
Case Number	18/00214/FUL (Formerly PP-06656850)
Application Type	Full Planning Application
Proposal	Erection of 4 dwellinghouses and 3 flats in a courtyard block and provision of car parking accommodation
Location	Land At Former Dial House Club 72 Far Lane Sheffield S6 4FF
Date Received	15/01/2018
Team	West and North
Applicant/Agent	Development Delivery Consultancy
Recommendation	Grant Conditionally Subject to the completion of a Legal Agreement

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Site Location Plan - Dwg No: 00
Site layout - Dwg No: 01 rev D
Proposed Floor Plan - Dwg No: 02
Proposed elevations - Dwg No: 03
landscape layout - Dwg No 102 rev B (hard landscaping only)

Reason: In order to define the permission.

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

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

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

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

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

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

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

6. No development shall commence until full details of measures to protect the trees indicated to be retained on TPM landscapes landscape drawing ref: 102 rev B 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 and details of the construction of the parking spaces underneath the tree canopy to minimise the impact on the existing tree roots. 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 protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

7. No development shall commence until detailed plot and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

8. 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.

9. 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.

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

10. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not

be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

11. 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.

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

- (i) Window reveals
- (ii) Dormer windows
- (iii) Eaves
- (iv) Verges
- (v) Doors
- (vi) Stone detailing

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

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

13. The soft landscape scheme is not approved. Prior to the commencement of development or within an alternative timeframe to be agreed in writing by the Local Planning Authority a comprehensive soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include specific species and planting to enhance the biodiversity of the site.

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

14. No development shall take place until details of the proposed means of disposal of surface water drainage, including but not exclusive to:

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical ;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and

c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change have been submitted to and 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 .

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

15. 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 development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

16. Prior to the commencement of development details of the proposed permeable surfacing of the car parking areas including specification materials and construction shall be submitted to and approved in writing by the Local Planning Authority. The car parking areas shall be provided in accordance with the approved details and thereafter retained.

Reason: In the interest of sustainable drainage.

17. Before the development is commenced, or 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 development shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

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

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

Other Compliance Conditions

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

Reason: To ensure access is available at all times.

20. 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.

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

Reason: In the interest of satisfactory and sustainable drainage

22. 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.

Attention is Drawn to the Following Directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
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, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.

3. 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.
4. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
5. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

6. 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:

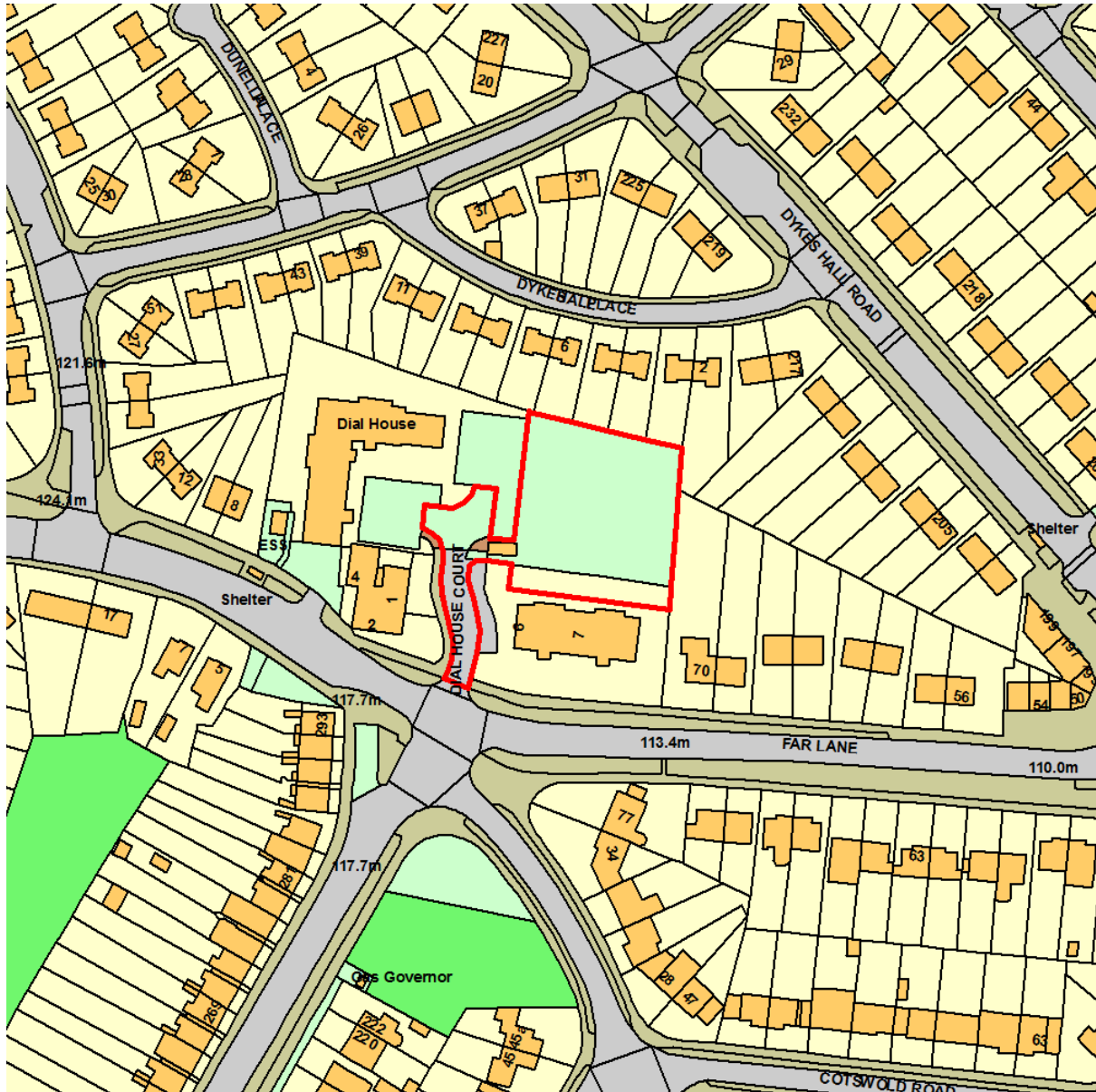
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

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.

7. 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 roughly square parcel of land approximately 0.4 hectares in area which is located to the rear of the former Dial House Club site on Far Lane/Ben Lane opposite the junction with Dykes Lane.

The application site was historically used as a parking area and part of a bowling green associated with the Dial House club which was fire damaged and closed in 2005.

Planning consent for 32 apartments and 3 dwellings was granted on appeal in 2006 to redevelop the wider Dial House club site which included the conversion of the grade II former club building and erection of two three storey blocks of flats. The bowling green facility was removed and partially built over as part of the scheme. A series of conditions were attached to the planning consent which included the requirement to provide a new bowling green and pavilion on the application site. The inspector noted the presence of a legal agreement to supplement the conditions requiring the provision of the bowling green.

Since the Dial House club closed the site has remained vacant and the bowling green has not been used. The application site was cleared as part of the redevelopment of the wider club site, levelled and left vacant. To date the bowling green and associated pavilion have not been provided and due to a lack of demand for the facilities the applicants are seeking permission to redevelop the site for residential purposes.

This application seeks permission to erect four three bedroom dwelling houses and three one/two bedroom flats with associated parking and landscaping. The development is arranged in an 'L' shaped block and the site is accessed from Dial House Court which is a private road that serves the existing flats and dwellings on the former Dial House club site.

The application site is in an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP) and the locality comprises of dwellings of varying age, design and character.

PLANNING HISTORY

Planning permission and listed building consent to redevelop the Dial House club site was refused for the erection of 44 apartments in 2 x 4-storey blocks and alterations to Dial House to form 2 dwellings (03/03668/FUL and 03/03678/LBC).

Subsequent revised full planning and listed building applications were granted on appeal in 2006 (04/04797/FUL and 04/04808/LBC) for the erection of 32 apartments in 2 x 3 storey blocks and alterations to Dial House to form 3 dwellings and associated car parking accommodation - resubmission application.

There have been a number of difficulties with the development of this site over the years as the scheme was initially commenced and then left incomplete for a number of years. During 2013 and 2014 a series of conditions discharge applications and a non-material amendment application were submitted to regularise the changes that were made to the scheme during its construction. The most recent application which was retrospective is detailed below:

14/02250/FUL - Application to allow alteration to ground floor window opening of former Dial House Club building on south elevation to Ben Lane (Application under

Section 73 to vary condition 3 of appeal reference APP/J4423/A/05/1190189) -
Granted Conditionally.

REPRESENTATIONS

The application has been publicised by way of site notice and individual letters. Seven letters of representation have been received in objection to the scheme including two representations from the same address and comments by Loxley Valley Protection Society. The issues raised are summarised as follows:

- The grassed amenity area to the rear of the flat blocks on Far Lane will be substantially reduced.
- The development will reduce on-site parking provision for existing residents.
- The development will affect property values.
- The development will create noise and disturbance and disrupt the availability of parking during the construction phase. Residents should be compensated for disturbance.
- Construction vehicles will damage the existing access road into the site.
- Landscaping and tree planting will block light to all residents.
- Dwellings are already overlooked from existing apartments and the overlooking impact will be increased by the proposed development.
- Loss of privacy.
- The site will be cleared of trees as no preservation orders are in place.
- The development will eradicate all wildlife from the site including foxes and barn owls.
- The existing car park will be hazardous to potential families and children who may move in.
- No evidence of energy saving measures are shown on the plans such as solar panels.
- Boundary fencing will be moved and existing amenity areas affected.
- Insufficient car parking provided, existing spaces are already full particularly in the evenings and two visitor spaces will be lost and not replaced.
- Bin movements and storage will damage cars.
- The drainage details relate to a bowling green and not the proposed development.

Loxley Valley Protection Society

- The views and objections of the local residents should be taken into account when determining their application.
- The site has a long and complex planning history and previous approvals and conditions applications show the site as a bowling green which has not been provided despite conditions being imposed on the previous consent.
- The Bowling Green area is now more suited to wildlife and residents have identified that barn owls forage on the site.
- The land should be retained as a bowling green for the benefit of residents.

Policy Issues

The site is in a housing policy area as defined in the adopted Sheffield Unitary Development Plan, where policy H10 identifies housing as the preferred use of land. As such the principle of redeveloping this site for seven dwellings is considered acceptable.

Housing Land Supply and density

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

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

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

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

The proposal accords with Core Strategy Policy CS23 (Locations for Housing Development) as the site is considered to be a suitable and sustainably located site within the urban area of Sheffield

Policy CS24 of the CS seeks to maximise the use of previously developed land for new housing. Approximately half of the application site is considered to be previously developed land comprising of a former car park associated with the club and the redevelopment of this part of the site is considered fully compliant with policy CS24. The former bowling green part of the site could however be considered to be greenfield land despite having been removed and partially built over as part of the adjoining development. The development of new homes on the former bowling green part of the site is not therefore considered to contribute towards achieving the aim of maximising the use of previously developed land for new housing.

Policy CS24 however sets out circumstances in which housing on greenfield sites will be developed in the period to 2025/26. Part (b) of CS24 allows the redevelopment of small sites within existing urban areas where it can be justified on sustainability grounds. Part (d) of CS24 also allows redevelopment of sustainably located sites within urban areas if annual monitoring shows that there is less than a 5-year supply of deliverable sites. Given the results of the most recent assessment of housing land availability, described above, and the sustainable location of the site it is concluded that part (b) and (d) of the policy are relevant and that the redevelopment of the entire site would be acceptable in principle in accordance with policy CS24.

Density

Core Strategy policy CS26 seeks to make efficient use of land for new housing and sets out appropriate density ranges for different locations depending on accessibility. In this location the appropriate density range is 30 - 50 dwellings per hectare. The proposal for 7 houses on this site represents a density of around 17 dwellings per hectare. This is below the density recommended by policy CS26, however this is largely due to the existing constraints of the site including the proximity of adjoining development and the need to provide appropriate parking and turning space within the site. Taking account of the above the density of the scheme is considered acceptable and does not appear out of character with the surrounding area.

Loss of Bowling Green

The previous appeal decision that related to redevelopment of the former Dial House club site concluded that the former club and its associated bowling green was not a publically available community facility as it was a private members club.

As noted above the former bowling green was removed, partially built over and never re-provided as part of the redevelopment of the wider site. As such the proposed development is not considered to result in the actual loss of any existing sporting facilities. Furthermore the site has not been used for in excess of 5 years therefore Sport England has not been consulted on the application.

Notwithstanding the above it is acknowledged that the previous appeal decision required the provision of a replacement bowling green and pavilion facility on the application site and if the site is redeveloped for the purposes proposed these facilities, which could be considered formal open space for the purposes of CS47, will not be provided. The developer is proposing to make a contribution (via section 106 agreement) towards the enhancement of sport, recreation and leisure facilities in the area in lieu of providing the bowling green and pavilion on site. The applicants have indicated that there is a lack of interest or demand for a bowling green on this site as following the closure of the club the site has not been publically accessible resulting in any local teams that formerly used the site relocating to other greens in the area including the higher quality bowling green's available in Hillsborough Park. This has resulted in a lack of demand for new bowling green facility on the site.

From an open space perspective policy CS47 (Safeguarding of Open Space) sets out the Council's policy for proposals that seek to build upon open space and sets out the criteria where development will and will not be permitted. The Council's open space audit indicates that there is a slight shortage of outdoor sports provision in the area; 0.2 hectare less than the required standard of 1.14 hectares per 1000 population. However this site is not in active use as a sports facility and has had no public access since 2005, thus it has not contributed to outdoor sports provision over this time and due to its limited size it has not been considered as part of the Council's open space audits for the area. On this basis, although there is an existing shortage of formal open space provision the development would not result in any further quantitative shortage of either informal or formal open space and it is

considered that the enhancement of easily accessible off site facilities would be preferable in this case.

The land is not considered to be a high quality space or contain any significant heritage, landscape or ecological features that would warrant its protection or retention. Given the site's inaccessibility for such a long period of time, it cannot be argued that the loss of the land would deny the local people access to a local park or to a smaller informal open space. The loss of the space would not impact upon the City's Green Network.

In light of the above the principle of accepting a contribution towards the enhancement of off-site facilities in the area in lieu of direct provision of the bowling green facility, which there is little or no demand for is considered acceptable.

A contribution of £53,415.63 has been offered by the applicants. The contribution is based on the costings provided by the applicant's quantity surveyors for a bowling green and small pavilion building identified in the original approval for the Dial House club site. The costings have been discussed with colleagues in the Councils Parks and Countryside section and are considered to be a reasonable estimation of the cost of providing the bowling green and pavilion on the site.

The contribution proposed however only equates to 87% of the total cost of providing the bowling green and pavilion. The applicants state that in order to secure the redevelopment of the site it is not viable to make a section 106 contribution based on the full costs of the bowling green facilities. This is unfortunate, however the alternative option of not accepting the contribution offered could see the site remain vacant and undeveloped; the council enforcing the original planning conditions requiring the applicant to provide a facility which would not be high quality and which there is little demand for. Alternatively the applicant could apply to remove the conditions imposed on the original permission and if successful remove the requirement to provide the facility and/or make any contribution towards off site enhancements. On that basis it is considered that the section 106 contribution offered is preferable and acceptable.

It should also be noted that the development will also be making a CIL contribution of approximately £17,000 and as such alongside the section 106 contribution a total of approximately £70,415.63 will be secured. Parks colleagues have indicated that Hillsborough Park should be the focus of the 106 contribution and that the contribution could go towards a number of existing facilities in the park including enhancing existing play, sports and leisure facilities. Parks colleagues have also indicated that the contribution would be a valuable part of a match funding bid being prepared for wider improvements to the park.

For the reasons above, it is concluded that the proposal complies with paragraphs 14, 17, and 49 of the NPPF as well as Core Strategy Policies CS23, CS24, CS26 and CS47.

Design, scale and layout

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

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

The site is roughly square in shape and the proposed dwellings are laid out in an L shaped block with a parking court, communal amenity space for the three flats and private garden areas for each of the dwellings located to the rear of the building. Additional parking and turning space is provided to the front of the site and an existing area of communal amenity associated with the neighbouring block of flats fronting Far Lane will be enlarged to create additional communal amenity space for the use of existing and future residents of the former dial house site.

The site is largely screened from the public highway by a three storey block of flats fronting Far Lane. As such the site is not viewed prominently in the street scene. Nevertheless the design of the development is considered to be high quality comprising of contemporary dwellings which are faced in stone with slate roofs to match the existing buildings on the former dial house club site.

The development is two storeys in height with the four family properties including accommodation in the roof space. The scale of the development is considered appropriate and is considered consistent with the scale of the built form in the area.

The development is not considered to have any impact on the appearance or setting of the listed part of the former dial house club which is separated from the application site by a large car parking area and access road.

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

Amenity Issues

UDP Policy 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 site is relatively flat however it is elevated approximately 1 to 1.5 metres above the rear gardens of dwellings to the north on Dykes Hall Place and to the east No. 70 Far Lane whose large rear garden forms the entire eastern boundary of the site.

The privacy distances achieved between the proposed dwellings and existing dwellings to on Dykes Hall Place is in excess of 21 metres, and a separation distances in excess of 10 metres are achieved between the proposed dwellings, the eastern site boundary and the existing block of flats to the south. Taking account of

these separation distances and the two storey scale of the buildings proposed the development is not considered to give rise to any harmful overlooking, overshadowing or overbearing issues.

Both the communal and private garden areas for the proposed dwellings are considered to be adequate, well laid out and proportionate to the size of the dwellings proposed.

The site is located in an established residential area and future residents are not considered to be exposed to any noise issues which require the provision of enhanced or increased glazing or ventilation specifications.

The site will be accessed through via an existing private road and parking area associated with the adjoining flats, however given the limited scale of the development any additional traffic movements associated with it are not considered to give rise to any harmful noise and disturbance issues.

In light of the above the proposal is considered to comply with UDP Policy H15.

Highways

Core Strategy Policy CS53 'Management of Demand for Travel' sets out a variety of ways in which the increased demand for travel will be managed across the City.

The existing Dial House club site is access from Far Lane via a private road which serves the existing dwellings on the adjoining site. In order to accommodate access to the application site two unallocated car parking spaces will be removed from the existing car park. The loss of these car parking spaces is not considered to be significant, as an additional visitor space is provided within the application site which could be used by anyone visiting residents of the existing and proposed development. Also as part of the redevelopment of the former Dial House club site the developer provided one additional car parking spaces as part of the development, which further limits the impact on parking levels within the site

Furthermore the conditions attached to the original planning consent did not require the provision of dedicated parking for the bowling green and as such it must be concluded that the level of car parking provided within the existing car park areas was considered adequate to accommodate the users of the bowling green as well as the adjoining residential development.

Within the application site two vehicle spaces are provided for each of the 5 dwellings which have two bedrooms or more and one space is provided for each of the one bedroom flats. A further visitor space is also provided within the site. The spaces are generally provided within the communal areas to the front and rear of the building. The overall level of parking provision for the development is considered to be acceptable.

It should be noted that the site is sustainably located in close proximity to local shopping facilities and services including schools.

In considering the highway matters above, it is concluded that the granting of planning permission will not adversely compromise the operation, performance or safety of the local highway network or harmfully affect the provision of car parking within the site. As such the proposal is considered to be satisfactory with the aims of Policy CS53 of the Core Strategy.

Drainage Issues

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

The site is located in Flood zone 1 where land and properties are considered to be at the lowest risk of flooding.

Yorkshire water have identified that the current proposals to discharge surface water to the combined sewer are not acceptable without first considering and discounting alternatives such as the feasibility of soakaways. As such a series of conditions are to be imposed requiring final details of site drainage. The submitted plans indicate that permeable surfaces will be used in the parking areas associated with the development.

Landscape and Ecology Issues

NPPF paragraph 118 states that in determining planning applications, local authorities should aim to conserve and enhance biodiversity and should encourage opportunities to incorporate biodiversity in and around the development.

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

The site comprises of overgrown grassland surrounded by residential development. Local residents have identified that the site is used for foraging by barn owls and other species such as fox. The Councils Ecology section has confirmed that there are no records of barn owls in the locality but other species of owl could be in the area. It is considered that the loss of this small area of grassland which was intended and is still currently required (by way of condition) to be used as a bowling green would not be significantly harmful from an ecology perspective.

The application indicates that a large area of communal amenity space will be retained as part of the development. However a revised and detailed landscape design will be worked up with specific intention to enhance ecology where possible through the planting of native species and fruit/nectar bearings species.

There are some mature trees located in the north east and north west corners of the site. The trees are not considered worthy of a preservation order however they do provide some welcome mature landscaping and are indicated to be retained as part of the scheme. Some works are required in the root protection areas of the trees in the north west corner of the site in order to form the car parking spaces. A condition will be imposed to minimise any harmful impact on the roots of the trees. In light of the above the proposal is considered acceptable from an ecology and biodiversity perspective.

Sustainability

Policy CS63, 64 and 65 sets out the Councils sustainability objectives with regard to new development. As noted above the site is in a sustainable location with good access to local services.

The applicants have indicated that they will be adopting a fabric first approach in order to meet the requirements of policy. Full details will be secured by condition.

In light of the above the proposal is considered to be acceptable from a sustainability perspective.

Section 106 Open Space contribution

As noted above a contribution of £53,415.63 towards the provision of sports, leisure and recreation facilities within Hillsborough Park will be secured by way of section 106 agreement.

Community Infrastructure Levy (CIL)

In accordance with the CIL and Planning Obligations Supplementary Planning Document the site falls in the CIL charging Zone 3 and is liable for a contribution of £30 per square metre. The development will secure a CIL contribution of approximately £17,100.

Land Contamination

Due to the previous use of the site and unknown ground conditions a series of land contamination and remediation conditions are recommended to be imposed in order that ensure that future residents are protected from potential contamination and ground gas.

RESPONSE TO REPRESENTATIONS

- The effect in property values is not a planning matter.
- Controls over hours of working are covered by separate legislation.
- Bin storage arrangements have been amended as part of the scheme with a dedicated collection and storage area provided within the site away from the parking areas associated with the existing flats.

- All other issues are covered in the main body of the report.

SUMMARY AND RECOMMENDATION

This application seeks permission to erect 7 dwellings comprising of four three bedroom dwellings and three one/two bed flats on part of the former Dial House club site.

The site was historically used as a parking area and bowling green associated with the Dial House club which closed in 2005. Planning conditions were imposed on the original planning permission (granted in 2006) to redevelop the wider Dial House club site (now occupied) which required the application site to be provided as a new bowling green with pavilion.

The new bowling green and pavilion has not been provided and the application site has stood vacant and unused for a number of years with no public access. The applicants have indicated that there is a lack of demand for a bowling green and pavilion on the site and in lieu of providing the facilities are proposing to make a section 106 contribution towards the enhancement of sports, recreation and leisure facilities in the area (Hillsborough Park).

The principle of making a section 106 contribution towards the provision/enhancement of off-site open space to allow the redevelopment of this sustainable housing development is acceptable. The proposal will make a contribution, albeit small, towards delivering the Council's required housing land supply which is considered to outweigh any minor loss of formal open space provision from this site.

The development will deliver a high quality residential scheme and is not considered to give rise to any harmful amenity, highways or ecology issues.

The appropriate CIL contributions will also be secured in addition to section 106 contributions.

In light of the above the proposal is considered to accord with adopted national and local planning policy and guidance and as such it is recommended that planning consent is granted subject to conditions and a section 106 securing the following;

HEADS OF TERMS FOR LEGAL AGREEMENT

A financial contribution in the sum of £53,415.63 towards the provision or enhancement of sports, leisure and recreation facilities in Hillsborough Park provided in accordance with the principles set out in the Council's CIL and Planning and Obligations SPD.