
Case Number	17/03517/FUL
Application Type	Full Planning Application
Proposal	Change of use of the 1st/2nd floors to use as 14 apartments including rear extensions
Location	Pyramid Carpets 709 Chesterfield Road Sheffield S8 0SL
Date Received	17/08/2017
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

The information and drawings dated 14 December 2017
FS711192

Section A-A Dec 2017

Section D-D Dec 2017

Section C-C Dec 2017

Site Layout Showing Sections

Section B-B Oct 2017

Supporting Letter Dated 15 November 2018

Transport Statement dated 17 January 2017

Proposed Plans Alt Second Floor Rev B Feb 18

Proposed Plans Alt First Floor Rev B Feb 18

E-mail Correspondence dated 16 January 2018 Confirming Alterations to Sizes of Apartments

Reason: In order to define the permission.

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

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

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

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

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

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

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

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

6. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed layout and marking out of the car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The apartments shall not be occupied 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 approved residential scheme and existing commercial unit.

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

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

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

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

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

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

installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

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

Window reveals

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

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

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

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

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

Reason: In the interests of the amenities of the locality and occupiers of adjoining properties, together with the security of future occupants of the proposal.

13. Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the residential units shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

Other Compliance Conditions

14. 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.

15. No development shall take place until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during construction works. The development shall then be carried out in accordance with the approved measures.

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

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

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

Attention is Drawn to the Following Directives:

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

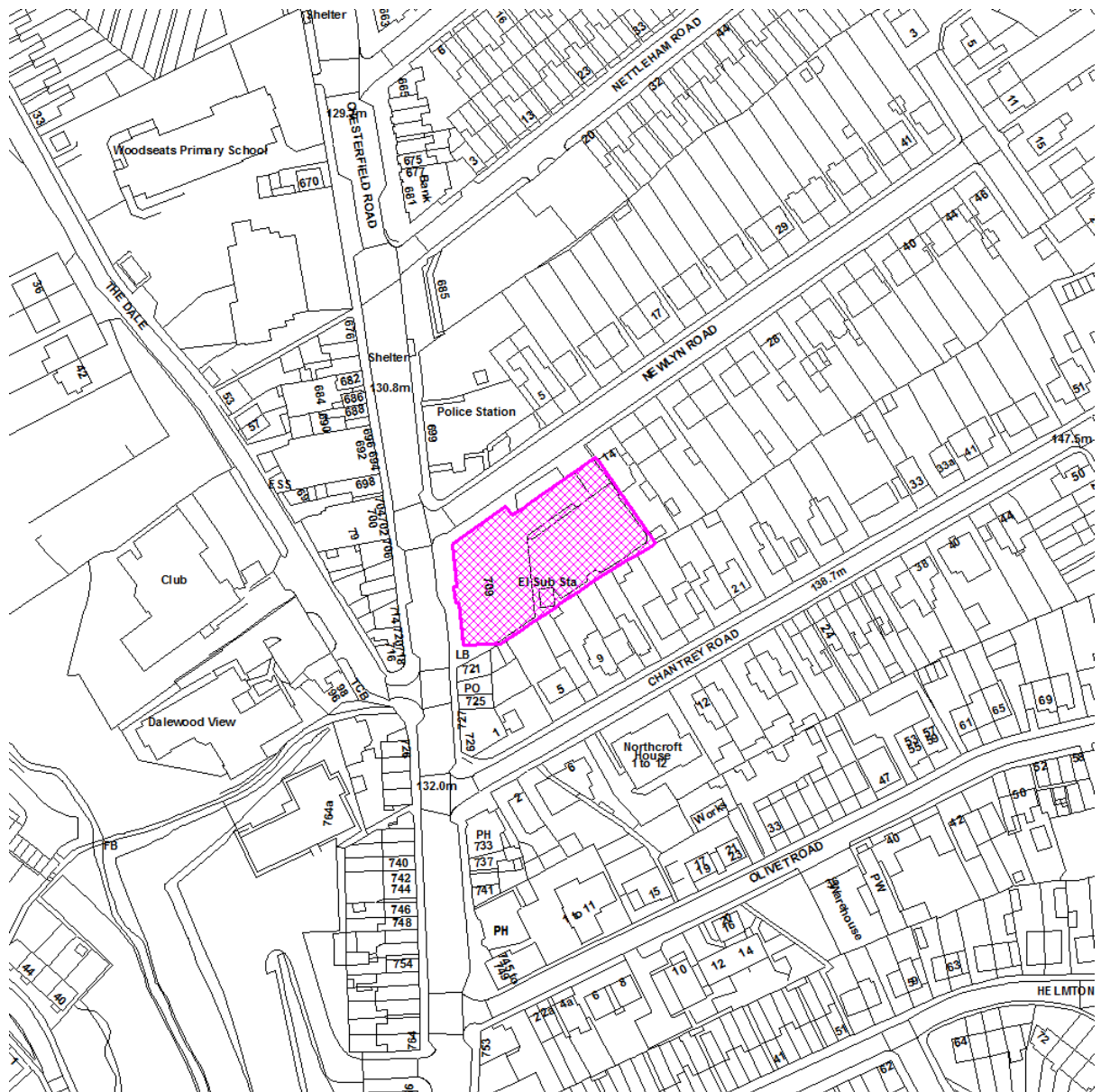
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

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

Site Location



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LOCATION AND PROPOSAL

This application relates to a three storey 1960's brick built retail property on Chesterfield Road. The building is approximately 5km away from Sheffield city centre on the A61, which is a main arterial route in and out of the city. The site is a corner location where Newlyn Road meets Chesterfield Road.

The site is approximately 0.24 hectares in size and comprises of a large brick built property that is set out in an 'L' shape with frontages along Chesterfield Road and Newlyn Road. The building is three storeys in height facing Chesterfield Road and single storey in height to the rear along Newlyn Road. To the rear of the site there is a large expanse of hard standing, which is used as a car park. The boundary treatments are a mixture of different height walls, although there are some tall trees within the site boundary and a small section of soft landscaping in between the front of the building and the Newlyn Road. (The soft landscaped area is not owned or maintained by the applicant.)

The building is currently used as an A1 Use Class carpet showroom and warehouse. The upper floors have been used as ancillary offices/ storage. The building is one of the bigger retail units in this large parade of shops. The surrounding uses vary from small commercial premises with ancillary storage or living accommodation above, to other community facilities, such as a medical practice, police station, public houses and a supermarket. Although the commercial properties along Chesterfield Road are mostly within terraced properties, some of the properties vary significantly in size and architectural style. The side roads along Chesterfield Road lead to areas that comprise of residential properties.

The application seeks permission to extend a commercial property to the rear and side. The proposal will incorporate internal alterations to the first and second floors of the building. The proposal will create six, 2-bedroomed apartments and eight 1-bedroomed apartments.

RELEVANT PLANNING HISTORY

The property has been granted permission in 2009 (referenced 09/02653/FUL) for the use of the second floor of the building for two, 5-bedroomed apartments.

SUMMARY OF REPRESENTATIONS

The proposal was advertised in accordance with the Local Planning Authority's Statement of Community Involvement and immediate adjoining neighbours were notified. Three site notices were posted; one in front of the building on Chesterfield Road and one on both Newlyn Road and Chantrey Road.

31 representations have been received in connection with this proposal, together with two representations from Councillor Steve Ayris and Councillor Sue Auckland.

The main planning concerns that were raised by the two Councillors can be summarised as:

- There are factual discrepancies within the report;
- The precedent set was for a different scale of residential scheme and is an expired consent;
- The scale of the proposal will impact upon the amenities of the local residents;
- The proposal will overlook the neighbouring properties;
- The proposal is contrary to UDP policy H5 as there is inadequate off street car parking;
- The A61 is notoriously congested and despite the public transport, the proposal will increase on-street car parking;
- The proposal will impact child safety at nearby schools

The main planning concerns that were raised by residents can be summarised as:

Principle of Use

- There is no evidence to suggest that the proposal will support the local economy. Investors' confidence would be increased through more investment in the shopping centre;
- Fewer dwellings or a mixture of one and two bedroomed houses would be more supported and fitting for the area;

Design and Landscaping Issue

- The proposal is of no advantage to the wider street and does not seek to improve the appearance of the small section of land that is sited in between the rear of the building and Newlyn Road;
- The area to the side of the building should be retained and maintained;
- The trees could be removed;

Living Conditions

- The proposal will overlook the gardens and rear elevations of the surrounding neighbouring properties;
- The proposal will overshadow the neighbouring properties;
- The proposal will create additional pollution, dust, and noise;
- There is no evidence that noise from police sirens have been taken into account in the noise survey;
- Noise from traffic and gates will disturb local residents opposite them at night;

Highways Issues

- The street is already very congested and it is difficult to park along Chesterfield Road and the surrounding streets have very few properties that have off street car parking;
- There isn't adequate off street car parking for the number and size of apartments that are being proposed;

- No further car parking for flats does not imply that people will not have cars, there is no evidence for this and the additional traffic will be dangerous for cars and pedestrians;
- Sheffield and National guidelines recommends 1.5 car parking spaces per unit provided;
- Newlyn Road and Chantrey Road both are popular with shoppers, residents and police;
- Pyramid carpets employees all use their cars. The car parking provision is not enough for employees, customers and residents;
- Children play within the street and the additional traffic will be dangerous to them;
- The site cannot provide safe and accessible residential units and is contrary to local planning policies;

Other Issues

- Not enough site notices have been posted and it is not clear where they are. There is a real danger that this application could be approved without due scrutiny;
- The planning statements have inaccuracies in them as there is no access from Chantrey Road;

The above issues are addressed in the subsequent report.

One neighbouring resident also commented on a current campaign that is being carried out by local Councillor Steve Ayris. The leaflets that have been dropped off by the local Councillor raise concerns with the road safety within the wider Woodseats area. The campaign for safer roads in the wider area is being undertaken separately and has not been carried out due to this application. Although the issue of road safety is of serious concern, this application can only assess the impact upon highway safety resulting from this proposal. The wider highway safety issues are being looked at by the local Councillor and the Local Highways department; any wider measures to improve highway safety are being investigated separately to this application.

PLANNING ASSESSMENT

Policy Issues

The National Planning Policy Framework (NPPF) is a material consideration to be taken into account in determining all planning applications and promotes the use of previously developed land. The NPPF also makes a presumption in favour of sustainable development and this should prevail here, as outlined in the subsequent report.

The relevant local policy documents are the adopted Unitary Development Plan (UDP, 1998) and the Sheffield Development Framework (SDF) Core Strategy document (2008).

Housing Policies

The NPPF requires local planning authorities to facilitate housing provision. There is a requirement to maintain a flexible and responsive supply of land for housing and to make every effort to identify and meet the housing, business and other development needs of local communities. It is recognised that housing within shopping centres can be acceptable and help local communities grow.

Policy S7 is in line with the NPPF. The apartments are Class C3 uses that are considered to be acceptable in terms of policy S7 as they do not challenge the viability or principle function of the shopping centre - due to their location above the retail units - and are complementary to the viability of the local surrounding community.

The NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer.

The proposal would make a welcome contribution towards housing supply as set out in Policy CS22 "Scale for the Requirement for New Housing" of the Core Strategy.

The latest Government household growth projections suggest that housing need in the city is higher than was previously planned for in the Core Strategy; as such, the city has an approximate 4.5 year supply of housing using the latest housing growth projections. The development proposed would make a small but welcome contribution to housing supply within the city and this must be taken into account in the balance of consideration of this application.

Policy CS23 "Locations for New Housing" of the Core Strategy seeks to focus at least 90% of new dwellings in the main urban areas. This site is considered to be sustainably located within the urban area of Sheffield and significant weight is given to the location and contribution made to the housing supply of this proposal.

Core Strategy policy CS24 gives priority for the development of new housing on previously developed land. This proposal involves the development of previously developed land and this policy, together with the NPPF's presumption in favour of sustainable development, is given significant weight.

The application site would create 14 residential units of 2 different housing types; this number of dwellings translates to a density of approximately 70 dwellings per hectare.

A housing density range of between 30-50 dwellings per hectare is outlined in Policy CS26 of the Core Strategy for sites in Urban Areas. However, the policy also states that densities outside this can be acceptable provided that the character of the area is not adversely affected. The proposal is not considered to adversely affect the character of the area or be an overdevelopment of the site and this is explained and discussed further in the subsequent report. As such, the proposal is considered to be acceptable in respect of policy CS26.

Policy CS41 (Creating Mixed Communities) within the Core Strategy promotes development which meets a range of needs and does not lead to concentrations of certain forms of residential development. The amended scheme provides a mixture of one and two bedroomed apartments.

As there are no three bedroomed units, there is no potential for shared living accommodation that would qualify as Class C4 Uses. Consequently, the proposal will not raise the density of shared housing within 200 metres of the site above the 20% threshold and will therefore conform to section d) of CS41.

Affordable Housing

Policy CS40 of the Core Strategy states that in all parts of the city, developers of all new housing schemes will be required to contribute towards the provision of affordable housing where this is practicable and financially viable. The Interim Planning Guidance on Affordable Housing states that this policy relates to all proposals of 15 or more units. The proposal is below the 15 unit threshold and accordingly, no contribution to affordable housing is therefore necessary. As such, the proposal is in line with the aims of policy CS40.

Sustainability Issues

The underlining principle of the NPPF is the presumption in favour of sustainable development. It breaks down sustainable development into three dimensions: economic, social and environmental roles.

The proposed development of the site would be required to be assessed with regards to Core Strategy policies CS64, CS65 and CS67. These policies are concerned with the sustainability of a proposal and the impact of the proposal on climate change. They are in line with the guidance provided in the NPPF.

CS65 requires the provision of a minimum of 10% of a development's predicted energy needs to be from decentralised and renewable or low carbon energy. Photovoltaic panels are to be installed on the building to contribute to the energy needs of the new apartments. Any recommendation for approval should be accompanied by a condition requesting full details of the proposed renewable energy sources and the submission of precise details.

The Climate Change Supplementary Planning Document, in Guideline CC1, requires developments exceeding 10 dwellings to incorporate a green roof which covers at least 80% of the total roof area. The proposal does not include a green roof, however it involves the re-use of an existing building. The installation of green roofs would require significant structural alterations to the building and this is not deemed to be financially viable. Whilst it is unfortunate that a green roof cannot be included in the proposal, the re-use and extensions to an existing building is considered to be sustainable overall; especially as it is considered that the alterations will improve the efficiency and energy consumption of an existing building shell. Due to the scale of the proposed scheme, it is considered that the lack of a green roof is not a sufficient reason, in itself, to warrant a refusal of planning permission on this ground alone. The overall environmental benefits

provided by the proposal are considered to be acceptable and sufficient with regards to policies CS64 and CS65.

Policy CS67 relates to management of flood risk, and for sites of less than 1 hectare, such as this, requires surface water run-off to be reduced as far as is feasibly possible by design measures such as green roofs, permeable paving etc. Although a green roof has not been included, the proposal relates to extensions to an original building. The proposal will not increase the area of hard surfaced areas within the site and therefore will not affect the existing levels of surface water run-off. Accordingly, the proposal is considered to be able to meet the requirements of policy CS67.

Design Issues

Core Strategy policy CS74 and UDP policies BE5 and H14 also seek to protect the character of the area by the use of good design and layout.

The application proposes to extend and alter an existing retail/ office building to facilitate the construction of 14 apartments above the existing carpet shop at ground floor level.

The site is an anomaly within the immediate surrounding area as the retail frontage has a flat roof and the upper floors are set significantly back from the main retail frontage; this is unlike the brick built terraced properties and police station along Chesterfield Road or the detached and semi-detached properties on Newlyn Road and Chantrey Road. The building relates to the wider local shopping district, however, as there are other contemporary designed buildings (such as the new medical practice) and other historic flat roofed retail buildings, such as the neighbouring supermarket. The proposal does not seek to significantly alter the overall appearance of the building and how it relates to the existing street.

Layout

The original application sought consent for 12 two bedroomed units and 2 one bed roomed units. Amended drawings have been provided rearranging the internal layout to provide 8 two bed roomed units and 6 one bed roomed units.

The proposal will not alter the footprint of the building and the extensions are located to the rear of the three storey building that faces Chesterfield Road, and above the single storey side of the property that faces Newlyn Road.

The rear extensions that are set behind the three storey main building are located over a flat roof section of the building and centrally within the rear elevation. The additional two floors that are proposed to the north of the site would sit above the existing footprint of the single storey section of building facing Newlyn Road.

The existing single storey aspect of the building that faces Newlyn Road is in line with the first and second floors of the main massing of the building that faces Chesterfield Road. However, the extension to the north of the site facing Newlyn Road is set approximately 3 metres back from the flat roofed ground floor retail

frontage along Chesterfield Road and it is not visually prominent or challenging to the character and appearance of the commercial premises' frontage.

The access drive from Newlyn Road to the car parking area to the rear of the existing building already exists. This proposal seeks to keep the same access and car parking space; however, the proposal will require the car parking to be formally marked out.

Scale and Massing

The proposed extensions would increase the height of the original single storey section of the building facing Newlyn Road with two additional storeys above the single storey arm of the building. The proposed changes would increase the height of the single storey section of the building from approximately 2.7 metres to 8.9 metres at its highest point. This compares to the height of the ridgeline of the closest neighbouring property on Newlyn Road (no.14), which is approximately 8.8 metres.

The other alterations are set to the rear of the existing three storey aspect of the building do not dramatically change the overall massing and built form of the building when it is viewed from the public domain. The overall changes to the height and massing of the building are not considered to look incongruous within the street or out of character with the scale and massing of the immediate neighbouring properties.

The extensions would sit slightly lower than the original buildings flat roofs and not forward of the main ground floor frontage. Furthermore, from the street the height of the building is considered to be respectful of the surrounding properties due to the height of the police station on the opposite corner of Newlyn Road and because the two storey dwelling houses are sited on land that is higher than the subject building. Consequently, the massing of the proposed extensions is considered to respect the character and built form of the original building and would not appear incongruous within the street.

The proposed extensions do not exceed the height of the original building and are comparable to the heights of the surrounding buildings. The scale and massing of the proposed extensions are considered to be appropriate in this location and respectful of the immediate surrounding built forms and that of the original building. The prevailing character of the area is also defined by the significant variations in architectural styles and built forms, so it is considered that the proposed extensions will not be unduly out of keeping with the character of the area. Accordingly, it is considered that the scale and massing of the proposed building is acceptable in terms of policies BE5 and CS74.

Detailing and Built Form

The materials proposed would include red brick with doors and windows to match the existing building. The windows would have strong, deep reveals and, together with the rhythm and detailing of the second and third floor windows, the materials and detailing of the building is considered to be acceptable in this instance.

The proposal's design, siting, built form, scale, massing and details are considered to be appropriate for a site of this size and location and it is, therefore, considered that the overall design is acceptable in terms of the NPPF and local policies S10, BE5 and CS74.

Amenity Issues

The proposed residential extensions have been sited in a way that will minimise their impact upon the amenities of all local residents. UDP policies S10 requires that all residential units, which are to be sited in Local Shopping Centres areas, provide good quality amenities for future occupants. The policies also seek to ensure that the amenities of existing neighbouring residents are not compromised.

The apartments are spacious and the units are of a layout and standard which can be fully adapted to individual people's requirements. The units vary in size and the one and two bedroom units range from approximately 31 square metres in size to 62 square metres.

The South Yorkshire Residential Design Guidance (SYRDG) provides some guidance as to what is considered to be good space standards for residential properties. It states that one and two bedroomed properties should be between 33 and 62 square metres in size. Although unit 3 is slightly smaller than the 33 square metres, all other apartments meet the recommended guidelines and this studio/ apartment is only slightly smaller than the recommended size (31sqm). This unit is not excessively small or significantly lower than the recommended standard to the extent that consent should be refused on this basis alone. On balance, the proposed apartments are considered to be acceptable in terms of their design, layout and sizes and, good living conditions are provided for all future occupants.

Various residential properties within shopping centres around the city have limited external private amenity space associated with them; however, they are considered to be acceptable because they have reasonable internal spaces and, are close to various local amenities such as cafes, shops and public parks. Whilst there is no shared external amenity space for the apartments within the grounds of the site and there is limited use of private balconies, these apartments are spacious and provide good living conditions within a very sustainable location.

Although the SYRDG states that all apartments should have balconies/ private amenity space, this is not always possible especially where apartments are located above commercial premises in shopping centres. This proposal has provided balconies where possible, and on elevations that would not give rise to either concerns regarding the aesthetics of the building or the privacy – or perception of privacy – to neighbouring properties. Consequently, it is considered that although balconies are not provided to all units, the apartments provide good living conditions for future occupants in this respect.

The side extension facing Newlyn Road has been designed so that the overall massing does not severely impact upon any neighbouring residential properties. The three storey elements of the proposal to the northeast of the site are set

approximately 8.5 metres away from the closest neighbouring property and, at a slightly lower ground level due to the upwards slope of Newlyn Road.

The first and second floor extensions to the rear of the original building that face in towards the car parking area are set away from the shared boundary with the properties on Chantrey Road by approximately 8.3 metres. Furthermore, as the properties on Chantrey Road are set slightly higher up than the subject property and have some outbuildings along the shared boundary, this aspect of the proposal is not considered to significantly overbear/ overshadow these neighbouring properties to an excessive level.

The proposed extensions are not excessive in height and they have been sensitively designed and located to minimise their impact upon all neighbouring properties in terms of light and outlook. Consequently, it is not considered that the built form and massing of the proposal would severely impact upon the neighbouring residential properties in terms of loss of light and outlook.

The windows would not compromise the privacy of any neighbouring property or overlook any private residential amenity space. The windows in the north eastern extension are set to look out onto the main road and these will not impact upon the privacy levels or any neighbour's private gardens. Furthermore, the windows to the rear of this aspect of the proposal will be high level windows that serve the internal corridors and, are set over 21 metres from the rear boundary.

Although there are balconies in the rear extension to the main building, these balconies are set at an angle to the neighbouring properties along Chantrey Road and are set 20 metres away from the shared boundary; moreover, they have full height privacy screens to prevent direct overlooking down onto the private gardens of the neighbouring properties along Chantrey Road. Accordingly, the outlook of these balconies is over the rear car park, rather than the neighbouring properties rear gardens and, as such, the balconies are not considered to severely overlook the neighbouring properties to the extent that a refusal of permission could be made on this ground alone.

The first and second floor flats have bedroom windows facing down onto the car park and these are set approximately 10 metres from the shared boundary. As there are some outbuildings along the shared boundary and these windows are set at an angle to the neighbouring properties, it is not considered that these windows would severely overlook the private gardens of any neighbouring property.

With regards to maintaining privacy levels, the proposal is considered to be acceptable in this respect and satisfactory with regards to UDP policy S10.

The entrance to the apartments is from the rear of the site and accordingly, security of this access will require some additional external lighting. A condition should be attached to any approval to ensure that lighting is provided that gives good levels of security, without being harmful to the living conditions of any neighbouring properties.

The siting and design of the building is considered to provide good quality amenities for future occupants whilst having a minimal impact upon the amenities of the neighbouring properties. The proposal does not give rise to any amenity issues such as loss of privacy and/or outlook/loss of light and it is, therefore, satisfactory with regards to UDP policies and the NPPF.

Noise and General Disturbance

It is considered that as the residential units are close to various noise sources – a public house, hot foot takeaways, a Police Station and a main arterial road - it is, therefore, necessary to add a condition to any approval that noise receptors are identified and mitigation measures are implemented. Provided that any approval is subjected to such a condition, it is considered that the proposal will provide satisfactory living conditions for any future occupants of the apartments.

Although it has been suggested that the proposal will increase noise and general disturbance to existing residents, it is considered that the intensity of the use of the building for residential purposes is not so great that it would have a severe adverse impact upon the existing living conditions of the neighbouring properties to the extent that planning permission could be refused consent.

Accordingly, with regards to the above issue of noise and general disturbance, the proposal is considered to be acceptable in terms of UDP policies S10 and the NPPF.

Highways Issues

The proposal has incorporated 19 off street car parking spaces to the rear of the site and the size of the apartments has been amended to ensure that car parking provisions are appropriate for the number, and size, of the proposed residential units.

The proposed residential units are not family sized units and amended plans now comprise of a mix of only one and two bed roomed units. The property is set within a very sustainable location and on a road that has very frequent public transport links. The proposal includes cycle parking provisions, which is considered to be acceptable for the number of units provided and further adds to the sustainable credentials of the site. The sustainable siting of the building is given significant weight here as the location also offers various local facilities, such as shops, parks and public facilities along Chesterfield Road and the city centre is very accessible due to the frequent bus services.

The UDP parking guidelines for an out of city centre location state that residential units should have one space per one bed unit and two spaces per two bed roomed units; whilst out of city centre retail units should provide 1 car parking space per 35 sqm. The car parking provided meets the requirements for commercial premises and the two bed roomed units; however, the proposal does not provide 6 spaces for 6 of the one bed roomed units, representing a shortfall of 6 spaces relative to the maximum guidelines.

Although the proposal does not provide any spaces for six of the 1 bedroomed units, it should be noted that the Council's guidelines are based on maximum space guidelines and the NPPF stipulates that applications should only be refused consent on highways grounds where a proposal would have a severe impact upon the highway network. The very sustainable location and type of residential units provided is not considered to necessitate a further requirement of 6 additional spaces; furthermore, as residents and visitors will have access to the 8 spaces that will be reserved primarily for customers of the retail unit in the evenings and for some part of the weekend, in this instance it is not considered that the six one bed roomed apartments would generate significant levels of on street car parking that would be detrimental to highway safety.

The location of the building and the existing on site/ street parking spaces/ restrictions, means that the parking arrangements are unlikely to impact severely upon highway safety. Accordingly, the proposal is not considered to give rise to any highways implications and is acceptable in terms of the NFFP and all local planning policies.

Community Infrastructure Levy

The application is liable to the Community Infrastructure Levy (CIL) which was brought into force earlier this year. The charge is payable at a rate of £50 per square metre once the development is started and would contribute to education facilities and open space provisions within the city. Policies within the Core Strategy and Unitary Development Plan which related to these contributions have been superseded by the CIL regulations outlined by Government.

SUMMARY AND RECOMMENDATION

The development would make a small but welcome contribution to the current under provision of housing supply in the city. The scale, built form, materials and detailing of the proposed building is considered to be appropriate for a mixed retail and residential scheme in this location. The character of the area is not considered to be compromised as a result of the proposal.

Owing to the siting and design of the proposed building, it is not considered that the proposal would be detrimental to the levels of amenity currently enjoyed by any neighbouring residents. Although unit 3 is slightly smaller than the recommended internal space guidance within the SYRDG, it is considered that overall, the apartments are reasonably sized and will provide good living conditions for future residents. Moreover, although there is no private external amenity space provided, significant weight is given to the sustainable location and the need to provide a wide variety of housing types and tenures, especially given that such uses will contribute to the wider viability of the shopping centre.

Although the property does not provide car parking accommodation in full accordance with the Council's car parking guidelines, the property is located within a very sustainable location that has a wide variety of amenities and is very accessible due to a frequent bus route. The amendments to the sizes of the apartments and the provision of sufficient car parking for the commercial unit and

the two bedroomed apartments is considered to be satisfactory with regards to UDP car parking standards. Although the one bedroomed units have no car parking spaces, the sustainable location is given significant weight, and it is considered that the scheme can be acceptable in this location without being detrimental to highway safety.

In light of the above, it is considered that the proposal is acceptable in terms of the NPPF, UDP and Core Strategy policies. Accordingly, the application is recommended for approval subject to conditions.

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