

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 01/04/2014

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.

Case Number	14/00221/FUL
Application Type	Full Planning Application
Proposal	Erection of 4 dwellinghouses with associated car parking and landscaping
Location	183 Greystones Road Sheffield S11 7BT
Date Received	16/01/2014
Team	South
Applicant/Agent	A J Marsh Building Surveyors Ltd
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:

Project number 2013/02
Drawing numbers:
OS2 Rev B

P1
1 Rev A
2 Rev A
4
5 Rev A
10 Rev A
11 Rev A
13 Rev B

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 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.

- 5 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.

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

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

- 7 No development shall commence until full details of measures to protect the existing (variable: trees, shrubs, hedge/s) 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.

- 8 No development shall commence unless a detailed ecological management plan has been provided and approved, which should include measures for replacement trees and details of the boundary treatment for the demarcation of the badger run.

Reason; In the interests of biodiversity.

- 9 The development shall not be occupied unless the measures within the approved ecological management plan have been carried out.

Reason; In the interests of biodiversity.

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

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

- 11 The gradient of the access driveways shall not exceed 1:12, unless otherwise approved by the Local Planning Authority.

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

- 12 The development shall not commence unless details of the new gateway entrance from Greystones Road drawn at least at 1:50 scale have been provided in plan and elevation form and approved. Thereafter this part of the development shall be built in accordance with the approved details.

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

- 13 Before works are carried out to the existing driveway, details of the level of excavation and measures to protect trees shall have been provided in writing and approved. Thereafter this part of the development shall be built in accordance with the approved details.

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

- 14 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 and the dwellings 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.

- 15 Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 5 litres per second. Before the use of the development is commenced, a validation test to demonstrate that the necessary equipment has been installed and that the above flow rate has been achieved shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority.

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

Attention is drawn to the following directives:

1. 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.
2. 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.
3. The applicant is advised that the Local Planning Authority has reason to believe that the application site may contain species and/or habitats protected by law. Separate controls therefore apply, regardless of this planning approval. Please contact The City Ecology Unit Telephone Number 0114 273 4481 for more information in this respect.
4. When preparing detailed proposals for the development of this site, the developer is advised that the Council will encourage the provision of easily accessible housing, capable of adaptation to meet the needs of various people with mobility impairments. Known as "mobility housing", further details are available together with guidance notes from the Access Officer on (0114) 2734197 or from Planning Enquiries on (0114) 2039183.
5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please

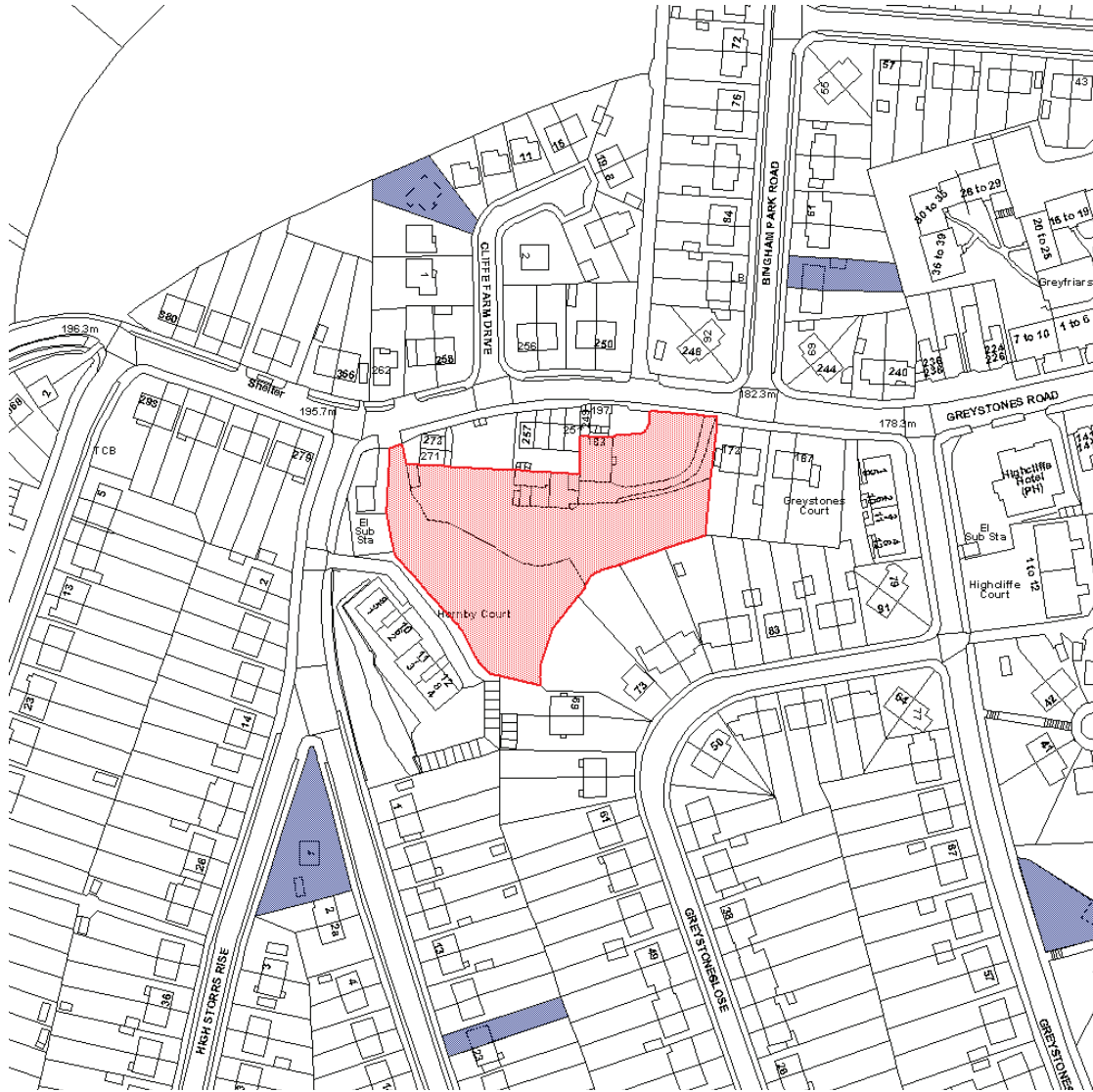
refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

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 or apply online at 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 proposal refers to a site situated on land beside 183 Greystones Road. The present house is an attractive detached stone built building with a group of existing outbuildings and land to the front, side, and rear. 183 is a unique property in the streetscene, and does not directly face Greystones Road. Other properties in the immediate vicinity also do not follow any regimented built form, with a series of stone cottages between 197-273 Greystones Road differing in the way they address the streetscene and, behind the site, Hornby Court - a flat roofed 3 storey apartment block of functional appearance which takes no architectural cues from the local area.

The relatively hap-hazard siting of dwellinghouses contrasts sharply with the more regimented layout common to the wider area, where brick built semi-detached housing, interspaced with the odd detached residence, are the common building type, built utilising more regimented orientation to the street scenes in which they belong.

The existing site is upon a slope, and rises towards the South West towards Hornby Court. The site is presently heavily wooded, and comprises of a series of trees both close to Greystones Road to the North East and a wider set of trees covering the majority of the West of the site.

The application seeks approval for the construction of 4 detached 4 bedroomed dwellinghouses on the site. The proposal includes the utilisation of a shared drive from the existing access point on Greystones Road, with the existing entrance point widened.

Amended details received on 18/03/2014 have made minor changes to the proposal, involving revised driveway details onto Greystones Road (taking account of trees) and slight changes to the badger mitigation measures, trees information, orientation of one house plot and front elevation of 3 of the proposed houses.

No proposed alterations are proposed to the outbuilding of the subject property. As such, this application will need to focus only on the 4 houses proposed, and not the potential future development of the outbuildings, which will need to be assessed on its own merits if and when an application is made.

RELEVANT PLANNING HISTORY

There has been one previous application here for the development of 4 houses within the last year. This application (Ref: 13/01828/UL) was withdrawn on 25/07/2013, following officer concerns regarding the need for more information concerning the ecology and landscaping impact.

A previous scheme for 4 dwellings was granted conditionally on 23/12/1998 under reference number 97/01554/FUL. This scheme was granted permission after the Unitary Development Plan (UDP) was adopted in March 1998, but before the Core Strategy was adopted in 2009. As such, this development still holds some material weight with regards to the assessment of UDP policies.

SUMMARY OF REPRESENTATIONS

Fifteen representations have been received in connection with this application. Fourteen object to the proposal and the following comments have been received:

The proposal will impact negatively upon wildlife and biodiversity.

The proposal will adversely affect protected species (including concerns that the badger run shown is likely to be ineffective).

The loss of woodland will remove a valuable green area.

The proposal will increase traffic levels.

The proposal will cause additional parking congestion.

The access onto Greystones Road will have poor visibility and will be dangerous.

The three-storey nature of the houses will be out of character with the surrounding area.

The proposal will block light to neighbouring property.

The proposal will overlook neighbouring property.

The new buildings will be out of scale and character with neighbouring properties.

The proposal results in 'overdevelopment'.

The following issues have been also received, which are not material planning considerations and so will not be considered in the assessment below:

Noise and disruption caused by the building of the new houses.

Loss of views from neighbouring houses.

One representation has been received in support of the application from a neighbouring property. The representation states that they have no objection to the proposal and makes comments that:

The trees on the site are not protected.

The species on site are resilient and have not been negatively impacted by previous development.

Existing Open Space lies nearby.

Three storey houses are present in the local area, and the houses will be shorter than existing trees on site.

The proposed development has its own parking areas, limiting any additional demand for on street parking.

Alterations to the site entrance will improve visibility.

PLANNING ASSESSMENT

Any planning assessment of the site would rely upon the provisions of policies BE5 'Building Design and Siting'; BE9 'Design for Vehicles'; GE15 'Trees and Woodland'; H14 'Conditions on Development in Housing Areas'; and H15 'Design of new Housing Developments'. Core Strategy policies CS23, CS24 and CS26

relating to housing; CS64 relating to climate change; CS67 'Flood Risk Management' and CS31 relating to design for the South West area of the City and CS74 'Design Principles' would also apply.

Land Use Policy.

The adopted Unitary Development Plan (UDP) shows that the application site is designated as a housing policy area. UDP policy H10 says that housing is the preferred use so the broad principle is acceptable.

The site is greenfield and does not therefore constitute previously developed land. Core Strategy policy CS24 gives priority for the development of new housing on previously developed land and states that no more than 12% of dwellings should be constructed on greenfield land in the period up to 2025/26.

It also states that such development should only occur on small sites within urban areas, where it can be justified on sustainability grounds. The current house completion database shows that 5.4% of new houses have been built on Greenfield sites so the proposal would be well within the 12% threshold.

Policy CS23 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/21, the main focus will be on suitable, sustainably located, sites within, or adjoining the main urban area of Sheffield. The site is small within an existing urban area and sustainably next to a regular bus route and within walking distance of local schools and services. In this context, the development of this small Greenfield site for new housing complies with the aims of policies CS23 and CS24.

CS26 'Efficient use of Housing Land and Accessibility' specifies that housing development should make efficient use of land. For parts of the urban area such as this site (next to a High Frequency Bus Route, but not within 400m of a District Centre), the desirable density range is between 40-60 dwellings per hectare under this policy (subject to the character of the area being protected). In this case, the density is 14.3 dwellings per hectare (4 dwellings in 0.278hectares), which is just under half the minimum desirable density. Given the setting of the site and the ecological requirements noted later in this report, this lower density can be justified on the basis of the need to protect the character of the area.

Layout, Design and External Appearance.

UDP policy H14 and Core Strategy policy CS74 expect good quality design in keeping with the scale and character of the surrounding area. H15 requires, amongst other things, the provision of easy access to homes and circulation, and the provision of uniform walls and fences around rear gardens.

Core Strategy policy CS31 deals with housing in the south west area and this says that priority will be given to safeguarding and enhancing its areas of character. The policy defines 'south west' as between the Manchester Road and Abbeydale Road corridors.

The layout of the houses in the immediate vicinity consists of a loose layout which has developed organically (comprising of the cottages between 197-273 Greystones Road) and through infill development (such as Hornby Court). The immediate area contrasts sharply with the wider area, where regimented layouts are more common

The proposed development does achieve an organic style layout that will not look out of character. It is noted that the development will have the appearance of being 'back land' development. However, this does not result in development that appears out of character with the local area given that the lack of uniformity of houses in the immediate vicinity do not demand a regimented layout. The form of the existing road access will remain the same as existing, and the sideways orientation of 183 will mirror that of plot D, and will also essentially mean that the houses will all front onto the drive.

The detached layout of buildings will be in character with the size of other houses in the vicinity, where detached houses are not uncommon. The footprint of all the buildings will be in scale with the local area, with none exceeding that of 183 and the houses being similar to the scale of inter-war houses common to the area. The height of the houses will be in scale with the neighbourhood. The height of the houses will be lower than Hornby Court and higher than 183 Greystones Road. This is in line with the slope of the land, where buildings do follow the natural fall in land to the North East, ensuring the houses will not look out of place. From the front, it is noted that the houses will have the appearance of being 3-stories due to the build into the hill, whilst the majority of houses in the local area are two-storey buildings – Hornby Court being the obvious exception to this. However, the impact on the character of the area will be negligible given the location of the houses in a backfields site, and also the fact that the overall apparentness of the additional storey will be limited from the side and rear aspects by the fact the houses are to be built into the hillside.

Due to the back land location of the houses, their impact on the wider street scene and appearance of the local area will be minimal.

The original proposal did present some concerns that the ground floor of the houses was dominated by vehicle provision including two basement garage doors. This has been improved in amended plans received on 18/03/2014, which have removed one of the garage doors on each dwelling and added more ground floor windows to the houses, resulting in a more open aspect onto this area. Full landscaping proposals, reserved by condition, should provide opportunity to soften up the boundary fence treatment to plot D to provide an adequate aspect to this side.

Due to the nature of the site, and the scale of development, it is not large enough to provide additional pedestrian permeability through the site.

With respect to the design and external appearance of the individual houses, the designs of these are considered adequate. The use of natural stone will tie in with the use of stone on the neighbouring cottages and 183 itself. The concrete roofing

tiles are less desirable but will not be out of character with concrete roofing materials used upon a significant proportion of properties in the local area, and will also reflect the more modern style of the proposed dwellings.

The fenestrations of the dwellings have been improved since the first submission in order to provide a better alignment between the openings and windows on their main front elevations. Generally, they are considered to be adequately proportioned, and will have a suitable external appearance.

There is reasonable circulation to the dwellings. Given the small scale of the development (under 5 houses), the cul-de-sac drive layouts are appropriate, and the main front doors have been located in positions that are legible and easy to read from the access road.

The rear gardens will feature boundary treatments, details of which will be reserved by condition.

Trees and Landscaping

UDP policy GE15 seeks to retain mature trees and where these are lost, replacements should be provided as part of development.

Core Strategy policy CS74 requires new development to take advantage of woodlands and natural features. There are several trees on the site, of which three are protected by a Tree Preservation Order towards the Greystones Road frontage of the site.

The three protected trees comprise of 2 Scots Pine and 1 Yew tree. The proposal does not involve any significant changes close to these trees. The driveway position is not shown to be moved any closer to these trees than is existing, with the widening instead taking place towards the east of the site, away from these trees. It is recommended that a condition to ensure that any drive repaving work details are provided before work commences should be included in any positive determination so that the impact of any possible additional excavation works can be assessed.

The remainder of trees are not protected on site. It is noted that the proposal will result in the removal of several trees. The tree survey details submitted show 25 (including a group of 5 ash trees) out of 83 trees on site being removed. Looking at the details, officers believe that a further 3 trees would likely be removed by the proposal – a beech tree next to the parking area, and two smaller trees next to plot D.

The proposal makes a reasonable attempt to retain an element of tree cover on the site. A significant group of poplar trees will remain towards the north west of the site, whilst a mix of beech, cherry and ash trees will remain to the southern section. The majority of these trees will have no built development within their root protection area given that many will be more than 10m from the position of the new houses. It is noted that a tall beech tree on the site will have development within its root protection area (which is large given the height and size of the tree). This

may limit its lifespan or threaten its future survival. However, the tree is not considered worthy of a preservation order due to its lack of presence in the public domain.

In this context, the fact that the tree is not covered by an order carries significant weight, and would make a refusal of the scheme based on the potential reduction in the lifespan of one of the trees very hard to substantiate.

The plans do show some drawings indicating new planting towards the west of the site. Full details for this will be reserved by condition, but would be in line with the aims of GE15, which seeks replacement trees where appropriate. The requirement for trees will be reserved by condition.

Highways Considerations

A proportion of representations received have objected on the basis of the new access way being in a dangerous location and the addition to parking congestion.

Policy H14 (part d) from the Unitary Development Plan (UDP) requires development to provide safe access to the highway network, provide appropriate off-street parking and not endanger pedestrians.

With regards to the access way proposed, the present arrangement involves a gateway leading to a driveway for 183 Greystones Road. The proposal is to utilise this existing access way, widening it to 4.1m, and to form a new shared drive for all the houses on the site.

The proposal shows 2 designated off-street spaces for all 4 plots, plus space for visitor accommodation and space for the residents of 183. The number of parking spaces proposed is suitable, and highway officers raise no objection to the proposed access point.

The proposed widening of the access way will improve visibility, and will enable users to have adequate visibility to make manoeuvres. It will also provide suitable visibility so that a user entering the site will be able to properly see if one is leaving the site at the same time – reducing the risk of collision. The number of parking places within the site will ensure that on-street parking on the highway should not increase.

Impact on the Amenities of Existing Residents

UDP policy H14 says that new development in housing areas should not cause harm to the amenities of existing residents.

Core Strategy policy CS74 requires new development to contribute to the creation of successful neighbourhoods.

It is important to ensure that the proposal would not result in a significant and/or unreasonable loss of privacy to neighbours nor result in a development having an overbearing nature which would be to the detriment of neighbours' amenities.

Representations refer to potential overlooking from the proposal. The proposal, as indicated, would offer suitable separation distances from neighbouring dwellings. The layout indicates that the main aspects of plots A, B and C will be over 21m distant from the windows of the apartments at Hornby Court, with the minimum distance being 23m. This is sufficient to prevent any significant privacy concerns towards this neighbouring property. Plot D will have front windows 15m distant from the curtilage boundary with 173 Greystones Road, providing a suitable distance to the garden area to prevent privacy issues arising.

The separation distances from neighbouring properties are significantly greater than 12m from their windows in all cases, more than sufficient to make an argument of overshadowing untenable.

The traffic levels from the new driveway should not cause significant nuisance for 173 Greystones Road (the closest property). Although higher traffic levels are expected compared to the existing situation, the driveway will be located solely to the front of the neighbour, limiting traffic noise. In addition, the curvature of the drive will ensure that headlights at night will largely be facing away from this property.

Amenity of Future Occupants

UDP policy H14 (part c) also requires suitable amenities to be provided for the subject properties.

The houses should have a good outlook. All the main rooms will have suitable access to light, and will look over the public front area or towards their rear gardens. Some trees will remain, but the extent of removal should allow for a suitable degree of light to reach these houses.

Each house will have ample amenity space. The smallest garden will be approximately 70 square metres in area (plot C), whilst the remainder will all have plots of at least 100 square metres in area. All these are greater than the 50 square metres normally considered as a minimum requirement.

Mobility Housing

The provision of mobility housing is encouraged by policy H7. Plot D is sufficient to provide mobility housing for the site. Ideally, a pavement for separate pedestrian access from Greystones Road would be encouraged. However, given the nature of the street scene, this would make the entrance more conspicuous and would also widen the driveway to a point where it would impact upon protected trees (see above). Given the nature of the driveway, where traffic will be infrequent, these concerns outweigh the concern about there not being a separate defined pedestrian route to the house separate from the level of the roadway.

Impact on Wildlife

A key principle of the National Planning Policy Statement (NPPF) is to conserve and enhance the natural environment.

UDP policy GE11 says that the natural environment will be protected and enhanced and new development should reduce potentially harmful impacts on nature.

An Ecological Scoping Survey has been submitted in support of the application, exploring specifically for wildlife habitats for protected species (searching for bats and badgers). The survey information concluded that there were no bats roosting in any of the buildings or utilising the trees on site. The survey concluded that some bats may occupy crevices in the outbuildings. However, as the outbuilding is not being altered by the development, it is not appropriate to take this further.

The survey has highlighted that there is evidence of Badger activity on site, and the survey includes measures to mitigate against the harm. The mitigation measures propose creating a 'badger corridor' around the perimeter of the site, free from human activity and outside the curtilage of the proposed properties, which will be at least 3m wide (the majority being wider). Two holes are proposed to be closed by the development. However, this will leave ample holes available as part of the sett arrangement on site. Ecology officers do not recommend the digging of replacement holes as this may increase disturbance and the numbers presently available are sufficient.

Ecology officers are satisfied that the mitigation measures proposed are appropriate to help conserve the protected species on site. They do, however, recommend that additional measures are taken to improve biodiversity – notably the inclusion of replacement trees for habitat, ideally fruit trees to also provide food for the protected species. It should be noted that development will remain subject to a licence from Natural England. Measures in the landscaping arrangements can be made to minimise any potential disturbance to wildlife, and enhance local biodiversity including the planting of trees or arrangements of bird boxes and bat boxes, which can be provided and assessed through condition before any development commences.

Water Runoff

The site is under 0.5 hectares in area. As such, the requirements under CS67 'Flood Risk Management' for runoff to be reduced to 5l/sec/hect does not apply. The policy does require design measures to be taken to limit potential runoff from the development. The plans show that it is intended to utilise a Sustainable Drainage System to the driveway (permeable concrete block is shown), plus the use of some rainwater harvesting. These measures appear to be in line with the policy recommendations. A condition to provide fuller information on these will be included in any decision to ensure that the runoff will not be problematic for the site.

SUMMARY AND RECOMMENDATION

This planning application seeks to establish the development of 4 houses on the site, with access from Greystones Road. The principle of the works would be acceptable in terms of its layout, scale of development, and respect of the layout and form of houses in the immediate area. There would be no harm to the amenities of existing occupiers and the access way would be acceptable, with highways officers recommending that they will not cause any highway safety problems. It is considered that the proposal would be acceptable and complies with all policy criteria set out in this report. The scheme would therefore comply with the aims of relevant planning policy, notably policies: BE5, BE16, BE17, GE11, GE15, and H14 from the Sheffield Unitary Development Plan (UDP) and policies CS24 and CS74 from the Core Strategy. This application is, therefore, considered to be acceptable and is recommended for conditional approval.

Case Number	13/04176/FUL (Formerly PP-03062557)
Application Type	Full Planning Application
Proposal	Demolition of the south east corner of Bells Court and conversion and extension to form 39 student apartments with associated landscaping
Location	Bells Court Bells Square Sheffield S1 2FY
Date Received	13/12/2013
Team	City Centre and East
Applicant/Agent	Coda Planning Ltd
Recommendation	Grant Conditionally subject the completion of a 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 Numbers 2070-001, 1950-004, 005, 006, 007

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 Before any development commences details of the following matters shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the building is occupied.
 - Window reveals

- Courtyard entrance gate including security measures which should be designed to facilitate inclusive access.
- Glazed canopy to cycle parking
- Lighting to courtyard
- Cladding pattern and how it intersects with windows and eaves.
- Seating and tables to the courtyard space
- Typical window to existing building and proposed extension
- Design of bin stores incorporating access doors that facilitate inclusive access.

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

- 5 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) 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; 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 development is occupied and a post-installation report shall have been submitted to an 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, unless otherwise agreed in writing by the Local Planning Authority.

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.

- 6 The new build 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. The sustainable design features listed in bullet points 2 and 3 of section 5 of the Design and Access Statement shall be implemented in the converted building. A validation statement detailing the specific improvements that have been carried out shall be submitted to and approved by the Local Planning Authority before the flats within this part of the building are brought into use.

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

- 7 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: LAeq 15 minutes 30 dB (2300 to 0700 hours),
 - Living Rooms: LAeq 15 minutes 40 dB (0700 to 2300 hours),
 - 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 in writing by the Local Planning Authority.

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

- 8 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:

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

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

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

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

- 10 No development shall commence until the improvements to the footpath to the Bailey Street frontage consisting of reinstatement of redundant vehicular

crossings and resurfacing in accordance with the secondary palette as described in the Urban Design Compendium have either;

- a) been carried out; or
- b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the flats are occupied.

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.

- 11 Before the development hereby permitted 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 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.

- 12 The building shall not be used unless the cycle parking accommodation for 28 cycles as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

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

- 13 The gradient of the access into the courtyard shall not exceed 1 in 21.

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

- 14 The hard surfaced areas within the courtyard shall be constructed of porous paving if practical, full details of which shall have been submitted to and approved in writing by the Local Planning Authority before the development commences. 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.

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.

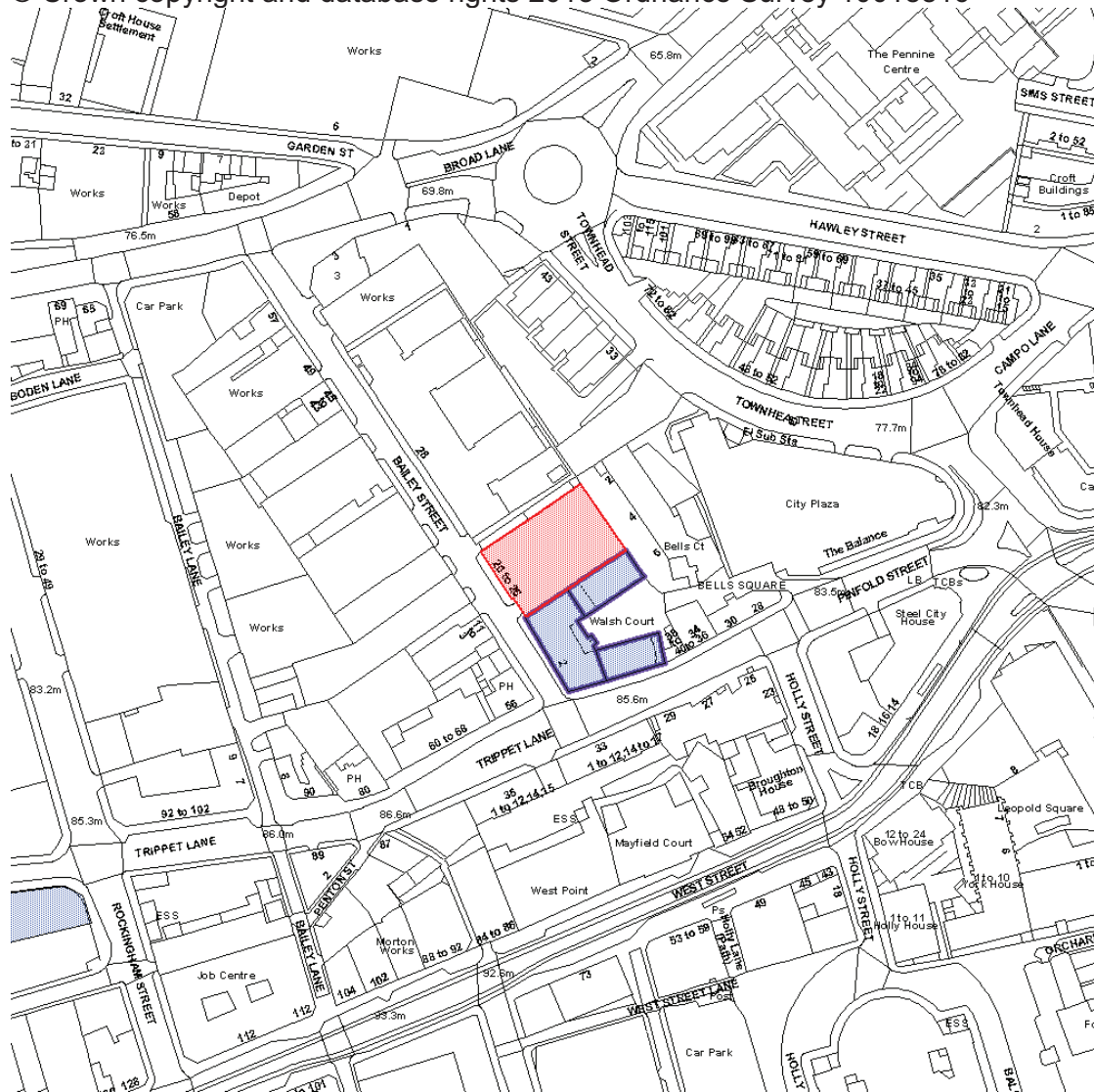
2. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at 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. 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. 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. 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.

Site Location

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LOCATION AND PROPOSAL

The site is occupied by a two/three storey industrial/office building with a basement, probably constructed in the 1940/50s. It is brick faced with a flat roof and there is a small step in the parapet facing Bailey Street such that it appears to step down this steeply sloping street.

The building occupies the whole site except for a narrow strip along the north-west side of the building which is used as a parking and loading area for a flooring contractor who occupies the basement of the building.

The first floor of the building is currently unoccupied but the ground floor is used for parking and occupied by two charities. The flooring contractor who occupies the basement is expected to remain.

Bailey Street is occupied by residential, office and industrial uses in predominantly brick faced buildings that range in height from single storey to 6 storeys. Mandale House is located immediately to the north and on the same side of Bailey Street. It is a residential/office development of between 3 and 6 storeys high. Walsh Court is situated to the south of the site in a 3 to 4 storey former office building that has recently been converted into student flats.

The application is seeking permission to convert the existing building into flats, to extend at roof level with two additional floors, to demolish part of the existing building and construct a small two storey new block at the rear of the site. The scheme will provide 39 flats comprising of 4 one bedroom units, 1 two bedroom unit and 34 studio units which all have self-contained facilities. The only communal facilities are a laundry and a communal courtyard incorporating bicycle parking.

The flats are accessed via an archway from Bailey Street with all the lobbies and flat entrances served from the courtyard.

The existing building is faced in brown brickwork and the new two storey block will also be faced in brown brick. The additional floors will be clad in Sotech lightweight cladding panels. These are aluminium cladding panels which are likely to be coloured grey and the illustrations shown a shingle cladding pattern.

SUMMARY OF REPRESENTATIONS

None received

PLANNING ASSESSMENT

Policy

The site lies within a Business Area in the Unitary Development Plan (UDP). Business is the preferred use but housing is acceptable (Policy IB7). Policy IB9 establishes criteria for development in industry and business areas. It says that changes of use should not lead to a concentration of uses which would prejudice the dominance of industry and business in the area. Currently office uses are dominant in the area so the development is acceptable in terms of UDP business and industry policies.

The site lies within a business area on the Sheffield Development Framework (SDF) Pre-Submission Proposals Map. Within this area there are no preferred uses but housing is an acceptable use and therefore the proposal is acceptable under SDF policy H1, which has some weight, albeit limited.

Core Strategy policy CS24 seeks to maximise the use of previously developed land for housing and the proposal is consistent with this policy.

Policy CS26 seeks to encourage the efficient use of land subject to development being in character with the area and supporting balanced communities. Within or near to the City Centre it promotes densities of at least 70 dwellings per hectare. The scheme density is 430 dwellings per hectare. The character issues are considered below in the design section.

Design Issues

The site adjoins but is outside the City Centre conservation area. The existing building is a typical 1950s office/industrial building with a flat roof and ribbon windows. Whilst it is not of any special merit it is a reasonable background building and its retention is welcomed.

The existing building is lower than the adjoining buildings either side. The additional two floors will mean the eaves height is similar to that of the buildings either side. As the pitched roof of the adjacent building to the south will still be higher than the application building as extended, it will appear as if the development is stepping down the street in line with the topography. It is therefore concluded that the proposed scale and massing of the building is acceptable.

The additional floors are set back from the Bailey Street frontage by approximately 1.5m. Given this and the metal facing material, the upper floors will clearly read as a new and contemporary element. The additional floors have been designed with a window fenestration to match the lower floors so the old and new will be tied together. The proposed cladding for the additional floors is considered to be acceptable in principle and similar materials are used on the adjacent Mandale House development. Ideally the flats should be accessed directly from the street frontage in order to activate the street and for personal safety reasons. In this case a combination of the existing floor levels and topography mean that the building does not lend itself to this approach. All the flats will be accessed from a small courtyard which will provide some outdoor seating and a reasonably pleasant and secure approach to the flats.

The courtyard is approximately 11m by 13m. Given that it is surrounded by 4 storey walls it will feel quiet enclosed and the scheme would benefit from a more generous courtyard space. The new build element impinges somewhat on this space, however the applicant has argued that this is necessary for the viability of the scheme and screens an ugly staircase that needs to be retained for the adjoining office building. Given this it is considered on balance that the scale of the courtyard is acceptable in this situation.

Amenity issues

A number of the studio units provide between 22- 35 sqm of floor space. These are very small units which provide little work/dining/storage space. However internal space standards are generally considered to be a matter for the occupier and developer unless they would result in unacceptably bad living conditions. Given this and the fact that the council has no approved internal space standards it is considered that there is no evidence with which to resist the proposal on this basis.

Two of the units have a poor outlook onto the large gable wall of the adjacent Mandale House between 4-6m away. Six of the studio units are single aspect with a deep footprint which means that they will have poor natural light to the bedroom areas, so artificial light will be needed virtually all the time in the bedrooms.

Twelve studios are positioned approximately 3m from the northern boundary of the site. As a result they obtain their outlook from the north over the communal garden space of the adjacent Mandale House development. The outlook distance to the flats in Mandale House is approximately 15m. This is not ideal, however it is unlikely the amenity space within the Mandale House development will be built on and the 15m separation between windows is acceptable in a city centre location such as this. A similar separation exists within the development between flats facing each other across the courtyard.

Overall amenity standards within the scheme are very tight and in some cases sub-standard. However these concerns need to be weighed up in the overall balance of benefits and dis-benefits.

Sustainability

The site is located close to shops, services and high frequency public transport services and as a result occupiers can benefit from a reduced need to travel by car. The high density development will help to support existing shops and services in the city centre.

The scheme re-uses part of an existing building which is more sustainable than a complete re-build scheme.

Core Strategy Policy CS64 seeks to promote sustainable design. It says this can be achieved by designing houses to achieve Code for Sustainable Homes Level 3. In this case because the development is part new construction and part conversion a condition is proposed requiring the new build element to be designed to meet Code level 3 and a scheme of sustainable design measures to be implemented for the conversion element. The applicant has said he will be installing new high performance double glazing and will consider measures to reduce water consumption and provide efficient boilers. Construction materials will be sustainably sourced where possible.

Core Strategy Policy CS65 states that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon sources. The Sheffield Heat and Power main, which is a low carbon energy source runs close to the site. The applicant has said that the scheme will be connected to this if possible. If not they will need to come up with alternative measures to meet the terms of this policy

Affordable Housing

Core Strategy Policy CS40 says that all new housing developments will be required to contribute towards the provision of affordable housing where this is practical and financially viable. In this case the developer has submitted a viability

appraisal which has been assessed by the District Valuation Office (DVO). The DVO has confirmed that the profitability of the scheme is borderline and therefore it is incapable of providing a contribution towards affordable housing.

Open Space

Unitary Development Plan policy H16 and the Supplementary Planning Guidance on open space requires developers to meet the open space needs of future occupiers. Adopting the standard formula for calculating the contribution gives a figure of £45,552. The applicant has argued that this is not affordable. However the DVO has concluded that whilst the development cannot make a contribution to affordable housing the open space contribution is realistic. This will be secured by a planning obligation and will be used in accordance with Policy H16 of the UDP and the Breathing Spaces Strategy.

Noise

A noise assessment has been submitted in support of the scheme and background noise was monitored over several days and nights. The results show that the noise levels are moderately low for a city centre location. Road traffic noise was found to be the dominant noise source with a lesser influence being noise from nearby mechanical services. Construction, glazing and ventilation specifications have been recommended to meet the Council's noise criteria.

There is an existing floor covering contractor located in the basement of the building (Aizlewood & Casson). There are no noise controls over the use or limits on the hours of operation. The premises are accessed from the north side of the site between the building and a boundary fence with Mandale House.

It is proposed that this business will continue to operate after the upper floors are converted to flats. Their typical working hours are 8am until 5.30pm and the premises operate as a warehouse. There are up to 10 deliveries a day from vans and light goods vehicles and typically 4-5 Aizlewood & Casson van trips per day. Loading typically takes place from the road and some items are trolleyed along the alley into the building. A 'walk behind' forklift is used for this and the primary noise is generated by the forklift. Noise measurements have been recorded whilst these loading operations are underway. The existing business operation appears quite low key in terms of its noise impact, however the current occupier could change their hours of operation or be replaced by a different warehousing use. It is therefore necessary to consider whether the sound insulation proposed is sufficiently robust to allow for these circumstances.

The Council's Environmental Protection Service has advised that the suggested noise specification is likely to meet the Council's internal noise standards for flats with the windows closed. But it may not be able to achieve the internal noise standards with the windows open. Given that they are proposing a ducted ventilation system and this is a sustainable city centre location where we wish to encourage housing, it is concluded that this is acceptable. There is clearly a risk that a future occupier could be noisier and that this might result in amenity issues. However Environmental Protection Service colleagues consider that the noise

levels show the existing operator to be not particularly quiet for this type of use and therefore the risk of future problems is not considered to be so great as to justify refusing permission.

Flood Risk

The site is located within Flood Zone 1 which is the lowest flood risk zone and given that the site area is less than one hectare a flood risk assessment is not required. The site is also at low risk of flooding from other sources such as sewers, ground water and artificial sources such as canals and reservoirs. Core Strategy Policy CS67 says that surface water run-off must be reduced as far as is feasible by design measures such as permeable paving. In this case the site is covered by buildings except for the courtyard space. A condition is proposed with the agreement of the applicant for the provision of permeable paving to the courtyard.

Disabled Access

Bailey Street is steeply sloping and there is no possibility of providing car parking within the site. Unitary Development Plan Policy H7 'Mobility Housing' encourages a minimum of 25% of housing to be provided to mobility standard. The applicant is providing 5 mobility units which represent 13% of the total. The applicant has advised that it is not viable to provide more than this. Given that this site does not lend itself to disabled access due to the steepness of Bailey Street the reduced provision is considered to be acceptable in this instance.

SUMMARY AND RECOMMENDATION

The proposal is supported by local planning policy and meets the key objectives of the National Planning Policy Framework of boosting the supply of housing and delivering sustainable development. The retention of the existing building is welcomed and the scheme design will contribute positively to the street scene. The site is sustainably located and the design will meet the Council's sustainable design policies. There are concerns about the amenity standards for future occupiers of the flat and the potential for noise disturbance should the noise characteristics of the current business occupier change. However it is concluded that these concerns are outweighed by the benefits of the proposal. Therefore it is recommended that planning permission be granted subject to the applicant entering into a legal agreement to secure the following heads of terms. In the event that a S106 agreement is not signed by 2.4.2014 covering the heads of terms, planning permission should be refused for failure to meet the requirements of Policy H16 of the UDP.

Heads of Terms

A contribution of £45,552 to be used to meet the open space needs of residents in accordance with UDP Policy H16 and the Council's Breathing Spaces Strategy.

Case Number	13/01959/FUL (Formerly PP-02572194)
Application Type	Full Planning Application
Proposal	Erection of 51 dwellings, 731.6 square metres of commercial floor space, reinstatement of Kelham Street, access, car parking, landscaping and associated works
Location	Site Of Richardsons Cutlery Works Alma Street & Russell Street Sheffield S3 8SA
Date Received	11/06/2013
Team	City Centre and East
Applicant/Agent	England And Lyle
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. 12-1063.03 Rev. A10 - Proposed House Type A
Drawing No. 12-1064.14 Rev. A6 - Proposed House Type A*
Drawing No. 12-1064.04 Rev. A13 - Proposed House Type B
Drawing No. 12-1064.18 Rev. A1 - Proposed House Type B*
Drawing No. 12-1064.12 Rev. A5 - Proposed House Type C*
Drawing No. 12-1064.05 Rev. A10 - Proposed House Type D
Drawing No. 12-1064.10 Rev. A4 - Proposed Commercial Type E
Drawing No. 12-1064.13 Rev. A6 - Proposed Commercial Type F
Drawing No. 12-1064.16 Rev. A4 - Proposed Street Elevations
Drawing No. 12-1064.17 Rev. A4 - Proposed Site Plan

Reason; In order to define the permission.

- 3 No development, including any ground works, shall take place until the applicant, or their agent or successor in title, has submitted a Written

Scheme of Investigation (WSI) that sets out a strategy for reporting the archaeological fieldwork carried out on the site (in relation to consent 04/04634/FUL) and this has been approved in writing by the Local Planning Authority. This WSI shall include:

The provision to be made for post-excavation assessment and analysis.
The provision to be made for reporting and dissemination of the results.
The provision to be made for deposition of the archive created.
Nomination of a competent person/persons or organisation to undertake the works.
The timetable for completion of all archaeological works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

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

- 4 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) 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 an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

- 5 No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
- a) been carried out; or
b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will

secure that such improvement works will be carried out before the development is brought into use.

Highway Improvements:

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

- Any other accommodation works to traffic signs, road markings, lighting columns, and general street furniture necessary as a consequence of the development.

- Full details of measures proposed to ensure that the internal street meets the design standards for a shared space with level surface, including a design speed of 10mph.

- Footway resurfacing and kerbing works (including street lighting) along the Russell Street and Alma Street frontage to the site in accordance with the Urban Design Compendium.

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

- 6 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.

- 7 Notwithstanding the details on the submitted plans, no development shall commence until full details of the reinstated Kelham Street (linking Alma Street and Russell Street) have been submitted to and approved in writing by the Local Planning Authority. The required details include the geometric standards, materials/specifications/barriers, any drainage implication, tactile paving, and demarcation of the highway boundary. The route shall be constructed in accordance with the approved details prior to the occupation of the development.

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

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

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

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

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

- 10 No development shall commence until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works, off -site works and means of preventing pollutants entering the nearby Kelham Goit (if discharge is proposed to this location), have been submitted to and approved by the Local Planning Authority.

Reason; To ensure satisfactory drainage arrangements.

- 11 The use of the commercial units hereby approved shall be restricted to classes A1 (Shops), A3 (Restaurants and Cafes), and B1 (a) (Offices) of the Town and Country Planning (Uses classes) Order, 1987, as amended. The A1 and A3 floor space shall be restricted to a combined maximum of 250 square metres.

Reason; In order to define the permission.

- 12 No development shall commence until additional intrusive investigation works have been undertaken to establish the exact situation regarding coal mining legacy issues on the site. The findings of the works shall be subject to a Coal Mining Report and Remediation Strategy, which shall be submitted to and approved in writing before development is commenced. Thereafter all development and any associated remediation shall proceed in accordance with the recommendations of the approved documents. In the event that remediation is unable to proceed in accordance with the approved documents, or unexpected coal mining legacy is encountered at any stage of the development process, works should cease and the Local Planning Authority and the Coal Authority 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 establish the exact situation regarding coal mining legacy issues affecting the site.

- 13 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.

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

Windows
Window reveals (minimum of 100mm throughout)
Doors and Garage Doors
Eaves and verges
Roofs
Ridge & valleys
External wall construction
Brickwork detailing
Balconies and balustrades
Entrance canopies
Rainwater goods
Bin storage areas

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

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

- 15 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.

- 16 Notwithstanding the details on the submitted plans, full final design details of all the commercial frontages (at a minimum scale of 1:50) shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

- 17 No windows serving the commercial floor space shall be blocked up, filmed over or otherwise rendered non transparent.

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

- 18 The boundary treatment and gate details shown on Drawing No. 12-1064.09 Rev. A1 (Proposed Site Boundary Treatments) are not approved. The final design details of the proposed means of boundary treatments across the site (including gates) 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 buildings 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.

- 19 Notwithstanding the details on the approved plans, before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the following inclusive access facilities for disabled people to move around the site and use the commercial and mobility units, shall have been submitted to and approved in writing by the local Planning Authority:

1. Details of access and facilities for disabled people in the external areas of the site;

2. Commercial Units: Full details of access facilities for disabled people to enter the commercial buildings (including the provision of a level threshold and appropriate width entrance doors);

3. House Type C* - Full details of the house design and parking provision - including confirmation and evidence that the dwellings will comply with the Council's Mobility Housing Supplementary Planning Guidance.

These buildings shall not be used unless all inclusive access 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.

- 20 Notwithstanding the details on the submitted plans, a comprehensive and detailed hard landscape scheme (including surface materials to all internal streets) and soft landscape scheme (including private amenity areas) for the site 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.

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

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

- 22 Before the development is commenced, details of bat boxes, including the design and locations on buildings, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

Reason; In the interests of ecology.

- 23 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.

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

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

- 25 The buildings 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.

- 26 The development shall not be occupied until full details of the proposed servicing arrangements for the commercial elements of the scheme, plus recycling and general waste collection for the scheme as a whole (including the hours of servicing the commercial buildings) shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be adhered to. Any changes to the servicing arrangements shall have first been approved in writing by the Local Planning Authority.

Reason; In the interests of the amenities of the locality and in the interest of pedestrian safety.

- 27 Prior to the commencement of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

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

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

- 29 The development shall not be used unless that part of the road providing access thereto has been provided in accordance with the approved plans.

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

- 30 Prior to the occupation of the development, car park illumination details for the residential and commercial elements of the scheme shall have been provided in accordance with details first submitted to and approved in writing by the Local Planning Authority.

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

- 31 Prior to the first occupation of the development, a Management Strategy addressing the following issues shall have been submitted to and approved in writing by the Local Planning Authority::

- Details about the intended management and allocation of car parking spaces within the secure car parking court;

- Details about the intended management of the access road positioned between the new properties and the existing business premises at AW Tools and the Alms Houses on Alma Street. This shall include details about how conflict between commercial and residential users will be avoided and the intended security proposals for the area (including information about the intended use of the proposed 'New Secure Access Gates' that are detailed on the plans).

The approved arrangements shall thereafter be adhered to.

Reason; To protect the amenities of residents and existing businesses that surround the application site.

- 32 Before the development hereby permitted 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 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.

- 33 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 the approved noise survey of the application site by Noise Assess Ltd (ref. 10631.01.v3; June 2013).

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq (15 min) 30 dB; LAmax 45dB - (23:00 to 07:00),

Living Rooms: LAeq (15 min) 40 dB - (07:00 to 23:00),

External Amenity Areas: LAeq (16 hour) 55 dB - (07:00 to 23:00).

c) Include a system of alternative acoustically treated ventilation and acoustic barriers, as detailed in the approved noise survey.

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

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

- 34 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:

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

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

- 35 The Additional Phase 2 Site Investigation and Remediation Strategy (ref. CD/0237/051030/ASIRS; Oct 2005) shall be reviewed in light of the current site layout and design proposals. Any additional intrusive investigations recommended by the review shall then be carried out and be the subject of supplementary Phase II Intrusive Site Investigation report, which shall have been submitted to and approved in writing by the Local Planning Authority before the development is commenced. Any changes to the Remediation Strategy made in light of the revised development proposals or recommended in the supplementary Phase II Intrusive Site Investigation report shall be the subject of a revised Remediation Strategy report, which shall be considerate of the revised site layout and design proposals. The revised Remediation Strategy report shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. All supplementary reporting 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.

- 36 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.

- 37 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.

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

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

- 39 Use of the commercial units for class A1 (shops) and A3 (restaurants and cafes) use shall only be used for such purpose between 0800 hours and 2330 hours Monday to Saturday and between 0900 hours and 2200 hours on Sundays and Public Holidays.

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

- 40 No deliveries to the commercial buildings hereby approved shall be carried out between the hours of 2300 to 0700 (on the following day) Sundays to Fridays and 2300 hours to 0900 hours (on the following day) on Saturdays and the day before a Public Holiday.

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

- 41 Development for use class A3 purposes within the commercial units hereby permitted shall not commence unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted for written approval by the Local Planning Authority. 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.

- 42 No live music or amplified sound shall be played within the buildings in commercial use 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 restricting noise breakout from the building to the street to levels not exceeding:
 - (i) the background noise levels by more than 3 dB(A) when measured as a 15 minute Laeq,
 - (ii) any octave band centre frequency by more than 3 Db when measured as a 15 minute linear Leq.

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

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

- 43 No movement, sorting or removal of waste bottles, materials or other articles, nor movement of skips or bins shall be carried on outside the commercial buildings within the site of the development (shown on the plan) between 2300 hours and 0700 hours (on the following day) Sundays to Fridays and between 2300 hours and 0900 hours (on the following day) on Saturdays and the day before a Public Holiday.

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

- 44 The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) submitted by ID Civils Design Ltd, Report Number 3602/FRA2, dated January 2013 and the mitigation measures relating to finished floor levels (no lower than 49.45m AOD), escape routes and the flood warning system that are detailed within Section 8 of the FRA.

The mitigation measures shall be fully implemented prior to occupation of any building on the site.

Reason; To reduce the risk of flooding to the proposed development and future occupants.

- 45 Notwithstanding the details on the approved plans, before the development is commenced the final proposed building plot levels shall be submitted to and approved in writing by the Local Planning Authority. Cross sections shall be provided where requested. Thereafter, the development shall be carried out in accordance with the approved details.

Reason; In order to ensure an appropriate quality of development and to protect the amenity of the site and nearby neighbouring occupiers.

- 46 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, 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.

- 47 No buildings/structures shall be erected within 3 metres of the public sewer.

Reason; To ensure satisfactory drainage arrangements.

- 48 Surface water and foul drainage shall drain to separate systems.

Reason; To ensure satisfactory drainage arrangements.

- 49 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 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 satisfactory drainage arrangements.

Attention is drawn to the following directives:

1. You are required, as part of this development, to carry out works within the public highway. 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. 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
2-10 Carbrook Hall Road
Sheffield
S9 2DB

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.

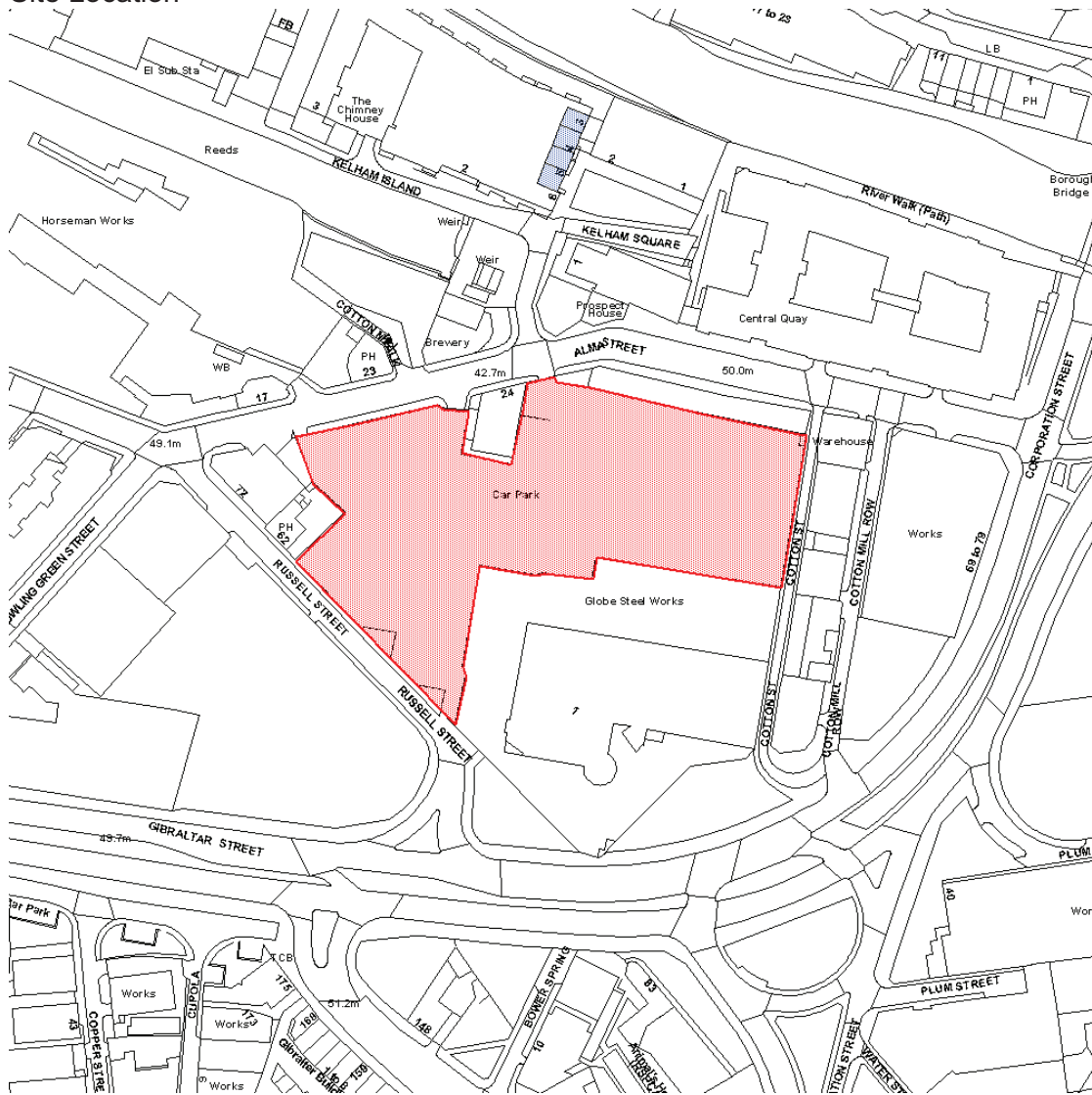
3. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
4. 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. 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 proposed development lies within a coal mining area. In the circumstances applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
6. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Engineers in their document

"Guidance Notes for the Reduction of Light Pollution". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available from the Institute of Lighting Engineers, telephone number (01788) 576492 and fax number (01788) 540145.

7. For larger restaurants advice on the discharge and arrestment of kitchen fumes and odours is given in the document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems', Annex B, 'Information required to support a planning application for a commercial kitchen' by the Department for Environment Food and Rural Affairs (Defra).
8. 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.
9. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
10. 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 or apply online at 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

The application site comprises land that was previously occupied by the former Richardsons cutlery business in the Kelham Island Conservation Area. The site previously contained industrial, warehouse and office uses, which were all related to the cutlery business that operated from the site for many years. These buildings have now been demolished.

The application site is bounded to the north by Alma Street, to the south by Russell Street and to the east by Cotton Street. Surrounding land uses comprise Globe Steel Works which lies to the east of the site on the Alma Street frontage, Kutrite of Sheffield (scissor, knives and tool manufacturer) at the junction of Alma Street and Russell Street to the west of the site. Adjacent to Kutrite is the Kelham Island

Tavern which overlooks the site from its rear and also on the Russell Street frontage is a modern distribution use operated by GB Posters.

Opposite the site, across Alma Street, is the three storey Fat Cat Public House (a Grade II Listed Building), the former MIBA Tyzack site that is being redeveloped into the mixed use Citu development (including 107 residential units), residential apartments blocks at Kelham Riverside, and the entrance to the Kelham Island Industrial Museum. On the opposite side of Russell Street is a surface car park owned by the Council and beyond that the Inner Relief Road (A64).

Planning permission is sought for a mixed use development comprising of 51 two, three and four bedroom dwellings - a combination of houses in a range of 6 house types - with 48 car parking spaces, 731.6 square metres of commercial floorspace, landscaping and associated works. As part of this development the historic Kelham Street, which links Alma Street and Russell Street, will be reinstated.

RELEVANT PLANNING HISTORY

The most recent, and relevant, planning history for this site relates to the use of the land for a mixed-use development, a temporary car park facility and enforcement issues.

1. Mixed Use Development

In 2006, a mixed-use development scheme was approved by the Council (refs. 04/04634/FUL and 04/04633/CAC). It comprised of the demolition of buildings, erection of 172 Residential units, and 1770 m² of Business Floor space (Use Class B1) in buildings of 3, 4, and 5 storeys, reinstatement of Kelham Street and the provision of 116 car parking spaces.

The site was purchased by the current applicant in 2007 and some detailed discussions with Officer did occur about the permission's implementation but work on the development halted because of the recession. The redevelopment scheme required the developer to secure the implementation of a programme of archaeological works which have been carried out and comprised extensive examination of findings, taking several months to complete. This work, unfortunately, involved the removal of all the buildings on the site. The findings are understood to be important and relate to the origins of the steel industry in Sheffield but they have yet to be published.

In 2011, a planning application to extend the time limit for the implementation of the above planning permission for a further 3 years was granted (ref. 11/02904/FULR).

2. Temporary Car Park Facility. In 2009, a temporary planning permission (2 years) for use of part of the land as a car park was granted by the Council (ref. 09/03422/CHU).

In 2012, an application to continue the temporary use of the whole site as a long stay car park was refused by the Council (ref. 12/02490/CHU). The reasons for refusal related to:

1. Encouragement of long-stay commuter parking leading to more car miles and potential traffic congestion at peak times, which would be detrimental to the Council's aim to manage car parking and to promote the sustainable transport methods.
2. Creation of a new access/egress point leading to Cotton Street, which was considered an unacceptable access to the existing local highway network to the detriment of highway safety.
3. Failure to demonstrate that a safe, efficient and environmentally acceptable car park facility would be provided to promote all aspects of personal safety and security as well as an adequate parking layout.

This decision was appealed by the applicant but the Planning Inspectorate upheld the Council's decision in October 2013.

3. Enforcement History

In 2012, an Enforcement Notice was served on the site owner following the demolition of a wall on the Cotton Street boundary and subsequent creation of a new access/egress point for the car park.

In 2013, an Enforcement Notice was served on the site owner which required the cessation of the car park following the 2012 refusal.

An appeal was made in relation to both notices but they were dismissed by the Planning Inspectorate in October 2013 and the Enforcement Notices upheld. The car park use had to cease and the wall re-built.

SUMMARY OF REPRESENTATIONS

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

In total 4 representations have been received and these are all from the following businesses that surround the application site:

Atkinson Walker

The company does not object to the application but does have some concerns about how this development would impact on the smooth running of their business, both during construction and after completion. The concerns relate to:

1. Noise - Atkinson Walker manufacture saws and tools, which means that relatively high noise levels are unavoidable. It is requested that noise conditions be applied to any decision, as per previous applications, to ensure that acoustic measures are put in place to insulate the new dwellings and protect them from the noise environment at this location.

2. Boundary Wall - Concern about the removal of the site's boundary wall adjacent to Cotton Mill Row. It is advised that there have previously been several near accidents on Cotton Mill Row as a result of the wall's removal and creation of a vehicle access point for the temporary car park. Therefore, it is considered that the wall should be reinstated to its previous 3m height in order to reduce noise levels during the period of construction and prevent construction traffic using the Cotton Street/Cotton Mill Row route.

AW Tools

The company does not object to the application and view it as part of the continual improvement of the area. However, as owner and user of both adjacent properties at Globe Steel Works and the terrace of former Alms houses on Alma Street, the company has raised concerns about the considerations that have been made for access to these buildings for their business and their tenants, which is important to the businesses that occupy these buildings. It is advised that the occupiers rely heavily upon access for their daily activities and there is concern that increased traffic in this area and residents parking will impede the access of vehicles.

Therefore, it is asked that the development considers the practicalities of the final use of the access road and ensures that access is maintained during the construction period and upon completion of the project.

Paul Glossop and Co.

This company objects because of their concerns about access into their workshops that are positioned at Globe Steel Works. If the scheme goes ahead without the allowance for parking and deliveries it will make it impossible to carry out operations. This is a traditional Sheffield business of manufacturing silversmiths and they have five people around the city that depend on the business for work.

Paul McCarthy Bespoke

This company objects to the proposal as an occupier of one of the Alms houses in the terrace on Alma Street and referred to above. There is concern that the new application turns the yard area into an access road and that this will cut off access to the Company's workshop, which would close down the workshop.

It is advised that the Company needs access for deliveries to be able to load/unload at any time, and not to be blocked in or out by cars parked from the new development.

Local Resident

The removal of the car park from this land is ill thought out and will lead to more parking problems in the area, especially when new developments are completed.

Sheffield Conservation Advisory Group

This application was considered at the Group's meeting in July 2013. The Group considered that the development was a deplorable example of block planning, consisting of a suburban development being shoehorned into an urban site, with a superficial approach to detail, including an inappropriate saw tooth roof on one of the blocks. The Group felt that the scheme could include houses, provided that it had a more urban character, perhaps involving a courtyard arrangement.

PLANNING ASSESSMENT

1. Land Use Issues

Unitary Development Plan (UDP)

The application site is located within a General Industry Area as defined in the UDP. Policy IB5 'Development in General Industry Areas' states that housing (use class C3) is an unacceptable use for these areas.

However, the industrial character of this part of the Kelham/Neepsend area has been significantly diluted by non-industrial development in recent years. There have been a number of large, predominantly residential developments approved around the application site. As such, the vision for the area has changed since the UDP designation.

Core Strategy

The Core Strategy provides the overall spatial strategy over the period 2008 to 2026. This document was published in 2008 and contains updated policies and new visions for the City. Indeed, there are now policies supporting the changes that have occurred around the application site and actively encourage new housing in the Kelham/Neepsend area and discourage the expansion of manufacturing and industry. These are discussed below:

Policy CS 6 'Manufacturing and the City Centre' states that manufacturing in the City Centre transition areas should not expand where it would detract from the regeneration of the centre and it will be encouraged to relocate, provided that suitable alternative sites and premises are available in the city. Transition areas include part of Kelham/Neepsend.

Policy CS 17 'City Centre Quarters' sets out the distinctive and fundamental roles of different 'quarters' of the City Centre and expects that these be consolidated and strengthened. Part j. refers to Kelham/Neepsend and indicates that it is becoming a focus for new riverside housing and jobs with the Inner Ring Road being a catalyst to redevelopment. It also acknowledges that existing small businesses will continue to perform an important economic role for the City as a whole.

Policy CS 27 'Housing in the City Centre' identifies locations for further expansion of City Centre living, with a mix of tenures and sizes of unit, including affordable housing, as part of a mix of uses. Part a. refers to the Kelham/Neepsend area.

Policies CS 22 'Scale of the Requirement for New Housing', CS 23 'Locations for New Housing', CS 24 'Maximising the use of Previously Developed Land for Housing', and CS25 'Priorities for Releasing Land for New Housing' all promote residential development in Sheffield in appropriate and sustainable locations in order to assist the delivery of suitable sites for housing within the City over future years.

Overall, the application proposal is considered to be consistent with the aims of the SDF Core Strategy

Draft City Policies and Sites Document

The draft Sheffield Local Plan City Policies and Sites (Pre-Submission) document identifies the site as being within a Central Housing Area, which is a new proposed allocation area.

It should be noted that this Local Plan has not been submitted for final approval and it is not an adopted document. Its content has limited weight because it is a draft but it helps to demonstrate the future aspiration for the site.

Overall, the application proposal is considered to be consistent with the emerging aspirations of the Draft City Policies and Sites Document.

Kelham Neepsend Action Plan (2008 - 2018)

This document sets out the Council's vision for the area and presents an opportunity to manage, at a finer grain level, the transition from the UDP to the replacement Local Plan. As such, the land use allocations for the purpose of the delivery of this action plan's objectives follow the land use principles being established by the new Local Plan.

At Kelham Riverside, it is recognised that the majority of available sites in the area have already been developed for housing, or have approval for residential development. Therefore, to maintain a commercial presence in the area it is encouraged that proposals for large scale and single-use residential development in the area be resisted unless there are demonstrable heritage benefits.

The application is a mixed use development and although the number of residential units outweighs the commercial floor space proposed, it is considered that the heritage benefits of achieving new development on this derelict site in the Conservation Area is the overriding consideration in this instance. There is also an overriding need for new housing given a current lack of a 5 year supply.

National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The key goal is the pursuit of 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.

With regard to the conflict between UDP and SDF aspirations for the site, the NPPF applies. It advises that weight should be given to the emerging residential allocation because the site's UDP allocation 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."

In light of the above, there is considered to be sufficient national and local policy (including emerging policy) as well as an action plan to support the mix of proposed uses at this site.

2. Density Issues

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

The proposed development has a density of approximately 62 dwellings per hectare, which is clearly short of the density aim. However, it is considered that this can be justified by the quality of development proposed and the need for a mixture of house types to appeal to a wider market, rather than higher density flat developments. Such higher density housing already exists within proximity of the site so it is considered a benefit to provide an alternative on this site to provide variety in the market.

It is concluded that the proposed minor shortfall in density provision is acceptable and does not conflict with the aspirations of Policy CS 26.

3. Design Issues

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

Policy BE16 'Development in Conservation Areas' requires new development to preserve or enhance the character or appearance of the conservation area.

Similarly, Policy BE19 'Development Affecting Listed Buildings' states that the proposals affecting the setting of a listed building should preserve the character and appearance of the building and its setting.

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

The proposed development is considered to be a contemporary addition to the conservation area. It will replace a vacant parcel of land which in its current state detracts from the special character of the area. It is welcomed in principle and will repair and enhance the conservation area in a way that reflects its industrial heritage, while introducing a range of properties and uses that will enhance the existing Kelham Island community and setting.

Following lengthy design discussion and design development, the design approach is now considered to be acceptable and compliant with the relevant policies described above subject to the imposition of conditions to secure control over the quality of the development.

Layout

A key feature of this development is the reintroduction of the historic Kelham Street to link Alma Street and Russell Street through the site and increase permeability through the area for residents and visitors. These are the principal streets within the development and new building lines are kept to the back of pavement in order to reflect historic street patterns and successfully respond to the character of surrounding development within the conservation area.

At the centre of the development an additional internal street is proposed, which will be of a shared surface design and is intended to be more of a mews than a conventional residential street with carriageway and pavements. This section of the site is a difficult shape and it is accepted that this could be described as somewhat of a suburban layout that is not entirely in-keeping with the urban character of the area.

However, the shape of the site is very challenging and awkward at this point because of the existing buildings that surround it. As a result, the site has limited public views from surrounding public streets and it is hoped that the suburban layout will be offset by the quality of the built form, the use of hard landscaping materials and limited soft landscaped front gardens.

Scale

The scale of buildings within the development is closely related to the proposed layout and hierarchy of streets and spaces. As such, there are 3-storey properties situated on the principal streets of Russell Street/Alma Street/Kelham Street, but the scale reduces to 2-storey properties on the internal mews street. This relationship between layout and scale is intentional and has been encouraged through the design development process.

The proposed scale of the properties is consistent with the guidance set out in the City Centre Urban Design Compendium in terms of building height and massing. The Compendium recommends that building heights should range between 2-5

storeys with taller buildings situated along the Inner Ring Road to help reinforce the gateway route.

Architecture

The new residential accommodation aims to widen the housing on offer in Kelham, in particular providing housing that has its own front door and varied types of amenity space, including private roof terraces, yards and gardens. In terms of materials, all of the properties will incorporate the same material palette including red brick, natural slate roof finish, timber windows and doors, and metal cladding to infill panels between the windows.

A variety of house types are proposed, ranging from tall narrow 3 storey, 3 & 4 bedroom terraces, some with a distinctive saw-tooth roof and some with flat roofs. All incorporate integrated roof terraces, some have a small yard/garden area and a number have Juliet balconies, whilst others have an integrated garage. The mews area is characterised by more traditional 2 storey pitched roof houses with chimneys and in-curtilage parking. There are also a number of mobility units which are also two storeys high but have the saw tooth roof design. The taller units are concentrated on the original streets (Alma / Russell / Kelham) and will add to the urban grain of the area.

The commercial units replicate the design character of house types albeit with a commercial/shop front at ground floor level.

4. Sustainability Issues

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.

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.

Conditions are recommended in order to ensure that these policy requirements are fulfilled. It is concluded that the proposals will comply with the requirements of CS 64 and CS 65.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into large scale developments, if appropriate. There are no green roofs provided as part of this development but given the design/shape of the roofs and the conservation context it is accepted that these cannot be practically achieved as part of this development.

5. Amenity Issues

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.

The proposed scheme comprises of high density urban housing on an irregular shaped site, which is surrounded by other existing commercial land uses that are outside the applicant's control. As such, it is considered that suburban levels of separation between habitable room windows (21 metres) and generous garden sizes (50 square metres) cannot be reasonably expected at this site. Indeed, to require these standards would wholly change the development character of the site and reduce the density of the development. Furthermore, to reduce density would mean that the proposal is contrary to Policy CS26, and would also be out of character at this location. It is not realistic to aspire to suburban characteristics at a city centre location, where varying types of housing are encouraged.

Privacy

It is considered that the overall privacy levels achieved across the site are comfortable and will be sufficient to ensure that the future amenity of residents is maintained in a manner that can be reasonably expected at this location. Indeed, it is considered that the relationship between the dwellings is consistent with the character of many traditional terraced streets in Sheffield. For example, there is a minimum of 11 metres between dwellings across streets and 15 metres between the rear of proposed properties and the existing alms houses on Alma Street. These distances are considered to be acceptable for the location and it is not expected that they will prejudice the future redevelopment of adjacent sites.

Notwithstanding the above, it has to be acknowledged that there are parts of the site whereby the relationship between habitable room windows is close; a particular case being between the rear of the residences to be positioned at the junction of Kelham Street and Alma Street. However, whilst a better relationship would be preferred, this is not considered to be a justification for refusal, taking into account the aforementioned reasons and acknowledging that a compromise has to be made given the irregular shape of the site and the desire to achieve a development that reinforces the idea of tight urban grain on the site's principal streets. Furthermore, the windows mostly affected will be secondary windows to main habitable rooms and hallway areas positioned at oblique angles to one another and, therefore, it is considered that the actual impact will be limited for future occupiers.

In terms of the development's relationship to existing residents and uses, it is considered that the scheme will not have a detrimental amenity impact on the closest existing properties, which are the living quarters of the Kelham Island Tavern PH and the Fat Cat PH. Privacy distances and orientation are such to ensure that the residents' existing amenity will not be compromised in an unsatisfactory manner. Indeed, the proposed development of the land will most

likely improve the existing environment and security for these properties by removing a derelict site.

Outdoor Amenity Provision

The character of the proposed outdoor amenity spaces vary across the site and will include small yard areas, larger gardens, and roof terraces. Given the contemporary urban character of this development, it is concluded that the nature of the outdoor amenity space proposed is acceptable. Indeed, it is considered that people who wish to occupy a property with traditional suburban gardens and conventional outdoor space would not be attracted to this location.

The submitted boundary treatment drawing indicates that the rear garden areas are intended to be secured by robust boundary treatments, including 2.4m high boundary walls, 1.8 metre high close boarded timber fencing, and secure access gates.

Surrounding Environment

A noise report accompanies the application and identifies that the site is largely affected by noise from the surrounding local industrial/commercial sources as well as traffic. However, the report concludes that the measured noise levels at the site are generally low and it is accepted that good internal noise levels can be achieved through a scheme of sound attenuation works. These include sufficient boundary treatments, cavity masonry construction, passive acoustic ventilation, and appropriate glazing.

The Environmental Protection Service has considered the content of the submission and is happy with the noise report and its recommendations, subject to the final details of these measures and subsequent validation of the installed works being reserved by condition.

6. Archaeology

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

We know, from work carried out as part of the extant planning consent for this site, that the application site has a long history of industrial usage and that this left archaeological evidence. Indeed, a 2007/2008 evaluation to test the extent of archaeological survival on the site revealed industrial remains dating back to the 17th Century and evidence of 19th Century terraced housing. As a consequence, an excavation strategy to investigate both the area of former housing and the complex industrial archaeology on the site was agreed between the developer and South Yorkshire Archaeology Service. This work was carried out in 2007 but has never been reported on nor findings published and archived in a museum. Given

the significant archaeology revealed on the site it is obviously important to ensure that the programme of archaeological works is completed satisfactorily.

In light of the above, and in order to comply with Policy BE22, it is recommended that the outstanding important archaeological works be agreed, fulfilled and completed in accordance with a Written Scheme of Investigation that will be secured by condition. No development will be allowed to occur until the WSI has been agreed and the development shall not be brought into use until its strategy has been fulfilled.

7. Highway Issues

UDP Policy IB9 'Conditions on Development in Industry and Business Areas', part (f), states that new development or change of use will be permitted provided that it would be adequately served by transport facilities and provide safe access to the highway network and appropriate off-street parking.

Core Strategy Policy CS23 '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 CS53 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 51 dwellings proposed are served by 49 car parking spaces, which are provided in a variety of ways; 14 of these are integral to residential units, 19 are provided in curtilage and the others are provided in a communal parking area behind the properties on Alma Street/Kelham Street/Russell Street. The parking ratio is less than 1 to 1, which is low given that the scheme includes 3-bedroom and 4-bedroom properties that could be attractive to families. However, the site is within the area where city centre parking standards should be applied because the site has a sustainable urban location.

South Yorkshire Passenger Transport Executive (SYPTTE) welcomes the development and supports the limited car parking provision. It advises that the site is within a 400m walking distance from the bus stops on Gibraltar Street and Mowbray Street. These bus stops are on the Core Public Transport Network and provide site users with access to an attractive level of public transport, including access to tram services which provide direct links to the city centre, Sheffield Station, Universities and Meadowhall.

In light of the above, it is considered that the level of car parking proposed is acceptable and thus consistent with the requirements of policies IB9, CS23 and CS53. However, to ensure that future residents take up the on-site parking provision, they will not be eligible for permits as part of any future Local Authority permit scheme.

8. Public Art

UDP Policy BE12 'Public Art' encourages the provision of works that can be readily seen by the public and can be an integral part of 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. As such, it is recommended that this be secured by condition.

9. Flood Risk Issues

The application site falls within Flood Zone 2, which means that it has a medium risk of flooding. Core Strategy Policy CS67 relates to 'Flood Risk Management' and seeks to reduce the extent and impact of flooding. The policy permits housing in areas with a medium flood risk probability subject to a sequential test being passed and an acceptable Flood Risk Assessment.

The sequential test for this site has been passed as it demonstrates that there are no reasonably available sites, which offer a lower probability of flooding in the Kelham/Neepsend area. The Flood Risk Assessment includes matters relating to safe refuge, flood resilience and resistance (including the provision of raised floor levels), and flooding sources. The content of this assessment is considered to be satisfactory.

Surface water drainage from the application site will be subject to a reduction of at least 30% compared to the existing peak flow. This requirement is consistent with Policy CS67, which seeks to ensure that new developments significantly limit surface water run-off.

Finally, it is noted that the submitted documents identify the Kelham Goit as a potential receptor for surface water run-off from the development site. There is some concern that this could have implications for the quality of the Goit and the wildlife that uses it, including bats and otters. Therefore, any future drainage works that intend to use the Goit must assess the ecological implications of doing this.

The final details relating to flood risk management and drainage (including ecological assessment of any works affecting the Kelham Goit) are reserved by condition.

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 existing site is vacant with no natural features of value; there are no buildings on the site. As such the development works on the land will not be detrimental to nature conservation.

In order to improve biodiversity, bat boxes should be included within the development and this will be secured by condition.

Therefore, the proposal is considered satisfactory in terms 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.

The proposal is largely hard landscaped. This type of environment has been encouraged because of the strong industrial heritage of the Kelham Island Conservation Area. Large areas of tree planting and soft landscaping would be uncharacteristic of this urban area.

The Urban Design Compendium designates the site within the primary material palette zone. This includes Pennine Sandstone paving, granite kerbs and channels, granite setts to the carriageway, and high quality street furniture and lighting. As such, it is expected that this specification be applied to the replacement footways along the development frontage on Alma Street and Russell Street as well as the footways and carriageway of the reinstated Kelham Street. These are the key historic routes within the development. Remaining areas will be expected to be constructed from an alternative high quality material palette that befits the Conservation Area setting. These details are reserved by condition.

12. Affordable Housing Issues

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. However, the developer felt that they were unlikely to be able to provide any affordable housing for reasons of economic viability. As such the scheme has been appraised by the District Valuation Office (DVO) who has concluded that the scheme would make a profit equating to 12.51% on gross development value, which is lower than normal target expectations (15%). Accordingly, it is advised that the project is unable to deliver any affordable homes.

13. 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.

In this case 13.5% (7 dwellings) of properties have been identified as mobility houses. These are House Types C* and they are all positioned at the eastern end of the site. Despite continued requests by officers to increase the quantity/variety/position, the applicant has been very reluctant to do this. Instead, they have used 2011 Census data to try and demonstrate that the provision of mobility housing within the scheme is entirely reflective of the need in the S3 area. Specifically, it is argued that only 12.3% of people in S3 have a disability or health problem and the proposed 13.5% provision should be accepted on this basis.

The applicant's case is considered to be an unacceptable justification for the low provision proposed. Limiting consideration to the S3 area relies upon everybody moving into this new development to be moving from elsewhere in S3. This is unrealistic and highly unlikely. Statistics must be based on Sheffield as a whole. The 25% set out in Policy H7 includes an allowance to remedy the lack of existing suitable housing, which currently exists. Indeed, housing units constructed in the City since Policy H7 was adopted in 1998 form a small proportion of the overall housing stock in Sheffield and, therefore, the percentage of mobility units available across the City will be lower than the number of people in need of this type of housing.

Notwithstanding the above, it is considered that the percentage shortfall and subsequent weak justification are not sufficient reasons to refuse the application having regard to the fact that it is not an 'absolute' requirement in policy terms (seeking to encourage rather than require). It is acknowledged that the characteristics of the site - namely the irregular shape and surrounding context - mean that achievement of a suitable layout within the Conservation Area setting has proved challenging. The positive benefits of redeveloping this derelict site outweigh the disappointing shortfall in this instance. The final details of the mobility units will be secured by condition.

14. Education Provision

UDP Policy CF5 'Community Benefits' states that planning obligations will be sought where they would enhance development proposals, provided that they are necessary, relevant and directly related to the development.

It is recognised that new housing developments may exacerbate demand on existing community facilities, including schools. As a result of population growth, it is advised that the catchment schools (Netherthorpe Primary School at primary level and Tapton School at secondary level) are already at capacity. There is also expected to be a shortfall in the supply of school places in the wider area. Therefore, the School Organisation Team considers that a claim is justifiable for a Section 106 contribution against all dwellings in the development for both primary provision, at £2548 per dwelling, and secondary provision, at £2743 per dwelling. There is, however, an extant consent for 172 one and two bedroom apartments on the application site with no related contribution toward education provision. It is also considered that the proposed two bed properties in this location will generally appeal to couples and single households rather than families. Consequently, it is considered appropriate to omit the proposed two bedroom dwellings from the calculation of contributions towards education provision and, on this basis, the

applicant is required to pay to the Council the sum of £153,439.00 and this will be secured by the applicant entering into a unilateral undertaking. The monies will be spent on primary and secondary provision.

15. Open Space Enhancement

UDP Policy H16 'Open Space in New Housing Developments' requires that the developer makes a contribution towards the provision or enhancement of public space on or within the vicinity of the application site.

Core Strategy Policy CS 45 'Quality and Accessibility of Open Space' states that safeguarding and improvement of open space will take priority over creation of new areas.

Core Strategy Policy CS 46 'Quantity of Open Space' encourages that as opportunities arise, 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.

Therefore, it is expected that this scheme provides a contribution towards open space in the local area of £94,445.85. This will be secured by the applicant entering into a unilateral undertaking.

RESPONSE TO REPRESENTATIONS

With regard to the main concerns about access for existing businesses in the area, the applicant has clarified that they own the land that is contained within the red line boundary. Therefore, issues regarding rights of access/egress are considered to be a private legal matter between the Owner of the site and the business users who have a right of access across it. However, in order to try and prevent any potential issues occurring upon completion of the development, a condition is recommended which will require the applicant to submit a management strategy for this area to detail how they propose this space to be used, how the area will be secured (design/position/operation of gates etc.), and any other measures to ensure a harmonious relationship between the existing and proposed uses. Issues relating to the noise environment for the future properties are addressed in the 'Amenity' section of this report.

The concern about the loss of the car park facility is noted but no longer considered to be relevant because the car park has now closed, as required by the Planning Inspector's decision in October 2013. It is the case that such a land use was never considered to be a suitable long term vision for the development of this site because of its impact on the special character of the Conservation Area. The concerns about the removal of the wall on Cotton Mill Row are resolved because the applicant is currently in the process of rebuilding it, as required by the Planning Inspector's decision in October 2013.

SUMMARY AND RECOMMENDATION

The proposed development will provide 51 new houses and some commercial units on a prominent vacant site that is situated within the Kelham Island Conservation Area. Following extensive discussions with the applicant, it is considered that the proposals now represent an acceptable and suitably contemporary development scheme which will replace the existing unattractive parcel of land that is an eyesore and will make a positive contribution to the Kelham Island community.

As described in this report, the proposals raise no detrimental concerns in relation to land use, design, amenity, sustainability, highways, flood risk and ecology matters. It is also considered that outstanding matters relating to the archaeology position at this site will be able to be addressed and resolved as part of this development.

Financial contributions to support open space policies and education provision in the catchment area will be secured.

It is considered that the shortfall in mobility housing units is disappointing (13.5% rather than 25%) but given the acceptability of the scheme in all other respects and the benefits of the development for the Conservation Area, it is considered that this is not a sufficient reason to resist the application.

The proposals are considered to comply with the relevant policies in the UDP and Core Strategy, and Members are therefore recommended to approve planning permission subject to the listed conditions and completion of a Legal Agreement with the following Heads of Terms.

Heads of Terms:

1. The Owners shall pay the Council [on or before the commencement of Development] the sum of £94,445.85 to be used by the Council towards the provision or enhancement of recreation space in the locality of the site. This shall be provided in accordance with the principles set out in the Council's supplementary planning guidance 'Open Space provision in new Housing Development' and the 'City Centre Living Strategy.'
2. The Owners shall pay the Council [on or before the commencement of Development] the sum of £153,439.00 to be used by the Council towards the provisions of primary and 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'.