Notwithstanding this conflict, it is resolved that the dominance issue generated by IB9(a) should be given limited weight at this site because of the changing vision for land uses in the area. There is now an aspiration to see the site developed as housing land and this is reflected in the Sheffield Development Framework 'City Policies and City Sites' pre-submission document. This emerging document identifies the land as being within the Housing Area and there are no intentions to change this designation and no objections have been received during the consultation exercise.

This revised designation is an updated vision for the site and relevant to this policy assessment. In accordance with the NPPF guidance, it is a material consideration that goes some way to overriding the previous land use aspiration and addressing the dominance conflict described above. In essence, the proposed designation reflects the fact that the site is relatively isolated from the rest of the policy area and sandwiched adjacent to existing residential land uses.

In light of the above, it is concluded that an objection on Policy IB9(a) grounds would hold little weight at this site and is not a substantial reason to reject this proposal.

#### Sheffield Development Framework (SDF) - Core Strategy

The Core Strategy provides the overall spatial strategy for the SDF over the period 2009 to 2026.

This is a previously developed site and the proposed new housing built here will contribute towards achieving the objectives of Policy CS24 'Maximising the Use of Previously Developed Land for Housing', which seeks to ensure that no more than 12% of new homes are built on Greenfield land

There is considered to be sufficient national and local policy justification for the proposed use.

## 2. Student Housing Mix

This section has been updated following the proposed changes to the scheme.

Core Strategy Policy CS41 relates to 'Creating Mixed Communities' and seeks to do this by encouraging development of housing to meet a range of housing needs, including prices, sizes, types and tenures.

Part a. of CS41 states that development should provide housing for a broad range of smaller households in the City Centre and other highly accessible locations where no more than half of the new homes in larger developments should consist of a single house type.

Part b of CS41 requires a greater mix of housing in other locations, including homes for larger households, especially families.

The application site is not within the City Centre but it is a large development in an accessible location. Following the removal of cluster units and creation of more the studio apartments, it is the case that these studio house types now dominate the development by 50% or more. This was not previously the case. Of the total, 430 units proposed across the entire development, there are 319 studio apartments (74%), 22 one bedroom apartments (5%), 29 retirement apartments (7%) and 60 care home bedspaces (14%). Therefore, the proposal is considered to be technically contrary to the aspirations of Policy CS41(a). Furthermore, the proposal does not include any family housing as part of the development, which is disappointing given the need for such housing in the City and the aspirations of Policy CS41(b).

Notwithstanding this, the amended scheme is the result of previous concerns raised about the development. The removal of cluster flats and creation of more studios and apartments is an attempt by the applicant to provide a greater level of flexibility in terms of occupancy. Furthermore, it is considered that the development will provide new residential uses in an area that is currently dominated by inter-war family housing and flats. The development will offer student accommodation, retirement apartments and a care home on a single large site, which will be available to different people of varying ages and needs. Given this mix of housing proposed and the nature of the surrounding area, which is not currently imbalanced (see below), it is considered that the proposal is within the spirit of Policy CS41 (a) and (b).

Part c of CS41 seeks to provide new purpose-built student accommodation (PBSA) as part of a mix of housing development, with a mix of tenures and sizes on larger sites. It encourages this primarily in the City Centre and the areas directly to the north-west and south of the City Centre.

The original submission was entirely student based and fell short of this policy requirement because it failed to offer a mix of tenures across this large site. This

offered significant concern and it is felt that the amended scheme is a response to officers concerns. The proposal now offers a more varied development that conforms to the relevant part of CS41 (c).

With regard to the location of the development, it is acknowledged that the site falls outside the areas where the Council would like to encourage PBSA. Whilst not being contrary to policy, it is acknowledged that it is not an ideal area for this type of accommodation - there is no other accommodation or particular student based facilities in close proximity of the site and, although it is situated on the Supertram/bus networks, it is a significant walking distance away from both 'University Campus' and many of the amenities that PBSA schemes, situated in the areas encouraged by policy, would normally enjoy.

The concerns raised by Sheffield Hallam University are noted and Members should note that Officers do have similar concerns. This concern was put to the Applicant at the beginning of the pre-application process; but they believe that there is a market for this use at this location, and they have therefore continued to pursue the proposal. The Applicant's submission puts forward a case to justify why the development is acceptable at this location - principally focussing upon the site's accessibility and the fact that it is no further away from the universities than other nominated accommodation, such as Ranmoor Village and Encliffe Village (The University of Sheffield) and Central Quay and The Pinnacles at Park Square roundabout (Sheffield Hallam University). The regeneration benefits for the site and the wider Wybourn area are also argued in the Applicant's submission.

Notwithstanding these concerns, it is considered that the proposed development is not contrary to policy. It is not in a location where officers would like to encourage student housing, but this does not in turn mean that it is an unacceptable land-use in this area. The student accommodation will form part of a wider mixed-use development which will provide new buildings of a high quality design in an area that is in need of significant regeneration. Furthermore, there is no policy that explicitly states that PBSA will be discouraged and/or should be refused in this part of the City.

There is no policy basis available to support the refusal of this application on these grounds, in spite of the concerns discussed. Ultimately, it is believed that the success of student accommodation at this location will be determined by the quality of development provided.

In light of the above, it is considered that the proposal is compliant with Policy CS41(c).

Part d of CS41 limits new PBSA and Houses in Multiple Occupation where the community is already imbalanced by a concentration of such uses or where the development would create imbalance. The supporting text to this policy advises that the objectives of Policy CS41 (d) in relation to student housing will be achieved by limiting the forms of housing types where more than 20% of residences within 200 metres of the application site are shared housing.

The current House in Multiple Occupation density within 200m of the site is 3% (11 HMOs out of 416 properties). Following the recent changes, the development will not add any further HMOs (student cluster flats) into the area, thus having a neutral impact and complying with Policy CS41(d).

### 3. Design Issues

This section has been updated following the proposed changes to the scheme.

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

Core Strategy Policy CS 74 'Design Principles' reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city. Amongst other items, this includes 'views and vistas to landmarks and skylines into and out of the city centre and across the city to the surrounding countryside.

Policy CS76 on Tall Buildings in the City Centre states, amongst other things, that tall buildings are appropriate in the City Centre where they (a) help to define gateway sites, (b) mark an area of civic importance, (c) mark a principal activity node or key route, (f) support the vision for city centre quarters, and (g) reflect the strategic economic vision for the city. Members should note that the application site is not located within the city centre boundary; however it is considered that the overall principles of Policy CS76 are relevant to the consideration of this application because of its design and nature.

The guidance contained in the Council's Urban Design Compendium is relevant, in particular its advice relating to tall buildings in Sheffield and the need to ensure that they are appropriately sited and designed.

Overall, the design development of this scheme from initial pre-application stages to the current proposal has improved the proposed development but it is still of a significant scale.

#### - Proposed Layout

This is a large development which extends across the entire site and comprises of new building blocks, associated external amenity space/landscaping and car parking. Given the design and position of buildings, it is possible to divide the layout into three parts with individual identity but harmonised by the proposed architecture.

#### Student Accommodation Building

The primary elevation of the student buildings are north facing and address Maltravers Road. The main entrance is situated beneath the southern tower and a

narrow strip of landscaping/outdoor courtyard space also characterises quite a large proportion of the student accommodation's site frontage.

A larger external amenity/landscaped space is positioned in-between the towers at the rear of the site. The existing highway connection at the north-western end of the site is to be retained and will be utilised to gain vehicular access to the site for residents and building services. Resident car parking is provided by an undercroft car park and there are no car parking spaces proposed at ground floor level.

Overall, the proposed layout of the buildings is considered to be acceptable. The student element responds to the site's Maltravers Road frontage and respects the existing building line. Furthermore, it provides entrances directly onto the public footpath, which will increase activity and movement at this location. Currently, there is limited pedestrian movement from this site because there are no access doors leading directly onto Maltravers Road. Additionally, it is felt that the inclusion of large glazed areas at ground floor and mezzanine levels will enhance human interaction - creating street activity and presenting an interesting façade to passing pedestrians.

#### Retirement Apartments & Care Home Buildings

The retirement apartments comprise a single building situated to the south-east of the student buildings on the remaining portion of the site's Maltravers Road frontage (adjacent to No. 130 Maltravers Road). Again, the building incorporates a façade that addresses Maltravers Road although the majority of the apartment windows are inward looking because of the building's design. A large landscape garden/communal amenity space area is positioned beyond the north-west facing elevation of the building and will be situated immediately in-between the southern student tower and the north-west facing elevation of the retirement apartment - both buildings will overlook the space. The existing highway connection that exists at the south eastern end of the site will be retained and utilised to gain pedestrian/vehicular access to the car parking spaces for the retirement apartments and care home facility.

The Care Home building is positioned in the south-east rear corner of the site, to the rear of the existing residential houses at Nos.130 - 136 Maltravers Road and adjacent to Woodcock Place. It is proposed to share a pedestrian and vehicle access with the retirement apartments. The amended scheme indicates that there will be no pedestrian or vehicle access to Woodcock Place which should overcome the concerns raised by residents. Car parking for the facility is situated in front of the building in the same area as the parking available to the retirement apartments.

Overall, the retirement apartment and Care Home buildings do not have an overly prominent street frontage. The apartments do have an access onto Maltravers Road but the main elevations of both buildings are positioned internally within the site and serve to create small courtyard settings for both uses, which is considered to be appropriately low key and in character for the nature of the uses proposed.

- Proposed Scale and Massing

A key issue in the determination of this application is the proposed scale of the buildings, in particular the impact on the streetscene, existing buildings and visual amenities of the locality. The scale and massing of the development has been the subject of much scrutiny by officers given the size proposed, the site's prominent location on the outskirts of the City Centre overlooking the Parkway and position in-between two very different types of residential development.

The Urban Design Compendium provides guidance and recommendations on tall buildings for Sheffield and this document - as well as Core Strategy policies - has helped to guide discussions with the Applicant. Initial discussions focussed on the need to consider the impact of the building on a city-wide basis. As a result, key views and visuals were put to officers, which demonstrated that such a landmark development could be accommodated on this prominent and elevated site without being detrimental to urban design principles and city wide considerations. Indeed, it was concluded that such a large scale building situated on a prominent hillside adjacent to gateway locations into the City (including the Parkway and Supertram route) could create a positive impression if the development's architecture and layout were executed in a high quality and acceptable manner (see below). Furthermore, it was felt that a successful proposal would replace an unattractive existing building and lead to an eye-catching development that has a positive impact on the Wybourn area, which is currently undergoing wider regeneration and improvement.

#### Student Accommodation Building

This part of the proposal contains the largest buildings in terms of scale, massing and density. Therefore, it is the element of the scheme that offers the greatest concern to officers and members. Indeed, the main reason for member's deferring this application was to give the applicant the opportunity to reduce the density, scale and massing of the block in order to provide a more appropriate, complimentary and balanced development to the adjacent residential area

The accommodation is deliberately sited at the north-western end of the site and currently includes the 6-storey office building. This position is considered to be the best on this site for a tall building because it responds to the scale and density of the adjacent Hyde Park Flats, which is of a similar height, and it is a good distance away from the smaller scale houses that are positioned to the East.

The buildings have been reduced in scale and mass during pre-application and application discussions. The final proposal meets Maltravers Road as two tower buildings, which sit on a single storey glazed ground floor space. The most northern tower now has a maximum of 11 storeys (stepping down to 10 storeys on its southern side) and the southern tower is a maximum of 8 storeys (stepping down to 7 storeys on its southern side). Both of the towers have decreasing scale as they extend towards the rear of the site which is welcomed - the northern steps down to 7 storeys and the southern tower reduces to 5 storeys. The tower buildings are situated approximately 24 metres apart and linked together by a smaller central core building, which is 6 storeys high and also has the glazed ground floor space.



Overall, it is considered that the amendments to the scale and mass of this element of the scheme are successful and will hopefully overcome members' previous concerns. There is little doubt that the buildings will still be very tall and prominent at close and long range quarters in all directions. However, it is considered that the changes that have occurred following deferral are positive and your officers' recommendations in relation to the proposed massing and scale are no longer made 'on balance'. Indeed, it is considered that the proposal to reduce the height of the towers by 2 to 3 storeys and retain the cascading design will help to break up the mass of the façade. Furthermore, it is felt that the intention to break up the mass of the side elevations of each tower by introducing a glazed link will help to provide a further visual break. Finally, it is considered that the proposed high quality design/detailing of the elevations (see below) and the building's subservient height compared to the adjacent Hyde Park flats will ensure that the development is ultimately a positive addition to the skyline and will not have a negative impact on both the immediate and broader context.

#### Retirement Apartments & Care Home Buildings

The proposed retirement apartments comprise of one building that has a much smaller scale and mass to the student buildings. The maximum height of the apartments is 5 storeys and the building reduces to 3 storeys on the Maltravers Road elevation at the point which is closest to the semi-detached housing.

The proposed care home is situated at the rear of the site and is proposed to stand at a maximum of 4 storeys high at its entrance block (including lower ground floor and ground floor areas). However, given the layout and position of the building a large proportion of the building will decrease to 2 storeys; which will achieve an acceptable relationship with the existing semi-detached houses on Woodcock Place and the properties at Nos.130 - 136 Maltravers Road, which are positioned to the immediate south-east and north.

The proposed reduction in the scale and massing of these buildings as part of the overall development proposal is welcomed and, overall, it is concluded to be acceptable. It is considered that the reduction in size from north to south across the site emphasises the cascading design approach and helps the development to integrate with the surrounding context by providing an appropriate transition from the high scale of the student accommodation down to the domestic scale of the housing generally seen in the Wybourn neighbourhood. Furthermore, it is considered that the scales are sympathetic to the changes in topography across the site, which increases quite significantly towards the rear.

#### - Proposed Design/Detailing

The proposed development consists of a modern architectural style and a new addition to an area that is already characterised by varied design forms. This variety is born out of the edge of centre location and the mixture of land uses, which have been built over the last 80 years within close proximity to one another.

Overall, the design development of this scheme from initial pre-application stages to the current proposal has been positive.

All of the buildings employ a simple brick grid pattern, within which there is proposed to be large window openings containing a combination of glazing, coloured infill panels, fixed louvres and/or balconies. The content/format of these openings is intended to change and respond to suit the intended use of each building (see below). In all cases, the scale of the openings is shown to be generous and the quality of architectural detailing high; this is evident from the 1:20 scale drawings details that have been submitted with the application.

#### Student Accommodation Building

It is the current intention that this building be bold, colourful and vibrant so as to reflect the student population it will contain. Above glazed ground floor level, it is proposed to use a dark grey coloured brick and large window openings above. Each student bedroom/living area comprises a fixed glazed light, a fixed coloured infill panel and a fixed louvre behind which there is an opening light to allow safe natural ventilation for occupiers.

#### Retirement Apartment Building

The proposals indicate that this building will utilise a lighter grey brick with infill panels that will be toned to suit. The window openings are intended to be larger in size - the living areas open out to a private glazed balcony and the bedroom windows are designed in the same way as the student accommodation - including a fixed coloured infill panel, a fixed louvre and a glazed window.

#### Care Home Building

It is intended that this building be constructed from a more buff colour brick, which the Architect's feel will give it the warmth required to personalise a facility of this kind. The fenestration detail is intended to reflect the design characteristics of the student accommodation and retirement apartments, including extensive glazing at the ground floor main entrance and similar window designs.

The overall approach to the architectural design of the proposed development is supported, especially the strong brickwork grid pattern and 'well grounded' ground floor areas. The architectural treatment is bold and modern but it is considered that this is a positive design approach at this location. The clear architectural language running across the development with variety reflecting the uses is welcomed and will help to harmonise the development whilst ensuring that each building/use has its own identity.

The intended use of coloured infill panels is supported as part of the overall proposal. However it is considered that there is scope for the applicant to further investigate how the use of colour, off-set bays and different materials could be used, to add further meaning and coherence to the large blocks, rather than just appearing as a randomised pattern. Officers consider that the nearby Park Hill flats are a good precedent of how this approach can be refined to bring further meaning and coherence to large blocks of accommodation. In light of this, it is considered

that agreement on the final design of the content of windows openings and the colour of infill panels should be reserved by condition.

#### 4. Density Issues

This section has been updated following the proposed changes to the scheme.

Core Strategy Policy CS 26 'Efficient Use of Housing Land and Accessibility' states that housing development will be required to make 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.

The policy recommends a density of between 40 to 60 dwellings per hectare in locations such as this that have access to Supertram stops and high frequency bus routes, in order to make efficient use of housing land but also reflect levels of accessibility. The scheme proposed - with 341 student units and 29 retirement apartments (not taking account of the 60 bed care home) represents a density of around 343 dwellings per hectare which is considerably above the guideline, contrary to the aspirations of policy and more akin to a City Centre density.

However, Policy CS 26 allows for exceptions to the density range in certain circumstances, including where a scheme achieves good design. For the reasons discussed in the design section above, it is considered that the proposed development exhibits high design quality that will create a landmark development at a gateway location. Furthermore, the higher density student element of the scheme is the part closest to the City Centre, with the lower density element providing the bridge to the housing area of Wybourn. In many ways the higher density student element of the scheme reflects the character (in terms of scale and density) of the adjacent Hyde Park flats which themselves have a density of around 270 dwellings per hectare.

Recognising the design quality of this development and the manner in which it provides a transitional bridge between Hyde Park flats and Wybourn, it is concluded that the density proposed can be justified at this location and is compliant with Policy CS26.

#### 5. Sustainability Issues

The amendments to the scheme do not change the sustainability proposals and, therefore, the assessment remains as previous.

Core Strategy Policy CS63 relates to 'Responses to Climate Change' and sets out actions to help reduce the city's impact on climate change as well as adapting to expected climate change. Included within this are objectives for reducing the need to travel, supporting sustainable transport, and sustainable design and development.

Core Strategy Policy CS64 relates to 'Climate Change, Resources and Sustainable Design of Developments' and requires all new buildings to be energy efficient and to use resources sustainably. It also advises that all new significant developments

should achieve Code for Sustainable Homes Level 3 (or equivalent) or a BREEAM rating of 'Very Good', respectively.

A Sustainability Statement has been submitted with the application and states that a BREEAM assessment will be undertaken for the student accommodation and care home buildings, as required. It has also been confirmed that the retirement apartments will be constructed to achieve Code for Sustainable Homes Level 3.

Additionally, the Sustainability Statement discusses the intention to use resources sustainably as part of the development. A 'Use Less First' policy is proposed to be employed to ensure that the development reduces the need for high energy consumption. For example, it is proposed to achieve such an aspiration through design to ensure good ventilation, efficient heating/cooling systems, natural lighting, appropriate orientation of spaces, water control etc.

Conditions are recommended in order to ensure that these intentions are fulfilled.

Policy CS 65 relates to 'Renewable Energy and Carbon Reduction' and requires new significant developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy.

Again, it is confirmed that the development will achieve 10% of its overall energy needs from renewable energy. The Sustainability Statement and feasibility study concludes that the most relevant primary energy source for this development would be a Gas Combined Heat and Power unit (CHP) and Air Source Heat Pumps. If additional sustainable resources are required, it is advised that photovoltaic or solar thermal cells could also be appropriate.

With regard to the Sheffield District Heating Network, it is acknowledged that this could provide the majority of the site's heat load but the nearest tributary for the Network runs across the junction of Cricket Inn road and Bernard Street, some 250 metres from the northern-most point of the site. The connection would involve considerable works to the highway, which would be cost prohibitive. It is for this reason that the feasibility of using the Network is only considered to be 'Medium' although it is advised that investigations continue into the possibility of connecting to it.

From the evidence submitted, it is considered that the proposals will comply with the requirements of Core Strategy Policies CS63, CS64 and CS65.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into all large-scale developments. The submission indicates that green/brown roofs will be used, which is welcomed and considered to be a positive approach to contributing to the biodiversity of the area, provide storm water attenuation and air quality improvements. Further detail about the design of the green roof is required and this will be controlled by condition.

## 6. Amenity Issues

The amendments to the scheme do not impact on the proposed amenity environment for existing and future residents. Therefore, members are advised that the assessment remains as previous.

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

UDP Policy H5 'Flats, Bed-Sitters and Shared Housing' states that the creation of flats and the multiple sharing of houses will be granted only if (a) a concentration of these uses would not cause serious nuisance to existing residents; and (b) living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours; and (c) there would be appropriate off-street car parking for the needs of the people living there.

UDP Policy H8 'Housing for People in Need of Care' requires that new and refurbished housing in the form of supportive accommodation, sheltered accommodation, care homes and nursing homes be permitted in suitably convenient locations and to appropriate standards.

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.

#### - Amenity of Existing Residents

Key issues for existing residents are privacy, overshadowing, overdominance and noise/disturbance. The properties affected by this development are positioned immediately beyond the site's eastern boundary on Maltravers Road and Woodcock Place.

With regard to the impact on residents at Hyde Park Flats, it is considered that the development will not have a detrimental amenity impact on these properties owing to the distance between the two sites and the orientation of windows, which face to the front and rear of the site, rather than offering direct views over the site.

With regard to the land to the immediate rear of the site it is confirmed that there are no buildings as it is open space land.

#### Privacy Issues

The impact of the proposed retirement apartments and care home buildings on the adjacent properties on Maltravers Road and Woodcock Place must be considered owing to their proximity to the site boundaries, the scale of the buildings, and the site's varying topography. Members are advised that the upper levels of the existing buildings on site already overlook the garden space of the properties on Maltravers Road at closer quarters than the proposed development.

The relationship between the proposed retirement apartments and the side boundary of 130 Maltravers Road is considered to be acceptable. A distance of approximately 19m is achieved between this new building's main south-east facing façade and the shared boundary with 130, which is situated at a lower level to the application site. The new façade contains habitable room windows to approximately half of the proposed flats in the building as well as a number of balcony areas. Normally, main elevation to side elevation relationship (at equal height and level) would warrant a separation distance of 12m with greater distances encouraged depending upon the site relationships and increases in building height.

The proposed 19m achieves a positive separation distance that is consistent with general advice. A greater distance would be preferred - given the scale of the new building, the quantity of windows it contains and the balconies on the new façade overlooking existing - but it is accepted that the 19m proposed is consistent with current privacy requirements. Furthermore, it is acknowledged that the areas will be separated by the entrance/car park area and new landscaping (including trees) which will further screen the development.

The relationship between the proposed care home facility and the rear of the properties at 130 - 136 Maltravers Road is also acceptable. The 2/3 storey northern wing of the new building (containing mainly bedroom windows) will be positioned immediately behind the rear of the existing properties at a higher land level, however it is again considered that the separation distances proposed between private spaces will ensure that the amenity of existing residents is maintained to an acceptable degree.

Approximately 11m is proposed between the new building's north facing façade and the rear garden boundary of the existing properties, which all have rear gardens that are approximately 24m long. Therefore, the overall separation distance between the habitable room windows in the existing and proposed buildings will be approximately 35m. Normally, a separation distance of 21m is encouraged between main facing windows (greater distances encouraged as appropriate). Therefore, the proposed 35m achieves a positive separation distance and accounts for the position of the new building at a higher land level.

The privacy relationship between the care home facility and the properties on Woodcock Place is considered to be acceptable. There are no windows or balconies proposed on the elevations addressing their private spaces.

For the reasons given above it is concluded, on balance, that the proposed relationship between existing and proposed is acceptable in privacy terms.

#### Overshadowing and Overdominance Issues

The retirement/care home buildings are positioned to the south and west of the existing residential properties referred to above. Sun path analysis details have been provided by the Architects which demonstrate that there will be some but not unacceptable overshadowing as a result of the new buildings.

With regard to the potential dominance impact on neighbouring occupiers, it is considered that there is sufficient separation distance between the shared boundaries to ensure that overdominance will not be at an unacceptable level. There is little doubt that the new development will be visible from the adjacent residential properties highlighted above and this will be a significant change from the current situation. However, change in views and the nature of the views is not a material planning consideration.

#### Noise and Disturbance Issues

The site's existing use comprises of commercial business and workshop space. Aerial photographs and a site visit also suggest that areas of the site, most notably in the south eastern corner, are also used for the storage of vehicles and various temporary buildings/equipment.

It is considered that the proposed development will not cause a significant nuisance or disturbance to existing residents. The proposals are residential in character which is more compatible than the existing commercial activity.

The position of the vehicle access and the car park area serving the retirement apartments and care home building adjacent to the side and rear boundary of 130 Maltravers Road, is considered acceptable. Indeed, the proposed environment is not substantially different to the existing land use at the rear of the site (a car park) albeit at a much smaller scale. It is considered that the development will allow the opportunity to improve the quality of the access, as well as the buffer along the shared boundary. Furthermore, it is considered vehicle movements will be somewhat low key and dispersed.

In terms of the ancillary uses relating to the ground floor and mezzanine areas of the student accommodation, it is the case that these will be within the development confines and unlikely to raise significant amenity issues. Matters relating to noise breakout and the potential for other nuisance (such as odours) can be dealt with by condition.

Conditions to protect the amenity of neighbouring residents, such as appropriate boundary treatments, landscaping and lighting as well as restrictions upon deliveries and maintenance hours, are recommended in order to ensure the amenity of future residents is protected and maintained.

For these reasons above, it is concluded on balance that the proposed development is acceptable and will not have a significantly detrimental impact on the living conditions of existing surrounding residents, in accordance with relevant UDP policies.

#### Amenity of Future Residents

Key issues for existing residents are outlook, privacy, outdoor amenity, and noise and disturbance. These are discussed below.

#### Outlook

All of the habitable rooms within the development have large clear openings and are proposed to be naturally ventilated with the intention of ensuring that internal living environments are well lit by daylight and comfortable for occupiers. It is considered that the outlook from units will be acceptable across all elevations of the site, clearly some outlooks will be better than others and particularly impressive views will be achieved at the higher levels on the north facing façade looking across the City.

### Privacy

The layout and design of the scheme creates a circumstance whereby windows will face each other and mutual overlooking will occur across courtyards and landscaped spaces. The privacy distances achieved throughout the site are generally acceptable as reasonable separation distances are proposed between the buildings. The distances are considered to be appropriate for a proposal of such high density and urban character. For the majority, separation distances exceed 21m which is welcomed but there are occasions where this reduces to 15m; specifically the relationship between the east facing elevation of the second student tower block and the west elevation of the retirement apartments. Ideally, officers would prefer this distance to be greater because of the difference in building uses and heights; however there is no significant objection to the proposed distance when viewed in the overall context of the scheme's design and layout. It is considered that distances are acceptable for apartment developments in an urban location, and that a requirement to increase this distance would have potentially negative implications on other parts of the scheme and surrounding land uses. For this reason, and on balance, it is considered to be acceptable.

### Outdoor Amenity Provision

The development comprises of a variety of outdoor garden spaces and courtyard areas that are intended to provide external amenity space and access routes for the site's occupiers. There are three key amenity spaces which have been designed to respond to the three accommodation types that are proposed to exist across the development.

1. The student courtyard space (approximately 30m x 20m) will comprise of a rectangular sloping raised lawn surrounded by a paving route and informal seating. The space is also situated on the southern side of the building, which means that it is secure, private and will maximise sunlight. Overall, the arrangement of the space is considered to be acceptable from an amenity point of view

2. All of the retirement apartments will have their own balcony spaces, which will ensure that the residents have their own private spaces. There are two styles of balconies proposed around the building, recessed and projecting, and the plans indicate that these spaces are quite generous. This provision is considered to be a positive inclusion and acceptable.

Additionally, the scheme provides a central informal green space area, which extends and rises in level from the site's frontage to rear (2.8m) and is located



between the student residences and the retirement apartments. It will be available for use by apartment residents only although the space will provide green outlook for the adjacent student accommodation and care home use. It is considered that the design of the space should be enhanced with more seating and routes to provide greater usability for residents. Additionally, the space is aligned in the direction of the prevailing wind, and therefore it is recommended that more sheltered areas - including more tree planting - should be provided across the space to increase its comfort. An appropriate condition is therefore recommended.

3. As well as external balcony areas to lounge areas across the various levels, the Care Home includes a central courtyard space, which is intended to be enclosed private walled garden for its residents with direct access will be available off the day room and lounge areas. The space is approximately 23m x 19m and the proposal illustrates a central raised lawn area surrounded by shrubs/planting beds and ornamental tree planting as well as various private seating areas for receiving visitors and a central pergola.

Overall, the outdoor amenity provision considered to be of an appropriate standard. It is considered that the final design of this space can be controlled by a landscape condition.

#### Noise and Disturbance

The site's position in a mixed commercial and residential area as well as being situated on a main road is relevant. The predominant noise source is from road traffic on Maltravers Road, however its traffic levels are considered lower compared to Cricket Inn Road, and distance road traffic from the A57. There are several commercial premises located in close proximity that vary in operating hours, and the Parkway Central Retail Park. All necessitate consideration.

The proposed student accommodation places residential above various ancillary commercial and business use, which have the potential to generate internal and external noise. Therefore, it is essential that all living rooms, bedrooms and external areas are designed to adequately attenuate surrounding noise sources and provide suitable internal noise levels.

It is accepted that good internal noise levels can be achieved through a scheme of sound attenuations works (reserved by condition).

For these reasons, it is concluded that the proposed development will provide an acceptable living environment for future residents, in accordance with relevant UDP policies.

#### 7. Highway Issues

In policy terms, UDP Policy IB9 advises that new development in Industry and Business Areas will be permitted provided that it would be adequately served by public transport and provides safe access to the highway network and appropriate off-street parking.

Core Strategy Policy CS 23 'Locations for New Housing' states that new development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. The main focus will be on suitable and sustainably located site.

Core Strategy Policy CS 53 relates to 'Management of Demand for Travel' and part b. encourages the promotion of good quality public transport and routes for walking and cycling to broaden the choice of modes of travel.

The site is located within a relatively sustainable location. It lies along a high frequency bus route and it is within close proximity of the Cricket Inn Road Supertram stop. This infrastructure provides links to the City Centre, both Universities and the leisure/entertainment activities in the Lower Don Valley.

With reference to car parking, it is noted that the Council has adopted maximum standards relating to a range of uses, including student housing, residential accommodation and business uses, as relevant to this application. The total number of car parking spaces has been reduced by 3 spaces since the application was last presented to the Planning Committee. This has been required as part of the overall reconfiguration of the student accommodation block and its undercroft area. Therefore, a total of 78 parking spaces are now proposed across the whole site; there are 54 spaces (including 10 disabled) set aside for the student accommodation/business use and located within a ground floor secure undercroft car park. The remaining spaces are located at surface level outside the entrances to the retirement apartments and care homes. These are to be allocated to the retirement apartments and care home facility.

The reduction in the quantity of student units means that the overall car parking ratio has actually increased it to above the maximum standards for student accommodation by 6 spaces (excluding the 10 disabled spaces). Therefore, this is considered to be acceptable given members' previous concerns about car parking issues that could be generated by this dense development and the nature of the adjacent highway.

Furthermore, it is considered that the site layout and inclusion of retirement apartments and care home towards the east end of the site will discourage students from parking on-street in the wider Wybourn area due to the distance involved to walk from these streets to the student accommodation following the removal of a pedestrian access onto the site from Woodcock Place.

With regard to the parking available to the care home and retirement apartments, the quantity of spaces is lower than the maximum standard by 4 spaces but further parking in this area would require some reconfiguration of the entrance courtyard area, including the removal of proposed trees and landscaping, which would be detrimental to the amenity of the space and the residents who will overlook it. However, if demand requires it in the future and there is a parking issue on the site, it is considered that a small quantity of additional spaces could be accommodated either within the existing car park by removing landscaped areas or by using some of the overprovided spaces at undercroft level in the student phase.

In terms of traffic and trip generation, given the nature of the site's main users (students and the elderly) it is considered that movements will be irregular and relatively infrequent and will not generate high vehicle movements during AM peak and PM peak hours, thus having no significant material impact on the adjacent highway network at key times.

South Yorkshire Passenger Transport Executive (SYTPE) considers public transport accessibility to be excellent in this area. The development is located on the Core Bus Network, which operates along Maltravers Road, and the tram service is easily accessible from the Cricket Inn Road tram stop. As the development includes a large proportion of student units, it is considered that direct access to the University of Sheffield and Sheffield Hallam University is essential. SYTPE are confident that these establishments can be reached through direct journeys made from the nearby tram and bus stops.

It is anticipated that trip generation from this development is likely to be focused on public transport, therefore reducing local highway congestion, promoting sustainable travel behaviour and reducing this development's impact on local air quality.

As there is likely to be a high proportion of public transport use from the site users, SYTPE request that there is a requirement placed upon the application to upgrade the nearest inbound bus stop to the site (stop number 37023045). Currently, the bus stop is a pole with no shelter and given the increased number of likely users, it is considered that measures should be put in place to install a new shelter. This will provide a good quality and sheltered waiting environment for bus services into the city, which will also benefit the existing community. Given the scale of the development proposals and the proximity of the bus stop this request is considered to be directly relevant to the development and, therefore, it is considered that the provision of this stop be achieved by condition.

In light of the above, it is considered that the proposal complies with the relevant aspirations of the UDP and Core Strategy policies identified.

## 8. Access Issues

UDP Policy H7 'Mobility Housing' identifies that a proportion of mobility housing is to be encouraged in all new and refurbished developments.

With regard to the student apartments, the submission confirms that 21 one bedroom studio and apartments will be available as mobility units. This equates to 5% of the total apartments, thus complying with policy aspirations. Therefore, it is considered that the overall provision is acceptable.

With regard to the retirement apartments, the submission states that all of the apartments and the communal areas will be designed to mobility standards.

With regard the care home, it is again confirmed that disabled facilities will be provided owing to the nature of the use and proposed residents. It is advised that

guidance has been sought from relevant specialists, including the Department for Health and other organisations.

In relation to all of the units detailed typical layouts have been provided. These have been assessed by the Access Officer who has confirmed that the application proposal is acceptable. Therefore, the scheme is considered compliant with UDP Policy H7.

#### 9. Flood Risk Issues

Core Strategy Policy CS67 relates to 'Flood Risk Management' and, in part, seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding.

The accompanying Flood Risk Assessment confirms that the site falls within Flood Zone 1. The Environment Agency has been consulted and raised no objection. Therefore, there is no significant flood risk implication generated by this application.

The existing site comprises of buildings and a large amount of impermeable hardstanding areas with no landscaped or permeable spaces. The current proposal will significantly improve surface water run-off through the inclusion of landscaped spaces and green roofs, which is considered to be acceptable and a positive aspect of the application.

Therefore, the development is considered satisfactory in terms of Policy CS67.

#### 10. Ecology Issues

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

The quality of the existing site as a habitat for biodiversity is considered to be low and there is no objection to the proposed development in ecology terms. Indeed, it is considered that the application proposal, which includes new landscape spaces containing different plant and tree species as well as green/brown roofs, will serve to have a positive impact on ecology by improving the biodiversity of the site.

In light of the above, the proposal is concluded to be consistent with the requirements of Policy GE11.

#### 11. Landscaping Issues

UDP Policy BE6 'Landscape Design' expects good quality landscaping in new developments and refurbishment schemes. Landscape work should provide an interesting and attractive environment as well as integrating with existing features and promoting nature conservation.

Landscaping is proposed to be provided in the identified private amenity spaces and public realm areas of the development. In the public areas - specifically the Maltravers Road frontage and access to the retirement apartments/care home - the proposals identify the use tree and evergreen hedge planting as well as planters and various hard paving designs to the areas pedestrian/vehicle routes and entrance approaches. Whilst this landscaping will help to soften the development's setting, the Council's Landscape Officer has provided a number of constructive comments in relation to the proposed landscaping issues. In particular, it is felt the size and specimen of trees proposed should be bolder given the scale and character of the development, and the design of the proposed hedging should be simplified in order to make it easier to maintain.

The private landscape spaces proposed for residents are addressed in the 'Amenity Issues' section of this report.

The proposals to include landscaping in the public areas of the development are welcomed. It is considered that specific outstanding matters relating to the nature of species and final design of spaces can be addressed by condition. It is concluded that the proposal complies with UDP Policy BE6.

## 12. Affordable Housing Issues

Policy CS40 'Affordable Housing' and the Interim Planning Guidance entitled 'Affordable Housing' requires that all new developments of 15 dwellings or more, where practical and financially viable, should provide between 30% and 40% of the dwellings as affordable. Where on site provision is not desirable, contributions will be taken for off-site provision.

In this case, the Applicant has submitted an affordable housing statement, which identifies that the provision of affordable housing as part of this development was not viable. Officers are currently awaiting advice from the District Valuer's Office which is independently appraising the revised scheme. An update will be provided at the meeting.

## 13. Open Space Enhancement

UDP Policy H16 'Open Space in New Housing Developments' requires that the Applicant makes an appropriate contribution towards the provision or enhancement of public space on or within the vicinity of the application site. On this site it is expected that 10% open space is provided because the site is greater than 1ha and the provision of recreation space in the catchment area of the site is below the minimum guidelines.

Core Strategy Policy CS 46 'Quantity of Open Space' encourages that as opportunities, new open space will be created where a quantitative shortage of open space is identified and where it is required for extending the City's Green Network.

It is expected that this scheme should provide a contribution towards open space in the local area. Therefore, under the terms of Policies H16 and CS46 and Supplementary Planning Guidance an open space contribution of £200,470.00 will be required. This will be secured by a legal agreement.

#### 14. Public Art

UDP Policy BE12 'Public Art' encourages the provision of public art where it would be readily seen by the public and integral to the design of major developments. The Applicant has indicated a willingness to integrate public art within the development. Given the size and nature of the proposal it is considered that there are ample opportunities to integrate public art within the scheme. This will be secured by condition.

#### RESPONSE TO REPRESENTATIONS

The main assessment of this report addresses the land use, student housing and amenity issues raised in the representations.

In terms of the publicity about the application, it is advised that both the original application proposal and the amended proposal have been advertised by neighbour notification letter, site notices around the area, and press advert in the Sheffield Telegraph. This is appropriate for the nature of development proposed and is in line with the Council's Statement of Community Involvement.

With regard to the businesses that currently occupy the application site, it is confirmed that the Council has sent letters to those known in relation to the original and amended proposals. The action of the Landlord is a matter that is beyond the Council's control and has no relevance to the determination of this planning application.

With reference to the suggestion that a local public meeting should have been held to explain the proposals, it is advised that members of the public have been consulted on the application via the consultation procedures described above and this is considered to be sufficient for an application of this nature. Again, the actions of the Applicant are a private matter that is beyond the Council's control.

Finally, in response to concerns about the impact of construction work it is advised that this is not a material planning consideration and therefore is not an issue relevant to the decision. There are powers under the Environmental Protection Act to deal with nuisance.

#### SUMMARY AND RECOMMENDATION

The proposal offers a significant contemporary mixed use development on a gateway site to both the city and Wybourn which currently contains unattractive commercial buildings. The proposed contemporary architectural approach to the scheme is of a high quality the revised layout is appropriate to the site and its surroundings. Furthermore, the development will introduce new uses to the area

and provide for a variety of tenures which will add to the mix and help to create a sustainable community. This is a positive aspect of the proposal.

As detailed in the main body of the report the development raises no significant concerns regarding amenity, landscape, highways or matters of environmental protection and the proposal accords with relevant NPPF, UDP and Core Strategy policies.

Since the scheme was previously deferred (because of members' concerns about the scale & massing of the development, its adaptability to alternative uses and limited car parking provided) the student element of the scheme has been amended and reduced by 2 & 3 storeys, the internal layout has been re-configured and the applicant has demonstrated how the layout could be further re-configured to provide alternative accommodation in the future. As a result of the reduction in scale the car parking numbers are now in line with maximum standards for the student element of the proposal.

This overall reduction in scale and height is welcomed and it is considered that this is sufficient to overcome previous concerns about the size/mass of the proposal. The latest scheme represents a very positive response by the applicant to meet Members' previous concerns, resulting in a high quality regeneration scheme.

Whilst there are still some concerns about the location of the site in terms of its suitability for student accommodation, there is no planning policy reason to resist this aspect of the proposal.

For the reasons outlined in the report, it is therefore concluded that the development will be a positive addition to the Wybourn area, representing a significant investment in this part of the city and thereby assisting the further regeneration of the area.

It is recommended that planning permission is granted subject to the listed conditions and to the completion of a legal agreement to secure the following heads of terms.

#### HEADS OF TERMS

On or before the commencement of development the owner shall make a contribution of £200,470.00 towards the enhancement of open space in accordance with the provisions of Policy H16 of the UDP, Policy CS46 of the Core Strategy and the Supplementary Planning Guidance on Open Space in New Housing Developments.

