
Case Number	17/04961/REM (Formerly PP-06570523)
Application Type	Approval of Reserved Matters
Proposal	Demolition of existing buildings and erection of 52 apartments in 6 blocks with associated car parking and landscaping (Application to approve details relating to appearance, landscaping, scale and layout - matters reserved under planning application 15/04019/OUT)
Location	Baldwins Omega Ltd Brincliffe Hill Sheffield S11 9DF
Date Received	04/12/2017
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally

Time Limit for Commencement of Development

Approved/Refused Plan(s)

1. With the exception of details to be agreed in order to satisfy the other conditions of this notice, the development shall be carried out in strict accordance with the following approved plans:
 - Red Line Boundary Plan scanned on 09 February 2018.
 - Ground Floor Masterplan received via email dated 27 March 2018 (Ref: 182/P1.03/C).
 - First Floor Masterplan received via email dated 27 March 2018 (Ref: 182/P1.04/C).
 - Second Floor Masterplan received via email dated 27 March 2018 (Ref: 182/P1.05/C).
 - Third Floor Masterplan received via email dated 27 March 2018 (Ref: 182/P1.06/C).
 - Fourth Floor Masterplan received via email dated 27 March 2018 (Ref: 182/P1.07/B).
 - Roof Plan scanned on 04 December 2017 (Ref: 182/P1.08).
 - Landscape Masterplan scanned on 13 March 2018 (Ref: 551/BOS08/C).
 - Block A Elevations scanned on 09 February 2018 (Ref: 182/P3.01/A).
 - Block B Elevations received via email dated 27 March 2018 (Ref: 182/P3.02/B).

- Block C Elevations scanned on 23 February 2018 (Ref: 182/P3.03/B).
- Block D Elevations scanned on 06 March 2018 (Ref: 182/P3.04/B).
- Block E Elevations scanned on 09 February 2018 (Ref: 182/P3.05/A).
- Block F Elevations scanned on 09 February 2018 (Ref: 182/P3.06/A).
- Block A Floor Plans scanned on 09 February 2018 (Ref: 182/P1.09/A - P1.10A - P1.11A - P1.12/A & P1.13A).
- Block B Floor Plans scanned on 09 February 2018 (Ref: 182/P1.14/A - P1.15A - P1.16A & P1.17/A).
- Block C Floor Plans scanned on 09 February 2018 (Ref: 182/P1.18/A & P1.19A).
- Block D Floor Plans scanned on 06 March 2018 (Ref: 182/P1.20/B - P1.21/B - P1.22/B & P1.23/B).
- Block E Floor Plans scanned on 09 February 2018 (Ref: 182/P1.24/A - P1.25/A - P1.26/A & P1.27/A).
- Block F Floor Plans scanned on 09 February 2018 (Ref: 182/P1.28/A - P1.29/A - P1.30/A & P1.31/A).
- Site Sections A-B scanned on 04 December 2017 (Ref: 182/D2.01).
- Site Sections C-D scanned on 04 December 2017 (Ref: 182/D2.02).
- Site Sections E-F received via email dated 27 March 2018 (Ref: 182/D2.03/A).
- Site Sections G-H received via email dated 27 March 2018 (Ref: 182/P2.04/A).
- Site Section I received via email dated 27 March 2018 (Ref: 182/P2.08).
- Large Scale Section Plans scanned on 08 January 2018 (Ref: 182/P2.06 & 180/P2.07).

Reason: In order to define the permission.

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

2. No works, which include the creation of trenches or culverts or the presence of pipes, shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:
 - a) Creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
 - b) Open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Once agreed each phase of the development shall be carried out in accordance with these details.

Reason: In the interests of ecology and protected species.

3. The proposed green/brown roof(s) (vegetated roof system) shall be provided on the roof(s) in accordance with locations shown on the approved Landscape Masterplan. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site for the corresponding phase. The green/brown roof(s) shall be provided prior to the use of the corresponding phase commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

4. No phase of development shall commence until full details of measures to protect the retained trees affected by that phase have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented. These measures shall include a construction methodology statement detailing how any works within the Root Protection Areas (RPAs) of these trees will be implemented and a plan showing these accurate RPAs.

Reason: It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

5. Before any phase of development commences a final Rock Slope Stability Report, which shall include detailed proposals (as required) to ensure the long term stability of the rock faces that sit within and adjacent to the site and timeframe's for implementation, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of the safe redevelopment of the site and the safety of surrounding residents/property.

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

6. Before any development commences a phasing plan shall have been submitted to and approved in writing by the Local Planning Authority. The relevant phasing conditions within this notice shall accord to this agreed phasing plan thereafter, unless an alternative phasing plan is subsequently agreed.

Reason: In order to define the permission and to ensure each block can be delivered in an appropriate manner.

7. Before any development commences a method statement detailing how Japanese knotweed (*Fallopia japonica*) on the site will be treated and disposed of, including timeframe's, shall have been submitted to and

approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed method statement thereafter.

Reason: To ensure the appropriate redevelopment of the site.

8. If development does not commence before 25th August 2019, then no development shall commence until additional Bat Emergence Surveys, including mitigation measures as relevant, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the recommendations of the updated survey thereafter.

Reason: In the interests of ecology.

9. Within three months of any phase of development commencing details of bird and bat boxes, including locations, for the corresponding phase shall have been submitted to and approved in writing by the Local Planning Authority. The relevant phase shall be carried out in accordance with these agreed details thereafter.

Reason: In the interests of ecology.

10. No removal of hedgerows, trees or shrubs, or the demolition of structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a qualified ecologist has undertaken a detailed check for active birds' nests immediately before the vegetation is cleared, or demolition works commence, and provided written confirmation that has been approved by the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds.

Reason: In the interests of ecology.

11. The first and second floor southernmost windows/glazing (one window on each floor) on the east facing elevation of Block E (these form part of a larger corner window) shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

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

12. The ground, first and second floor windows (one window on each floor) on the north east facing elevation of Block B, which is located on the section of this block that is closest to the northern boundary, shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

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

13. Within three months of the development commencing on a relevant phase, details of privacy screens serving the balconies in the following locations, as relevant to that phase, shall have been submitted to and approved in writing by the Local Planning Authority:

- a) The eastern side of the third floor balcony on Block E.
- b) The eastern side of the easternmost first and second floor balconies on the southern elevation of Block E.
- c) The southern side of the first and second floor balconies on the eastern elevation of Block D.
- d) The northern side of the first and second floor balconies on the north section of the east facing elevation of Block B.

Before first occupation of the relevant phase the approved details/screens shall be in place and they shall thereafter be retained.

Reason: In the interests of delivering a suitable form of development from an amenity perspective.

14. Within three months of development commencing on the two blocks to the north of the site (shown as Block A & B on the approved plans) the following details shall have been submitted to and approved in writing by the Local Planning Authority:

- a) Measures to ensure vehicles do not have to the potential to drive/fall over the cliff edge.
- b) Protective measures along the northern boundary to stop residents falling over the cliff edge.

Reason: In the interests of the safe redevelopment of the site and the safety of future and surrounding residents/property.

15. Before first occupation of the relevant phase the approved bin storage and cycle parking, as identified on the approved plans, shall be in place and thereafter such cycle parking and bin storage accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport and the amenities of the locality.

16. 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 the relevant part of the relevant phase 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. Sample panels of proposed masonry and cladding associated with the relevant phase shall be erected on the site and shall (as appropriate) illustrate the colour, texture, bedding and bonding and mortar finish to be used. The sample panel(s) shall be approved in writing by the Local Planning Authority prior to the commencement of the relevant phase and shall be retained for verification purposes until the completion of that phase.

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

18. Large scale details associated with the relevant phase, including materials and finishes, at a minimum scale of 1:20 of the items listed below, shall be approved in writing by the Local Planning Authority before the relevant part of the corresponding phase commences:

- a) Junctions between cladding materials, which shall include glazing.
- b) Windows, including reveals.
- c) Doors, including any plant room doors.
- d) Eaves, parapets and verges.
- e) External wall construction.
- f) Cladding patterns.
- g) Canopies.
- h) Rainwater Goods.
- i) Cantilevers, including soffits.
- j) Louvres.
- k) Balconies, balustrades and railings.

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

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

19. No externally mounted plant or equipment, including rooftop plant, shall be fitted to any building within the development unless full details thereof, including screening and acoustic emissions data as relevant, have first been submitted to and approved in writing by the Local Planning Authority. 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

20. Before any building is occupied full details of proposals for the inclusion of public art within the application site, including a timetable for delivery, shall have been submitted to and approved in writing by the Local Planning Authority.

The public art proposals shall then be implemented in accordance with the agreed details.

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

21. Within six months of any development commencing details of two rapid electric charging points for electric vehicles, including locations, technical information, a timeframe for implementation and signage, shall have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall have been provided in accordance with those details and thereafter retained.

Reason: In order to promote the development of clean technologies and to mitigate the air quality impact of the development.

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

The approved landscape works shall be implemented prior to the relevant phase 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, relevant to the corresponding phase, and any plant failures within that 5 year period shall be replaced.

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

Other Compliance Conditions

23. No phase of development shall be occupied unless the car parking accommodation relating to that phase and as shown on the approved has been provided in accordance with those plans.

Once in place the car parking shall be retained and used for the sole purpose intended thereafter.

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

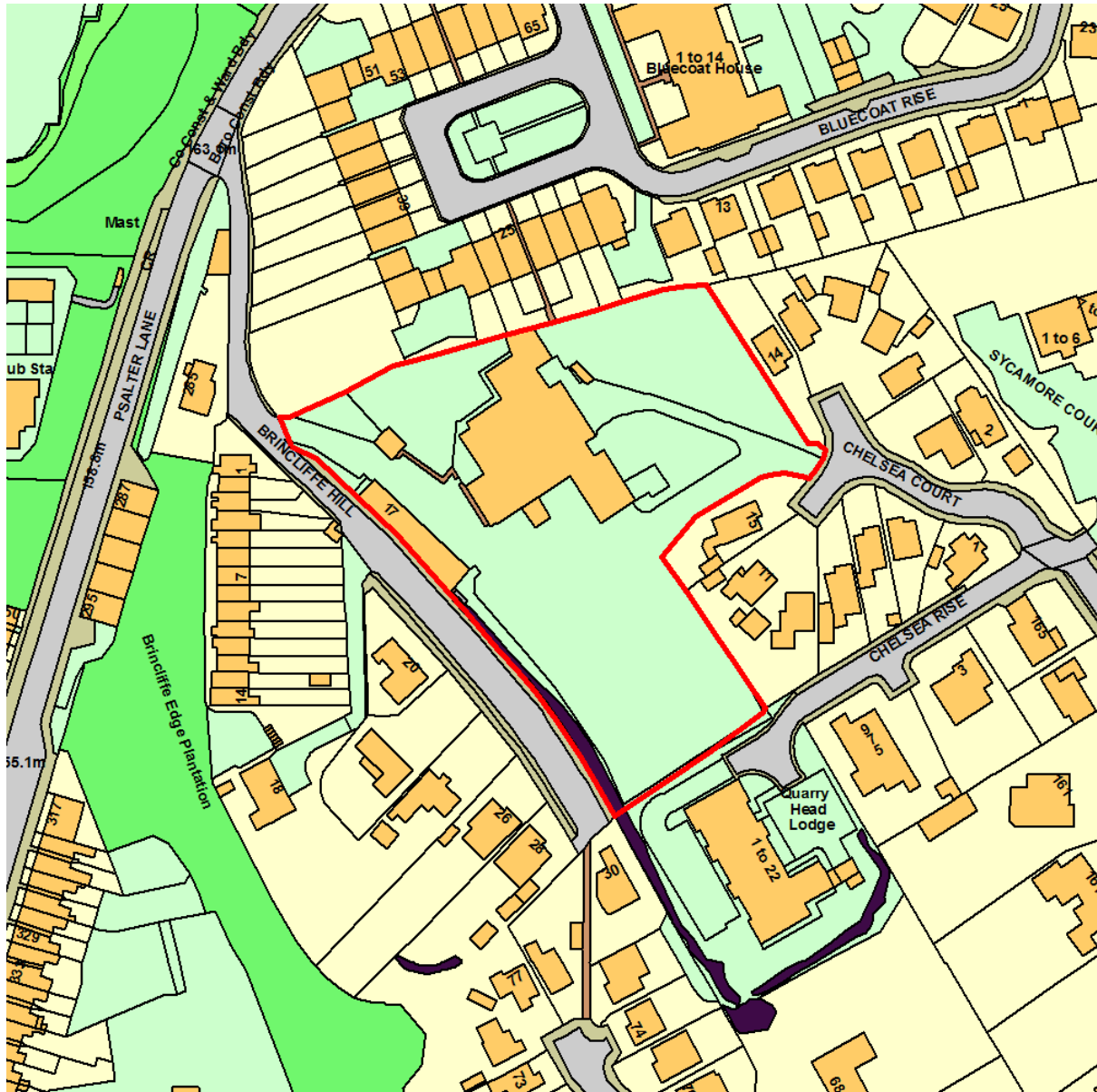
24. There shall be no gates or other means of enclosure at the entrance of the site from Chelsea Court.

Reason: In the interests of highway safety.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. The applicant is advised that within the representations received from surrounding residents it has been suggested that the site was used for military training purposes during World War One and the potential for live ammunition needs to be accounted for during the construction of the development.
4. The applicant is advised that the highest quality materials are expected to be used in respect of this scheme and this should include natural zinc and natural stone cladding.

Site Location



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INTRODUCTION

Members are reminded that outline planning permission was approved at Planning Committee for this site in February 2016. This outline approval was for the demolition of the existing buildings and the re-development of the land for residential purposes (Ref: 15/04019/OUT).

Within this outline application all matters, with the exception of vehicle access into the site, were reserved for future approval.

The vehicle access arrangements approved allowed only emergency vehicles to enter or leave the site via Brincliffe Hill, while all other vehicles would access the site via Chelsea Court.

As the access arrangements into the site have already been approved, this reserved matters application is therefore seeking agreement in relation to appearance, landscaping, layout and scale.

LOCATION

The application relates to a site of approximately 0.85 hectares in area, which is located in the south west of the city within an allocated Housing Area, as defined by the adopted Sheffield Unitary Development Plan (UDP).

The site use is currently the Baldwin's Omega restaurant and function rooms (Use Class A3).

The restaurant itself is a sizeable, predominantly single storey building with both pitched and flat roofs, and is located towards the northern boundary of the site. Owing to the falling ground level across the site from west to east, the existing building does achieve two storey elements.

A further single/two storey flat roofed commercial building located along the western boundary is also to be demolished as part of the proposals.

The remainder of the site is dominated by a large car park (approximately 95 spaces), although there are some areas of soft landscaping adjacent to the main building, along the north and north west boundaries. The southern and western boundaries are in part defined by a number of large trees.

The site is currently accessible to vehicular traffic from Brincliffe Hill to the north west and Chelsea Court to the east. However, as established by the approval of the previous outline application, only emergency vehicles would access the site from Brincliffe Hill as part of any residential scheme.

Owing to its former use as a quarry there are quite dramatic changes in land levels across the site, with land falling towards the residential properties to the north and east, to the Bluecoats Estate and Chelsea Court respectively. By contrast the residential properties to the west, which front onto Brincliffe Hill, are elevated notably above the application site. The apartment block to the south, which is accessed via Chelsea Rise, is on a similar level to the application site.

More generally, with the exception of the current use as a restaurant and function rooms, the surrounding area has a strong residential character.

An Area of Special Character skirts the north west corner of the site, but none of the proposed buildings sit within this area, while the Nether Edge Conservation Area is set approximately 41 metres to the south east and 22 metres to the north east. However, owing to changing land levels and existing buildings, views of the proposals will be rare from within the conservation area itself.

Several trees that are subject to Tree Preservation Orders (TPOs) border the north west boundary of the site, but these trees are not within the red line boundary.

PROPOSAL

The proposed scheme is for the erection of 52 apartments (31 two bedroom and 21 three bedroom) in six blocks that will range between two and five storeys. Each of the blocks will follow a contemporary approach to design, including the incorporation of flat roofs.

Block A is set to the north west of the site and ranges between two and five storeys.

Block B is set to the north of the site and ranges between three and four storeys, with the upper floor set back.

Block C is actually two buildings each of which is two storeys in height. These are set to the east of the site and provide four two bedrooms units.

Blocks D, E and F are set adjacent to one another on the western section of the site. These blocks are mainly three to four storeys in height, but also include two storey sections.

The principal external materials will be brick for Blocks B, E & F and stone for Blocks A, C & D. There are several unifying design features across the blocks, including balconies and recessed masonry panels.

The scheme has utilised the existing land levels to provide a mixture of undercroft and surface level car parking.

The undercroft parking has facilitated the creation of a podium that will be utilised as communal amenity space. Amenity space is also provided in the form of private terraces/balconies and within existing areas of landscaping that will be retained. Blocks A, C & F also incorporate areas of green roof.

RELEVANT PLANNING HISTORY

As discussed above, outline planning permission for the demolition of the existing buildings, and the re-development of the land for residential purposes with vehicular access from Chelsea Court, was approved in February 2016 under planning reference 15/04019/OUT.

Within this outline application all matters, with the exception of vehicle access from Chelsea Court, were reserved for future approval.

It is noted that originally this outline application sought permission for the erection of 38 dwellings (a mixture of flats and detached dwellings). However, owing to concerns in regard to the indicative layout, based on the limited information provided at that time, the exact number of units was not approved, and just the principle of residential development was established.

SUMMARY OF REPRESENTATIONS

- Representation from Paul Bloomfield acting as a Member of Parliament

A representation has been received from Paul Bloomfield in his role as a Member of Parliament for Sheffield Central, which states that local residents have highlighted issues around a lack of notification and consultation with regard to the planning application.

Concerns are also expressed within this representation in respect to:

- The lack of car parking provision.
- Traffic generated by the scheme and the associated noise and pollution.
- The scale/size of the proposed blocks and the impact this has on the character of the area.
- The impact of the blocks on residential amenity with respect to shadowing and privacy.

- Representation from Councillor Mahammad Maroof

Councillor Maroof has written to object to the proposals in his role as a councillor for the Nether Edge and Sharrow Ward.

Within this representation concern is expressed that the development will have a detrimental impact on the locality owing to its substantial scale. It is also stated that the proposals will create many problems, not only for the occupants of the proposed new dwellings, but also for the existing residents on its doorstep.

It is stated that the site is ill served through a narrow opening onto an already busy junction where three roads meet and which are used separately by the occupants of two existing blocks of flats and a number of private residences.

The objection also states that the site is poorly served by public transport, given that there is only one bus service near to the site and this is unreliable, infrequent and under threat from low usage. As a consequence, there will be a high ownership of cars in an area which is too small to cater for them.

- Representation from Councillor Alison Teal

Councillor Teal has written to object to the proposals and states that this application is substantially different in scale to the outline application and completely out of proportion and character with this conservation area.

Councillor Teal states that the proposal is likely to affect the quality of life of surrounding residents and cites issues of outlook, privacy, noise and light pollution.

Councillor Teal also considers the proposals would represent too many dwellings feeding an already dangerous junction (Chelsea Court). In addition, because of inadequate pavements planned, this will put pedestrians (and cyclists) at risk, including school children and elderly people who cross the site for access.

A question is also raised in respect to the residents of Brincliffe Hill, who do not wish to use the dangerous Psalter Lane junction, but now might be obliged to (instead of having relatively safer access via Chelsea Court)?

Other concerns raised within this representation are:

- Inadequate parking.
 - Stability in respect of the existing rock faces.
 - Drainage/sewer capacity.
 - Loss of trees and impact on ecology.
- Representation from the Sheffield Area Geology Trust

The Sheffield Area Geology Trust have sought comfort that the former quarry face on the western boundary should remain available for viewing and study for geological reasons as the site is listed as a Local Geological Site.

More clarity is also requested with respect to works to the rock face and it is requested that the rock will either be exposed, or left as it is.

- Representation from the Sheffield and Rotherham Wildlife Trust

The Sheffield and Rotherham Wildlife Trust have provided the following comments:

- Has the increase in unit numbers resulted in the loss of more trees on the site?
- Suitable investigations need to be made with respect to the presence of badgers on the site and suitable mitigation should also be conditioned as required.
- Investigation as to the presence of wildlife in the rock face to the west of the site is needed.
- Removal of vegetation on the rock face should be limited.
- It is difficult to determine which trees are to be removed.
- There are many positive elements with respect to the scheme and these include brown roofs, new tree and shrub planting and the inclusion of bird/bat boxes.
- An Ecological Management Plan should be conditioned.

- Representations from Local Residents and Local Community Groups

In response to the neighbour notification process 74 letters of representation have been received objecting to the scheme.

These representations, which are summarised below, have been received from individual residents, the Brincliffe, Chelsea, and Bluecoats Residents Group, the Banner Cross Neighbourhood Group and the Nether Edge Neighbourhood Group.

(a) Highway Matters

- On street car parking is a concern, most notably in relation to Chelsea Road, Chelsea Court and Brincliffe Hill, where overspill and inconsiderate parking already creates manoeuvring difficulties and adversely impacts on residential amenity and highway safety.

- The proposal provides inadequate off street car parking and poor access.
- The units proposed are likely to attract young professionals who will have more than one car per unit.
- The access from Chelsea Court is not capable of accommodating two-way traffic and will be particularly problematic during periods of freezing weather due to ice/snow on the roads.
- In recent years the construction of the apartment blocks at Quarry Head Lodge and Sycamore Court has already caused a considerable increase in traffic and wear and tear on the road surfaces. The addition of more dwellings would exacerbate this situation.
- The surrounding highways have not been designed to accommodate the volume of traffic being proposed and already suffer in regards to manoeuvrability and capacity. There have been a number of 'near misses' already and the proposals will lead to increased issues/risk.
- The increased on-street parking could result in emergency vehicles not being able to access properties.
- The site is not sustainable with only one bus service operating along Psalter Lane for example. As such, car parking provision which falls below the maximum standards should not be supported.
- The Brincliffe Hill/Psalter Lane junction should be utilised as a vehicle access point for future residents to ease the pressure on Chelsea Court and other roads on this side of the site.
- The Brincliffe Hill/Psalter Lane junction is not dangerous and there are no reports of accidents at this junction.
- Suitable consideration has not been offered to the safety of other junctions that will be used as alternatives to the Brincliffe Hill/Psalter Lane junction. These are the subject of traffic accidents.
- How will the proposed restricted use of the Brincliffe Hill/Psalter Lane junction for emergency vehicles only be enforced?
- The footpaths/shared surfaces into and within the site are inadequate and will create conflicts between pedestrians and vehicles. This is a clear safety concern.
- The site has long been used as a thoroughfare for pedestrians of all ages, will this still be the case?
- A pedestrian route through should be retained during the construction works.
- A dedicated adopted public footpath should be provided through the site.
- The traffic data offered for the current use of the site is taken on a Friday, which is a busy night. This is not representative of a typical weekday when traffic is much less significant. In addition, vehicle movements associated with the current use will be at different times in comparison to a residential scheme.
- The trip generation data used within the Transport Statement was collated during the school holidays and is therefore unreliable.
- How will construction traffic be managed/access the site. Such traffic will damage surrounding highways/verges and cars associated with this phase will also take up on-street car parking spaces.
- The submitted Transport Statement should consider the highway impact of the scheme against maximum parking standards to ensure suitable highway mitigation is provided.
- Parts of Brincliffe Hill are narrow with no footpaths and therefore it should not be a pedestrian route into the site.

- Brincliffe Hill is a private road and what measures will be taken to deal with the impact on this highway if vehicles associated with residents begin to use it to park vehicles.
- Signage at the end of Brincliffe Hill could be introduced to stop people trying to use it as a through route.
- The decision to not have cable connected television and internet by the residents of Brincliffe Hill (so they don't lose the ability to access their homes while it being connected) must be respected.
- Brincliffe Hill cannot accommodate emergency vehicles as it is too narrow for two way traffic.
- Visibility from Chelsea Rise is limited.
- Can a formal cycle route be created through the site, or can the current prohibition of cycling between Quarry Lane and Brincliffe Hill be removed?
- The scheme does not include electric vehicle charging points.
- The width of Chelsea Court is between 5.05 metres and 5.3 metres, not the 6.2 metres as claimed within the Transport Statement and, according to the Governments Vehicular Access Standards, the minimum width of an access should be 6.0m for a two way traffic.
- The Transport Statement includes several inaccuracies, including the width of the site access from Chelsea Court. It also underestimates the amount of vehicles using the junction of Chelsea Court/Rise/Road.
- Monies gathered through the Community Infrastructure Levy contribution associated with the development should be utilised to improve bicycle and pedestrian connections around the site.
- Using the average car ownership for residents of apartments across the city is ambiguous and this does not reflect the demographic of the people who would live in this area. Such people are likely to have above average car ownership.
- The footway within the site narrows to 0.7 metres, which is insufficient.

(b) Amenity Considerations

- The proposed buildings will have an unacceptable impact on the amenity of local residents with respect to matters such as noise pollution, outlook, over dominance, over shadowing, light pollution and overlooking. This problem will be exacerbated when the changing land levels are accounted for.
- The disruption to residents during the construction works will be significant.
- The loss of trees on the rock face to the west will impact on the views and privacy of residents along Brincliffe Hill.
- The construction phase will result in dust nuisance for surrounding residents.
- Are there any asbestos/hazardous substance issues with the existing building?

(c) Drainage Considerations

- Drains/sewers in the locality have overflowed in the past and created flooding problems and health risks. These issues will be exacerbated by the proposals as these historic drains have not been designed to cope with the influx of new residential development.
- The use of soakaways would be likely to lead to the flooding of surrounding properties.

(d) Land Stability Considerations

- The proposed development would have an impact on the stability of the surrounding quarry walls, which is a clear health and safety issue. Not enough information is available to take a considered view on this.
- The developers should consider permanently taking over ownership/maintenance of the quarry walls.
- The earlier outline application stated that the stability of the quarry face is not a planning concern, is this correct?
- The Rock Stability Report fails to address the digging of semi basement foundations.

(e) Design Considerations

- From a design perspective the proposed contemporary architecture does not complement the area.
- The scale and footprint of the blocks are out of character with the surroundings, including the Nether Edge Conservation Area, which are largely defined by two storey properties.
- The site lends itself to family houses with gardens.
- The proposals are a complete overdevelopment.

(f) Ecology & Landscape Considerations

- The geodiversity of the rock face should be protected and this could be done via a planning condition.
- The development will have a negative impact on wildlife, including protected species that are evident on the application site, and this should be avoided/mitigated.
- The scheme would result in the loss of a number of trees and this is not acceptable.

(g) Other Considerations

- Safety barriers should be provided to prevent vehicles going over the cliff edge to the north of the site and into the residential gardens below.
- The area already suffers from air pollution and the proposed will increase this.
- The site was used for military training purposes during World War 1 and the potential for live ammunition needs to be investigated.
- The proposed number of units is far in excess of the number proposed within the outline application (36). This represents a 40% increase in unit numbers.
- The exact number of units was removed from the outline description at the last minute and approval simply given for the principal of residential development. Had residents been made aware of this change then further objections would have resulted during the outline stage of the application.
- The density of housing proposed on this site is excessive and does not meet planning policies.
- Continuing to allow large scale development such as this in quiet residential areas will eventually have a detrimental economic impact on the city in general.
- The scheme offers very little in terms of sustainable energy.

- It is very likely that future residents will occupy units via short tenancy agreements. As such, these tenants will not have the same interests in looking after the area as an owner occupier.
- The scheme is one of several similar proposals in the local area over recent times and the cumulative impact of such proposals needs to be considered.
- The proposals are more concerned with developer profit rather than protecting the amenity of surrounding residents.
- The proposals will have a negative impact on the value of surrounding properties.
- Neighbour letters were sent out over the Christmas period, which did not allow sufficient opportunity for residents to comment.
- Not enough residents along Chelsea Court had been sent formal neighbour letters with regard to the proposals.
- The consultation process in relation to the application was not sufficient and this includes no site notices being put up.
- Insufficient neighbour consultation took place with respect to the outline application.
- No public consultation took place ahead of the application being submitted.
- The application site encroaches onto third party land and the appropriate land ownership certificates have not been served.
- No mobile phone masts should be erected on the roofs of the proposed blocks until such time that it is conclusively established as being not detrimental to health. These masts would also be an eyesore.
- Brincliffe Hill could be a location for voyeurs looking down into the new apartments.
- Who is liable for the damage of vehicles if they are parked on privately owned land?

PLANNING ASSESSMENT

To ensure it is suitably comprehensive the following assessment will make reference to all relevant material considerations. However, it will be made clear when matters have already been established/agreed as part of the approval of the earlier outline planning permission (Ref: 15/04019/OUT).

In such cases, most notably in respect of the acceptability of residential development on the site and the agreed vehicle access point being from Chelsea Court, it is not appropriate to revisit the fundamentals of such matters as part of the consideration of this reserved matters application.

However and by way of an example, matters such as the suitability of the local highway network and the proposed access point to accommodate the level of traffic being proposed do require consideration.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning priorities for England and how these are expected to be applied. The key principle of the NPPF 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. The following assessment will have due regard to these overarching principles.

Land Use

The site is located entirely within a Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP). As such, the proposed housing use is preferred and indeed has been approved in principle within the earlier outline approval.

Housing Land Supply

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 substantial positive contribution towards the identified housing supply shortfall and this should be offered appropriate weight as a material consideration.

Development of Brownfield Land

The NPPF and the Council's Core Strategy prioritise the development of previously developed (brownfield) sites, such as the application site.

Housing Density

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the CS requires appropriate housing densities to ensure the efficient use of land.

Policy CS31 (Housing in the South West) within the CS states that, in South-West Sheffield priority will be given to safeguarding and enhancing its areas of character. As such, the scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

The recommended density for a site such as this, which is within 400 metres of the Banner Cross District Shopping Centre, is between 50-80 dwellings per hectare, as set out in Policy CS26. This scheme achieves a density of approximately 63 dwellings per hectare and this therefore accords with the above policies.

It is worth noting as a point of clarity that within the previous committee report that accompanied the outline application the acceptable density range is identified as being between 40-60 dwellings per hectare. This was an incorrect statement as it failed to account for the proximity of the Banner Cross District Shopping Centre.

Design

The NPPF states that development should always seek to secure high quality design, but decision makers should not attempt to impose architectural styles or a particular taste, albeit they should promote and reinforce local distinctiveness.

Policy BE1 (Townscape Design) within the UDP states that a high quality townscape will be promoted with a positive approach to conservation and a high standard of new design.

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

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

Policy CS74 (Design Principles) within the CS states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

- Demolition

The existing buildings on the site are reflective of their function, offering a sprawling generally single storey appearance with a mixture of roof forms (flat and pitched).

Whilst these structures are not considered to be particularly poor from a design perspective, subject to a suitable scheme being developed, they are not of such a quality that would warrant any resistance to their removal.

- Contemporary Approach

It is considered that the principle of contemporary architecture, which includes flat roofed buildings, is both long established and acceptable. Indeed, such architecture, if of an appropriate quality, is accepted on more sensitive sites, including within Sheffield's conservation areas.

While the quality of the architecture is considered further below, it would be unreasonable and inconsistent to resist the principle of flat roofed contemporary buildings on this site.

- Height

In relation to height, the blocks vary between two and five storeys and the approach taken has been to position the lower two storey block (Block C) at the site entrance

fronting Chelsea Court, so this will reflect the scale of existing properties that are set along this street, which are either single or two storey units with pitched roofs.

There would then be a gradual transition in the height of the blocks as the site is accessed from Chelsea Court, with the taller five storey element in the north west corner (Block A). Although it should be noted that only a limited section of this block reaches five storeys, before transitioning down to four and then two storeys. This block would be approximately 85 metres away from the main site entrance at Chelsea Court.

From a height perspective, when the flat roof design is accounted for, it is considered that the two and three storey elements of the proposed blocks are reflective of the heights of neighbouring dwellinghouses, when their pitched roofs are accounted for.

Whilst the four and five storey elements of the blocks are taller than the majority of the surrounding residential units, it is considered that owing to the unique characteristics of the site, resulting from its use as a former quarry, it has a very limited amount of visibility from principal public views. For example it is set substantially lower than the land to the west (Brincliffe Hill). As such, this does allow discretion for this additional height in places.

Indeed a similar approach to height has been followed with respect to the apartment block which is accessed from Chelsea Rise and set to the immediate south of the application site (Quarry Head Lodge). This block provides three floors of accommodation along with a pitched roof and reaches a height of 11.15 metres. This is akin to the four storey elements of the proposed scheme, which measures approximately 12.67 metres in height.

It should be noted that during the course of pre-application discussions a view was provided looking towards the site from Ecclesall Road South and this demonstrated that the taller elements of the scheme would not be visible over the top of the existing tree canopy when the site is viewed from this direction (the west) and this is welcomed.

- Footprint

As Block C has a frontage onto Chelsea Court the footprint of this block has been limited to reflect the domestic scale of the existing Chelsea Court properties.

There is greater flexibility with respect to the footprint of the remainder of the blocks given that these do not have to address existing road frontages. As such, while the footprint of these blocks varies depending on their position within the site, the size of these footprints is viewed as being fairly typical of apartment schemes of this nature.

Again Quarry Head Lodge, which is set to the immediate south of the application site, offers a useful example of this as it occupies a similar footprint to the proposed blocks.

- Layout/External Areas

The general layout of the blocks is considered to be logical with buildings facing onto existing and new public highways/public routes and private amenity areas.

This layout has been defined to a large extent by the numerous constraints this unique site offers, with such constraints including:

- The need to set the blocks a sufficient distance away from the surrounding residential uses to ensure amenity is suitably protected.
- The desire to protect the existing landscaped area to the north east of the site as this provides a welcoming entrance and a buffer between the taller elements of the scheme and Chelsea Court.
- The need to set any buildings away from the tall quarry wall that runs along the west boundary.
- The established access points into the site from Chelsea Court and Brincliffe Hill.

One unique feature of the layout relates to the undercroft car parking with private amenity areas above on a podium level. This solution ensures that the public areas of the site are not dominated by car parking, while also utilising the existing ground levels across the site.

The main pedestrian route through the site will be well overlooked and is positioned in a way that ensures the route between Chelsea Court and Brincliffe Hill is convenient/direct for people wishing to use it.

- Detailing and Materials

The materials being proposed are of a suitably high quality and include stone cladding, brickwork, zinc cladding and aluminium windows, with the final samples being conditioned should Members be minded to approve the scheme.

The principle external material will be brick for Blocks B, E & F and stone for Blocks A, C & D. The change in material is intended to create some variety across the blocks, with the stone buildings set in the more prominent locations marking gateways. There are also further subtle differences between the stone and brick blocks, most notably the use of recessed top floors and zinc cladding on the brick blocks. This approach is supported.

There are also several unifying design features across all the blocks to ensure a suitable degree of legibility, including balconies, recessed masonry and aluminium windows.

All of the blocks will be well articulated with a number of features that add interest, including the top floor setbacks and recessed balconies. The architect has also introduced layers into the elevations in places by manipulating how the principal material is utilised.

Overall the combination of the high quality materials and rich detailing will ensure an appropriate quality and appearance.

Sustainability

Policy CS63 (Responses to Climate Change) within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

In relation to the requirements of CS63, the site is in a sustainable location in respect of access to local amenities and public transport. For example, the site is within a reasonable walking distance (within 400 metres) of the multitude of amenities available within the Banner Cross District Shopping Centre, which is also on a high frequency bus route.

In addition, the site is previously developed and the scheme will incorporate sustainable drainage systems that will result in a reduced surface water run-off rate (see Drainage Section below).

Policy CS64 (Climate Change, Resources and Sustainable Design of Development) within the CS sets out a suite of requirements in order for all new development to be designed to reduce emissions.

Until recently residential developments had to achieve Code for Sustainable Homes Level Three to comply with CS64. This has however been superseded by recently introduced Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach.

The applicant has confirmed that the 10% target will be achieved across scheme and this will be provided in part by incorporating high levels of insulation (the fabric first approach).

The scheme also includes a number of further features that add to its sustainability credentials. The most notable involve the provision of several green/brown roofs, two vehicle charging points, extensive cycle parking and the creation of additional soft landscape areas in comparison to the existing site.

Overall, it is considered that the proposal meets the local sustainability policy requirements.

Highways

Paragraph 32 of the NPPF states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'

Policy CS51 (Transport Priorities) within the CS identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

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

- Vehicle Access and Highway Widths

The establishment of the principal vehicle access point into the site from Chelsea Court, which is already a main vehicle access for the existing use, was approved within the outline application, as was utilising the Psalter Lane/Brincliffe Hill access for emergency vehicles only. As such, it is not appropriate to reconsider such matters within this reserved matters application.

However, consideration needs to be given to the suitability of the local highway network, most notably Chelsea Court, and the proposed access point to accommodate the level of traffic being proposed.

Clearly Chelsea Court and the surrounding roads were designed prior to the current guidance and, whilst not formally adopted by Sheffield, it is considered that the South Yorkshire Residential Design Guide offers a useful modern day reference point in terms of expected standards.

Of most use is Paragraph B 2.1.6 (Page 143) within the Technical Requirements Section. This advises that for roads with a 20 miles per hour (mph) design speed, which is what we should be aiming for on all residential roads, the appropriate minimum width is 4.8 metres. For comparison, Paragraph 2.1.7 states that where a road has a higher design speed the width should be 5.5 metres.

Given that Chelsea Court is a cul-de-sac, and the layout of the new scheme will also create a cul-de-sac, it is perfectly reasonable to consider that the lower design speed of 20mph is appropriate and these highways should have a minimum width of 4.8 metres to be considered 'fit for purpose'.

In this respect Chelsea Court has a carriageway width that in all instances is in excess of 4.8 metres, being approximately 5.1 metres at the narrowest point, and the layout plan identifies that the access road into the site will have a minimum width of 5.2 metres, which is at the point of access from Chelsea Court, before increasing in width to approximately 5.5 metres within the site itself.

Based on the above, it is considered that both Chelsea Court, the access point into the site and the roads within the site will be of a sufficient width/design to ensure appropriate highway safety standards are achieved.

- Traffic Generation/Highway Capacity

It is anticipated that the average amount of combined vehicle arrival/departure movements in the morning peak hour would be 13 and this would rise to 23 in the afternoon peak hour. Over the course of a typical 12 hour period the combined vehicle arrivals and departures to the site would be around 201, or 17 movements an hour, and this is before movements associated with the existing use of the site as a restaurant and function space are discounted.

It is noted that these figures are provided through the use of TRICS (Trip Rate Information Computer System), which is a database of trip rates for developments used in the United Kingdom for transport planning purposes, specifically to quantify the trip generation of new developments.

Given these relatively low trip generation figures, it is considered that the scheme would have a minimal impact on the existing highway network and would certainly not create capacity issues that could be considered as severe, which is the acceptability test set out within the NPPF.

- Pedestrian Access

As identified within the representations received from interested parties, most notably local residents, the Baldwins Omega site has been informally used as a pedestrian link between Chelsea Court and Brincliffe Edge/Psalter Lane for a number of years. Concerns have been raised that this arrangement would not be retained as part of the development.

In reply to this the applicant's team have confirmed that the existing pedestrian connection through the site will be retained and this is clearly indicated on the submitted plans. This proposed pedestrian access will be a combination of a segregated pedestrian footway and a shared surface, which is set towards the north west of the site.

In terms of pedestrian/residents safety when manoeuvring through the site, it has already been identified above that vehicle speeds would be low. Further to this a segregated footpath ranging between 1.2/2 metres in width is shown running from the main entrance point at Chelsea Court and terminating adjacent to Block A. Whilst ideally the 1.2 metre width would be improved upon, it is accepted as it only relates to approximately the first 13 metres of this footway, which runs a total of 83 metres.

A shared surface would then be created adjacent to Block A, which is the section of the site that will see very few vehicle movements as the Brincliffe Edge/Psalter Lane access will only function as an access point for emergency vehicles. As such, there is no objection to a shared surface in this location from a pedestrian safety perspective.

A further shared surface is proposed adjacent to Blocks D, E & F, which is an area that will be used by residents and visitors, rather than pedestrians walking through the site. Again owing to the anticipated low vehicle speeds and restricted vehicle movements this creates no pedestrian/highway safety concerns.

Speaking in more general terms about shared surfaces, it is again appropriate to make reference to the South Yorkshire Residential Design Guide, which indicates that shared space streets are acceptable where vehicle movements are exceptionally low (less than 40 vehicle movements per hour). As identified above the anticipated maximum number of vehicles movements are much less than this, being around 23 per hour.

- Car/Cycle Parking Provision

The scheme incorporates 31 two bedroom apartments and 21 three bedroom apartments. In accordance with Sheffield City Council Information Sheet Three: Car Parking Guidelines, the maximum parking standards for a two/three bedroom unit would be two parking spaces, with an additional visitor space provided for every four apartments, which would result in 13 visitor spaces in this case. The overall maximum car parking spaces for this development would therefore be 117 for residents and visitors.

However, this is the maximum provision and this can therefore be relaxed in circumstances where a site is in a sustainable location for example. In this case the site is within easy walking distance of the Banner Cross District Shopping Centre (within 400 metres), which also acts as a high frequency bus route. Furthermore, it is accepted that car ownership associated with apartments is generally lower than with traditional family dwellinghouses.

As such, it is not deemed necessary to impose maximum parking standards and the following is therefore considered appropriate and is achieved as part of the proposals:

- 1 car parking space per 2 bedroom unit (there are 31 two bedroom units in total).
- 2 car parking spaces per 3 bedroom unit (there are 21 three bedroom units in total).
- 14 visitor spaces.
- Total requirement for 87 spaces.

When some additional mobility spaces are accounted for, the scheme actually achieves 91 car parking spaces, which is above the level required on this particular site.

It is therefore considered that, whilst it is not possible to fully guard against people parking on surrounding highways, with the parking provision and relatively sustainable location accounted for, the concerns expressed within the representations that the scheme will create unreasonable on-street car parking pressures, and therefore exacerbate capacity issues, are not considered to be reasonable.

In terms of undercroft car parking provision this raises no objections from a highway safety perspective and is a solution that is employed elsewhere in the city.

It is also noted that the scheme includes one secure cycle space per apartment, which is welcomed.

- Tracking/Serviceing

Tracking information has been provided within Appendix C of the Transport Statement which demonstrates that a refuse vehicle can enter the site from Chelsea Court, turn within the site, and exit via Chelsea Court in a forward gear.

Tracking information has also been provided that demonstrates that a fire tender can access the site from Brincliffe Hill.

Drainage/Flood Risk

Policy CS67 (Flood Risk Management) within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include:

- Requiring the new development to limit surface water run-off.
- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.

The site itself is located within Flood Zone 1 and therefore not at any significant risk of flooding.

Drainage was considered within the outline application and a planning condition was imposed to ensure that surface water run-off/discharge is reduced by 30% in comparison to the existing situation.

This reduction in the surface water run-off rate will partly be achieved through the provision of green/brown roofs and the increase in grassed/soft landscaped areas in comparison to the existing situation.

In terms of the overall design of the drainage system, soakaways will be considered, but these may provide problematic owing the notable changes in topography relative to the neighbouring land. As such, it is possible that underground attenuation tanks may offer the agreed solution in association with natural features such as the green/brown roofs.

The final details of the drainage design will however be agreed when the applicant seeks to approve details relative to the drainage conditions imposed by the outline application, as is normal practice.

With respect to the discharge of foul water from the development, several representations from third parties have raised concerns with respect to how the sewers will cope and have cited examples of existing capacity issues.

Discharge of foul water was considered by Yorkshire Water as part of the outline application and no issues were raised with respect to capacity problems. Yorkshire Water in fact identifies the 150mm diameter public foul sewer recorded in Chelsea Court as the appropriate discharge point.

Subject to complying with the conditions imposed on the outline application, Yorkshire Water and the Lead Local Flood Authority have confirmed that these proposals are acceptable in principle and the scheme is therefore in accordance with Policy CS67 within the CS.

Access

Policy H7 (Mobility Housing) of the UDP has set standards for acceptable quantum's of mobility housing within residential development. However, as these standards are not part of an up to date local plan they have been superseded by the recently introduced Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time.

H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout of the scheme itself, owing to the sloping nature of the site it does create challenges with respect to achieving access for all users. However, with the exception of Block C and the two storey element of Block A, level access is achieved into all blocks. Furthermore, the mobility parking spaces are located next to the main entrances into the blocks from the car parks and, with the exception of Block C, all blocks will have lift access.

Level access onto the podium is also provided from the public realm via a level route to the west of Block D.

Based on the above when the levels of the site are accounted for the proposals are considered to offer a suitable response from an access perspective.

Affordable Housing

Policy CS40 (Affordable Housing) within the CS states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

The target within Policy CS40 is between 30 & 40% of the units, but a more spatial approach to affordable housing provision is now adopted within the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) (SPD). The SPD identifies affordable housing provision based on viability across a particular area. This site falls within the City Centre and West area and sites within this area have a target of 10% for affordable housing provision.

This matter was considered in its broadest sense during the outline application, as, at that stage, it was not possible to determine if it would be financially viable to meet the 10% requirement because a detailed scheme was still to be brought forward.

A condition was therefore placed on the outline permission so affordable housing could be considered in detail at a later date, which is the normal approach.

Although a detailed scheme is now being considered as part of this reserved matters application, the technically correct way to deal with the affordable housing requirement when it has been conditioned within an earlier outline approval is through an application to agree details relating to the relevant condition, rather than within the reserved matters application itself.

In the spirit of transparency however it should be noted that the applicant had provided a financial appraisal as part of the original submission of this reserved matters application and this has been considered by CP Viability, acting as an independent valuer/expert on such matters.

At this stage there is a notable difference between the figure the applicant considers to be viable and the figure CP Viability and officers consider viable.

This issue will need to be resolved before development commences on site, as is stated in the relevant condition (see Condition 17 of 15/04019/OUT), and there is a separate conditions application currently under consideration (see 15/04019/COND1). It is not however necessary or appropriate to determine this issue as part of this reserved matters application.

Amenity of Future Occupiers

Paragraph 17 within the NPPF states that the planning system should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

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

H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

In relation to noise, the site is surrounded on all sides by residential accommodation and is set a good distance from Psalter Lane. As such, future residents will not be exposed to problematic sources of noise.

Owing to the past land use there are land contamination matters that would need to be tackled as part of the construction phase. The relevant planning conditions were attached to the outline approval to ensure this is addressed.

Having assessed the submitted information in terms of internal layouts and the positioning of buildings, it is considered that occupiers will generally be afforded good living conditions in terms of space standards, outlook, light and privacy.

For example, it is clear that careful thought has been offered with respect to matters such as the positioning of windows and balconies to ensure overlooking between blocks will be minimised. Measures such as obscuring windows and providing screens to balconies where appropriate will also be utilised to avoid unreasonable overlooking.

A scheme like this does however require some compromise with respect to the residential amenity of future occupiers, verses good design and providing suitable surveillance. For example the separation distance between the southern elevation of Blocks A & B and the north facing elevation of Block D is approximately 9.5 metres and, although facing windows are off-set from each other, this is still not ideal from a privacy standpoint.

However, this relationship does allow the main pedestrian route from Chelsea Court to Brincliffe Hill to be well overlooked and ensures the respective elevations have suitable articulation.

Taking all of these factors into account, including the mitigation measures such as offsetting windows, it would not be reasonable to resist the scheme on this basis.

In relation to external amenity space a number of units will be provided with balconies or small garden areas, which is welcomed. However, the opportunity for balconies is restricted to an extent by the need to protect the residential amenity of adjacent occupiers.

Each of the blocks will also have direct access to communal amenity space and this forms a substantial area of the site. Further to this, Chelsea Park is within approximately a 325 metre walk of the site and this offers a welcome bonus for future residents.

Based on the above the proposal is considered to offer an acceptable level of amenity for future occupiers.

Amenity of Surrounding Residents

Paragraph 17 within the NPPF states that the planning system should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

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

When approving new development an assessment needs to be made as to the impact on surrounding uses in relation to matters such as over shadowing, over dominating and privacy infringements. In this case such an assessment also needs have regard to changes in land levels.

- Brincliffe Hill Properties

With respect to the properties set to the west, which front onto Brincliffe Hill, these are generally set at a considerably higher level than the application site itself.

Indeed the section plans provided with the application show that the properties along the southern section of Brincliffe Hill will be set approximately eight metres higher than the application site and would therefore face towards the top floor of Blocks E & F.

The windows and balconies within the western elevations of Blocks D, E & F, facing towards Brincliffe Hill, would be in excess of 30 metres from the existing facing windows of the Brincliffe Hill properties, and in some cases this distance is in excess of 40 metres.

This difference in land levels is reduced in relation to the properties that sit to the north of Brincliffe Hill and face towards Block A, resulting in the ridge of this block sitting slightly higher than the ridge of the Brincliffe Hill properties. However, there is still in excess of thirty metres between the taller elements of Block A and these Brincliffe Hill properties.

With these separation distances and changes in land levels accounted for, it is considered that the scheme would not have an unacceptable impact on the amenity of the Brincliffe Hill residents/properties.

- Quarry Head Lodge

With regard to Quarry Head Lodge, which is the residential apartment scheme set to the direct south, it is noted that this neighbouring building has main habitable windows within its northern elevation, facing towards the application site, and these windows are set within nine metres of the common boundary.

The proposed southern elevation of Block E would result in main habitable windows being sited approximately 18 metres away from the northern elevation of Quarry Head Lodge and balconies approximately 16.5 metres away.

Whilst not ideal from a privacy perspective, it would be entirely unreasonable to resist windows and a limited number of balconies on the southern elevation of Block E because of the presence of a development of an adjacent site, which is unduly relying on the application site for outlook/privacy.

As such, it is considered that with the retention of the existing mature trees on the common boundary, the separation distances being proposed will achieve the correct balance between retaining privacy between the existing and proposed apartment blocks, and not unduly constraining the development potential of the application site.

In relation to the potential for the over shadowing and over dominating of the residents with Quarry Head Lodge, this is not considered to be problematic for the following reasons:

- There is no significant change in land levels.
- The separation distance between buildings is appropriate, being approximately 18 metres.
- The proposed building is set to the north and therefore does not interfere with the path of the sun.

- Chelsea Court Properties

In terms of the relationship between Block C, which is the two storey block, and 15 Chelsea Court, which sits to the south of this block, it is firstly noted that, although 15 Chelsea Court is set at a slightly lower level, it has no main habitable windows within the north facing gable wall.

Furthermore, the closest section of the new block will run almost parallel with the gable wall of this existing property, while the section that projects beyond the rear elevation of number 15 will be set approximately 9.3 metres from the common boundary. It is also noted that Block C is set to the north of 15 Chelsea Court and therefore does not interfere with the path of the sun.

With respect to privacy, there will be no windows in the proposed south facing gable walls of this new block, which is the elevation that faces number 15.

In relation to the impact of Blocks E & F on the rear elevations and gardens of the Chelsea Road properties, it is noted that these existing properties are set to the east of these blocks and at a lower level, with the difference in land level ranging between approximately 2.5 and 3.2 metres.

To mitigate the impact on these existing properties from a shadowing and dominance perspective, the proposed blocks have been set away from the common boundary by a minimum distance of approximately 11.6 metres and are no closer than 21 metres from the rear elevations of these existing properties. It is also noted that the top floors of the blocks have been set back to soften any impact.

These distances are considered as being sufficient to ensure unacceptable over shadowing/dominance will not be created, even with the land levels and orientation accounted for.

In terms of privacy, there are no balconies proposed on the east elevations of Blocks E & F, which face towards the rear of the Chelsea Court properties, and it is proposed for a screen to be erected along the east facing side of the balconies that are set on the southern elevation of Block E.

In relation to the ground floor windows within Blocks E & F, these will face onto an existing low wall and fence that form the rear boundary of the Chelsea Court properties and which act as a screen.

In relation to the first and second floor windows, as it is proposed to obscure the southernmost windows within the east elevation of Block E at both first and second floor, the closest windows within the east elevation of this block will be approximately 13.9 metres from the common boundary with the Chelsea Court properties, and 24 metres from the original main facing windows within the rear elevations. These distances are also very similar in respect of the first and second floor windows within Block F and the Chelsea Court properties.

In terms of window to window distances, it is also worth noting that, as the Chelsea Court properties are bungalows, the first and second floor windows within Blocks E & F will generally afford direct views onto, or over, the roofs of these existing properties.

As the top floors of these two blocks are set back from the main east elevation, the distances between facing windows and common boundaries is increased, which compensates for these windows being at a higher level. For example, the top floor of Block E is set back a minimum distance of 4.5 metres.

From the public realm an existing low wall and fence ensures that views into the rear gardens of the Chelsea Court properties cannot be achieved.

14 Chelsea Court is set to the east of Block B and is approximately 2.5 metres lower in terms of land level. However, the gable wall of Block B is 19.6 metres away from the common boundary and there are no windows that directly overlook this neighbouring property.

With the separation distances and changes in land levels accounted for, it is therefore considered that the scheme would not have an unacceptable impact on the amenity of the Chelsea Court residents/properties.

- The Bluecoats Estate

The Bluecoats Estate is set to the immediate north of the application site and is at a much lower level, with the sections provided showing a level difference of approximately 11.5 metres in places, although this level difference is reduced to around 4.5 metres towards the eastern section of the site.

In terms of separation distances, generally the rear elevations of the taller sections of Block A and Block B will be between approximately 13 and 18 metres from the common boundary, and between 26 and 30 metres from the rear elevations of the Bluecoats properties.

There is one element where Block B reaches a point in its north east corner that will be approximately 23 metres from the rear elevation of the facing Bluecoats property, and 9 metres from the common boundary. However, this section of the building then splays away from the boundary, rather than forming a solid mass.

In terms of privacy, owing to the dramatic land levels, many of the new windows will face onto or over the roof of the Bluecoats properties, with only limited views gained into the existing gardens and lower floor windows of these properties. Furthermore, it is considered that the separation distances involved are sufficient to protect privacy in instances when there would be facing windows. It is also noted that balconies are not being proposed on the north elevation of Blocks A & B.

In terms of dominance and outlook, owing to the presence of the rock face, only limited views of the proposed blocks will be gained from a number of the adjacent existing gardens and ground floor windows, which tend to be the spaces that provide the main day to day living accommodation, as demonstrated within the submitted section plans.

In terms of shadowing, given that the Bluecoats properties are set to the north of the application site, they are most susceptible to being over shadowed. In this respect the South Yorkshire Residential Design Guide offers a useful point of reference to determine acceptability from a shadowing perspective.

With this in mind, Section B1.3 identifies the 25 degree rule, which is defined by taking a horizontal line extending back from the centre point of the lowest window and drawing a line upwards at 25 degrees. All built development facing a back window should be below the 25 degree line to be considered to have an acceptable impact from a shadowing perspective. The plans have been amended to ensure this guideline is met.

In this respect, the section plans provided demonstrate that the vast majority of Blocks A & B would not breach this 25 degree line. In places where the 25 degree line would have been breached (relating to Block A), the existing rock face is shown to be already breaching this line, and therefore the new block would not make this shadowing situation unacceptable.

There is also an element where Block B reaches a point in its north east corner that breaches the 25 degree line. However, as already identified above, this section of the building then splays away from the common boundary, rather than forming a solid mass.

With the above in mind, and when the separation distances are accounted for, it would not be reasonable to refuse the scheme based on the amenity impact on these properties.

The Quarry Face and Stability

It is noted that in response to concerns raised by residents with respect to matters relating to slope/quarry face stability and subsidence within the outline approval, it was stated within the subsequent report presented to Members at Committee that such matters 'are the realm of Building Regulations.'

This statement is not accurate as, for example, a Guidance Note published in March 2014 by the Ministry of Housing, Communities & Local Government states that, working alongside a number of other regimes, including Building Regulations and the Coal Authority, planning authorities have to consider the implications of land stability as this could, for example, result in risks to property and the public.

This guidance note goes on to state that, with respect to land stability, planning authorities should ensure development is not placed in unstable locations without precautions being taken.

In order to address this issue the application has been accompanied by a Rock Slope Stability Assessment, which provides an understanding of the long term stability of these relevant rock faces/slopes that border all sides of the site and the effect the proposed development, including the relevant foundations, could have on these features.

The assessment also provides initial indicative proposals to mitigate any identified issues. However, a final detailed mitigation scheme will be the subject of a planning condition, should Members be minded to approve this scheme.

The assessment itself considers in most detail:

- The principal rock face that forms primarily the west boundary of the site (labelled the main rock face in the assessment). This rock face ranges between approximately six and eight metres in height and is around 70 metres long. The Brincliffe Hill properties are set on top of this particular rock face, although they are set well back from it.
- The northern boundary of the site, which is formed by a similar rock face, and overlooks the recently constructed Bluecoats development. The report notes that this rock face has recently undergone stabilisation works.

The assessment considers matters such as the orientation and existing conditions of the rock faces. It also considers the three possible modes of instability, these being planar (or sliding), wedge and topping instabilities.

In respect to the rock face on the western boundary, a rock mapping exercise was undertaken, although it is noted that large sections of the rock face could not be viewed owing to the extensive vegetation in place. This mapping exercise comprised recording the orientation of the structures visible along the exposed rock faces.

In relation to this western rock face and the modes of instability, it is concluded that there is no risk of planar (sliding) failure, given the shallow dip of the bedding and the expected high friction angle of the sandstone.

There is an anticipated small risk of wedge failure along the slope, caused by the intersection of joint sets J2 and J3 (as defined within the assessment). While this risk is considered low, further investigation is recommended before any development commences and existing vegetation will need to be removed in places to allow this.

There is considered to be a moderate risk of toppling failure, largely owing to the orientation of joint set J1. It is also noted that where trees roots have penetrated and widened this joint set, then the risk of instability grows.

Several mitigation options for the west rock face are proposed for further consideration when additional assessments have been carried out, which will be done before development commences, including:

- Ensuring further tree growth is prevented and any blocks loosened by root action are removed by a rock scaling exercise.
- A roof structure at the toe of the rock face is considered.
- The installation of protective measures including localised rock bolting to particular high risk areas, and the installation of a rock netting system to cover larger exposures.
- Vegetation removal.

In respect to the rock face on the northern boundary, which sits adjacent to the Bluecoats properties, it is noted that a previous stability assessment was carried out in 2014 and extensive stability measures were undertaken. This included vegetation removal, scaling, rock bolts and netting.

As such, the assessment concludes that the location of the proposed future foundations in the northern section of the site (close to the Bluecoats scheme) will not have any influence on the existing repaired and strengthened slope forming the northern boundary of the site, as the distance away from the crest of the rock face is sufficient.

The assessment has been considered by the Building Regulation Section, who have a greater level of experience with respect to such matters, and they have confirmed satisfaction with the content with respect to understanding the risks and proposing mitigation at this stage of the process.

It is proposed that a planning condition be imposed however, should Members be minded to approve the scheme, to secure a final Rock Slope Stability Assessment and the associated mitigation measures before development commences. This will allow further investigations to take place following the removal of existing vegetation as required.

Archaeology

Policy BE22: Archaeological Sites and Monuments within the UDP sets out how archaeological interest will be safeguarded from the impacts of development.

As detailed within the original outline application, other than the semi-exposed quarry face on the west boundary (which is more of geological interest than historical) there is little to suggest that historic artefacts will be present below the existing buildings and infrastructure.

The site was used as a sandstone quarry (for grindstones for cutlery working) in the late 19th Century, but historical maps reveal that cranes for haulage of stone may have been the only industrial structures on site.

No further archaeological investigation is therefore required as part of developing the site.

Landscape/Trees

Policy GE15 (Trees and Woodlands) within the UDP states that trees and woodlands will be encouraged and protected. This is to be achieved in part by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

53 of the 83 individual and grouped trees on the site are proposed for removal and the application has been accompanied by a tree survey that identifies that all but one of these trees are either considered to be of a low standard or unsuitable for retention owing to significant defects.

Many of these trees to be removed are sited along the west boundary, including on top of the existing rock face, and in the north east section of the site. Largely these are to come out in order to accommodate the new buildings and the new public route through the site, or to help ensure the long term stability of the western rock face.

A few points of note in this regard include:

- A mature Swedish Whitebeam (labelled 78 on the Tree Protection Plan), which is listed as being a moderate quality, is to be removed in order to help create the segregated footpath.
- The trees that sit on top of the of the rock face along the western boundary, which have been identified for removal, have root areas that are severely restricted by the cliff and the retaining wall, leading to the trees themselves being potentially unstable.

Furthermore, in the longer term these trees could act to destabilise the rock face and indeed the submitted Rock Slope Stability Assessment already identifies that trees roots have penetrated and widened a joint set, which increases the risk of instability.

Whilst the residents of the Brincliffe Hill properties have objected to the loss of these trees, which do provide visual amenity, it would be unreasonable to resist their loss based on the above considerations.

By way of compensation, the landscape plan shows 26 extra heavy standard trees proposed, which are to be planted across the site, and new areas of soft landscaping will also be provided resulting in a notable net increase in such areas in comparison to the existing situation. This includes additional tree planting on the southern boundary and in the north east section of the site, in order to reinforce the tree groups in these locations.

In addition, ivy removal and pruning works will also be undertaken on the retained trees to ensure their long term health and the existing area of landscaping to the north west of the site will be retained, ensuring an open landscaped feel as the site is accessed from Chelsea Court.

Measures will be taken to ensure retained trees are not damaged during the construction phase and this includes protective fencing and compliance with a method statement for any works within the root protection areas of the retained trees.

Speaking more generally the scheme incorporates additional soft landscape features such as green/brown roofs and lawn/meadow areas. Several areas of hard landscaping will also be created, including paved shared surfaces that will help portray a high quality public realm.

It is also noted that information provided demonstrates that the scheme will not impact on the protected trees set on the adjacent land to the north.

Based on these circumstances, the proposals are considered to be acceptable from a landscape perspective.

Ecology Considerations

Policy GE11 (Nature Conservation and Development) requires development to respect and promote nature conservation.

The application has been accompanied by information that considers in detail the ecological implications of the development. The main points of note in relation to this information is summarised as follows:

- Bats

No evidence of bats was found in relation to the existing buildings during the dawn/dusk surveys carried out on site, which followed a preliminary roost assessment.

This assessment also considered the potential for bats to be roosting within the rock face to the west of the site and concluded that the rock face displayed few features with greater than negligible potential to support roosting bats. In addition, following an inspection there was no evidence gathered of bats roosting in this rock face.

As such, no further survey effort is required unless the development does not commence within 24 months of the survey date (25th August 2017).

- Birds/Owls

Several of the comments from residents have raised the issue of owls being present and potentially using the rock face for nesting. The ecologist working on behalf of the applicant has confirmed that there was no evidence of owls nesting in the rock face during the relevant inspections.

In relation to bird species, to ensure a cautious approach all clearance of vegetation should take place outside of the bird breeding season (beginning of March to the end of August) unless a suitably qualified person is on site to check any vegetation for the presence of breeding birds. This will be secured via a planning condition should Members be minded to approve the scheme.

- Badgers

The initial Ecological Assessment identifies that there are no records of badger activity within 300 metres of the site and only six records of badgers within one kilometre of the site and these are distributed evenly around the surrounding residential areas.

However, following information provided by local residents and The Sheffield and Rotherham Wildlife Trust about the potential for badger activity within the vicinity of the site further survey work was carried out.

This additional survey did conclude that there was some badger activity within the vicinity of the site in the form of one shallow digging, which did not constitute a sett, and one outlier sett in occasional use. Foraging activity was also identified. It is not appropriate to reveal the exact locations of the protected species activity within this assessment.

The conclusions of the report, which are supported by the City Ecology Team, determine that the closure of the outlier sett is very unlikely to have a significant impact on the survival of badgers with respect to their existing range and population status.

A condition is being proposed, should Members be minded to approve the scheme, that would ensure badgers are suitably protected during the construction phase and this includes creating escape ramps from any trenches/excavations that maybe created.

- Japanese knotweed

Japanese knotweed was found in one locality on the site and a method statement detailing how it will be treated and disposed of will be secured through a planning condition should Members be minded to approve the application.

- Ecology Gains

Much of the area in which the new blocks and hard landscaping are proposed is existing hard surfacing or developed and it therefore offers little in the way of ecology. The main existing area of soft landscaping to the north and east of the site is to be retained and this is welcomed.

Further to this the scheme will introduce features such as green/brown roofs, new native planting, additional soft landscaping areas, bird and bat boxes and log habitat piles.

Subject to condition, the proposals are therefore considered to present suitable credentials from an ecology perspective.

Geology Considerations

Several representations, most notably from the Sheffield Area Geology Trust, have sought comfort that the former quarry face on the western boundary should remain available for viewing and study for geological reasons as the site is listed as a Local Geological Site.

More clarity is also requested with respect to works to the rock face and ideally the rock will either be exposed, or left as it is.

A large section of the main rock face to the west of the site will be obscured from public view by Blocks D, E & F and, as is evident from the adjacent Bluecoats scheme, it is not uncommon for development such as this, on private land, to limit access to such features.

However, the sections obscured by Blocks D, E & F can be viewed from within the semi-public podium level and, in addition, a section of this rock face will remain visible to the general public from within the main public realm.

Formal agreements to carry out studies of the rock face in the future would need to be made with the land owner however, as would be the case at present.

In terms of future works to the rock face, as identified in the Quarry Face and Stability Section above, it is intended to expose more of the rock face by removing sections of the existing vegetation and existing trees in order to facilitate additional stability investigation and to remove risk of destabilisation in the future.

It is anticipated that the installation of protective measures will be necessary going forward and this could include localised rock bolting to particular high risk areas, and the installation of a rock netting system to cover larger exposures. Such intervention will be kept to a minimum, but is essential to ensure the safe redevelopment of this site for what has already been established as an appropriate use within the outline application.

Air Quality

As stated within the committee report associated with the outline application, it is not considered that the proposed use will be unacceptable from an air quality perspective.

Pollutants and particulates are only likely to result from residents vehicular movements and, as identified in the above Highways Section, vehicle movements associated with the development will on average be 17 per hour and that is before the existing use of the site is discounted.

A further consideration in respect of air quality relates to dust and in order to tackle this issue a planning condition is attached to the outline application. This condition will secure agreement of dust suppression measures prior to development commencing and relating to the demolition and construction phase.

Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £30 per square metre.

The funds generated through CIL will be used in connection with strategic infrastructure needs.

RESPONSE TO REPRESENTATIONS

A number of the points raised within the representations received in respect of this application have been addressed in the above assessment. The outstanding points are responded to as follows.

- The access from Chelsea Court will be particularly problematic during periods of freezing weather due to ice/snow on the roads.

In response, this is the case for many highways/access points in icy/snowy conditions across Sheffield owing to its topography. There is no reason why such issues cannot be dealt with by occupiers/a management company in the future.

- In recent years the construction of the apartment blocks at Quarry Head Lodge and Sycamore Court has already caused a considerable increase in wear and tear on the road surfaces. The addition of more dwellings would exacerbate this situation.

In response, this type of issue is a consequence of any development of this nature and future residents would contribute towards such infrastructure through measures such as Council Tax.

- How will the proposed restricted use of the Brincliffe Hill/Psalter Lane junction for emergency vehicles only be enforced?

In response, the final details are secured via a planning condition on the outline approval. The submitted plans do however indicate bollards at the site entrance to Brincliffe Hill, which would be knocked down in the case of an emergency, as they would be collapsible.

- Pedestrian access through the site must be retained during the construction works.

Whilst it is understood why this is desirable for surrounding residents it is not reasonable to insist on public access across private land during the construction phase.

It may be that the applicant does decide to facilitate this, but this would be agreed with residents outside of the planning process.

- How will construction traffic be managed/access the site.

In response, a planning condition is included within the outline application that secures a Construction Access Plan. This plan requires the routing of construction vehicles and areas identified for contractor parking and the manoeuvring of construction vehicles. Such areas will be within the site, which is of a scale that can facilitate this.

- The developer should be required to ensure highways are left in the condition they are found in.

In response, this will be a matter dealt with by the Highway Department and a dilapidation survey was added as a directive to the outline application.

- Brincliffe Hill is narrow with no footpaths and therefore it should not be a pedestrian route into the site.

In response, Brincliffe Hill is already utilised by vehicles and pedestrians, so there is no notable change in this respect. Furthermore, given the nature of Brincliffe Hill, vehicle speeds are relatively low.

- Brincliffe Hill is a private road and what measures will be taken to deal with the impact on this highway if vehicles associated with residents begin to use it.

In response, it is not anticipated that the approval of this development will result in any notable increase in vehicles parking on Brincliffe Hill. The upkeep of a private road is however a matter for the relevant owners.

- Brincliffe Hill cannot accommodate emergency vehicles as it is too narrow for two way traffic.

In response, Brincliffe Hill is a suitable width to accommodate emergency vehicles, being approximately four metres at its narrowest. This is no different to the scenario experienced on Brincliffe Hill at present.

- Signage at the end of Brincliffe Hill could be introduced to stop people trying to use it as a through route.

In response, signage is already in place making it clear this is not a through route.

- The decision to not have cable television connected and internet by the residents of Brincliffe Hill (so they don't lose the ability to access their homes while it being connected) must be respected.

In response, this is a private matter and not a material planning consideration.

- Visibility from Chelsea Rise is limited.

In response, it is accepted that the sight lines from Chelsea Rise are slightly below the guidelines. However, given that there is no recorded accident history at this junction, along with the limited increase in vehicular movements proposed, it would be unreasonable to refuse the application on this basis.

- Can a formal cycle route be created through the site, or can the current prohibition of cycling between Quarry Lane and Brincliffe Hill be removed?

In response, whilst it is not proportionate to provide a formal cycle route, it will be possible for cyclists to travel through the site. The prohibition issue is not a matter for this planning application.

- The scheme does not include electric vehicle charging points.

In response, a condition will be imposed, should Members be minded to approve the scheme, to secure two charging points within the development.

- The Transport Statement includes several inaccuracies, including the width of the site access from Chelsea Court, which is in fact 5.5 metres. It also underestimates the amount of vehicles using the junction of Chelsea Court/Rise/Road.

In response, there are differences of opinion in this respect. However, the above assessment has clarified points when necessary and assessed the appropriateness of the scheme with respect to highway safety.

- Using the average car ownership for residents of apartments across the city is ambiguous and this does not reflect the demographic of the people who would live in this area. Such people are likely to have above average car ownership.

In response, this is a reasonable point and the above assessment has considered the specific site/application when determining the proposed car parking provision.

- The disruption to residents during the construction works will be significant.

In response, noise and general disturbance is an inevitable consequence of development and is only for a finite period.

Additionally a directive is placed on the outline permission reminding the applicant of the general rules with regard to acceptable hours of work that would create vibration and noise for surrounding residents. Ultimately this is governed under Section 60 of the Control of Pollution Act (1974), which can be enforced by the Environmental Protection Service if required.

- Are there any asbestos/hazardous substance issues with the existing building?

In response, this is not a material consideration with respect to this planning application and would be governed by environmental legislation.

- The developers should consider permanently taking over ownership/maintenance of the quarry walls.

In response, responsibility for the ongoing maintenance of the quarry walls is a matter for the existing and future land owners.

- It is difficult to determine which trees are to be removed.

In response, the submitted Tree Protection Plan makes it clear what trees are to be removed as part of the development.

- An Ecological Management Plan should be conditioned.

In response, the scheme includes several measures to mitigate for the ecological impact of the development and planning conditions securing measures such as the green/brown roofs and landscaping will have retention requirements. As such, given the nature of the scheme, it is felt an Ecological Management Plan is not required in this instance.

- Safety barriers should be provided to prevent vehicles going over the cliff edge and into the residential gardens below.

In response, a planning condition is being proposed to secure measure to guard against this scenario, which could include safety barriers.

- The site was used for military training purposes during World War 1 and the potential for live ammunition needs to be investigated.

In response, the safe redevelopment of the site is the responsibility of the developers/owners. With that said, a directive is being proposed to make the applicant aware of the potential risk.

- The proposed number of units is far in excess of the number proposed within the outline application (36). This represents a 40% increase in unit numbers.

In response, the outline application approved the principle of residential development only, it did not specify numbers.

- The exact amount of residential units was removed from the outline description at the last minute and approval simply given for the principal of residential development. Had residents been made aware of this change then further objections would have resulted during the outline stage of the application.

In response, whilst this has allowed more flexibility at the reserved matters stage, the applicant would have been able to submit a full planning application for the current scheme in any case.

- Continuing to allow large scale development such as this in quiet residential areas will eventually have a detrimental economic impact on the city in general.

In response, there is a counter argument that approving a major development scheme such as this creates investment, jobs and homes for employees.

- It is very likely that future residents will be short term tenants who do not have the same interests in looking after the area than owner occupiers for example.

In response, if the units within the scheme are offered for rent, it is an unreasonable assumption that residents who rent units do not have an interest in looking after the area in which they live.

- The proposals are more concerned with developer profit rather than protecting the amenity of surrounding residents.

In response, officers feel the above assessment demonstrates that the proposed scheme does suitably protect surrounding residential amenity.

- The proposals will have a negative impact on the value of surrounding properties.

In response, the impact of development on the value of surrounding property is not a planning consideration.

- Neighbour letters were sent out over the Christmas period and did not allow sufficient opportunity for residents to comment.

In response, the date neighbour letters are sent out relates to when a planning application is made valid and at times this does fall on public holidays.

Any residents who contacted the planning service expressing concern in this respect were offered an extension to the consultation process and it was also made clear that letters would be accepted throughout the application period.

It is also noted that in excess of 70 representations have been received from residents, so clearly this consultation process has been effective.

- Not enough residents along Chelsea Court had been sent formal neighbour letters with regard to the proposals.

In response to this issue letters were sent to all residents within Chelsea Court early on in the application process.

- No site notices have been put up.

In response, site notices were put up on lampposts surrounding the site on 14 December 2017. This includes Brincliffe Hill, Chelsea Court and Chelsea Rise.

- Insufficient neighbour consultation took place with respect to the outline application.

In response, this consultation exercise was carried out in accordance with Sheffield's Statement of Community Involvement and included individual letter to residents, site notices and advertisement in the press.

- No public consultation took place ahead of the application being submitted.

In response, whilst it is always desirable for a developer to undertake community engagement ahead of submitting a scheme of this nature, this is not something that can be insisted upon.

- The application site encroaches onto third party land and the appropriate land ownership certificates have not been served.

In response, this matter was investigated during the course of the application and resulted in a slight adjustment to the red line boundary to ensure it does not impact on third party land.

- No mobile phone masts should be erected on the roofs of the proposed blocks until such time that it is conclusively established as being not detrimental to health. They would also be an eyesore.

In response, there are no mobile phone masts being proposed as part of the development. Any future application for such structures, if they come forward and require planning permission, will be considered on their own merits at that time.

- Brincliffe Hill could be a location for voyeurs looking down into the new apartments.

In response, this seems unlikely and would be a matter for the police. It is not a material planning consideration.

- Who is liable for the damage of vehicles if they are parked on privately owned land?

In response, liability for such matters would be dealt with through the appropriate channels, which in this case would be the police and insurance companies. This is not a material planning consideration.

SUMMARY AND RECOMMENDATION

This planning application is for the erection of 52 apartments (31 two bedroom and 21 three bedroom) in six blocks that will range between two and five storeys. Each of the blocks will follow a contemporary approach to design, including the incorporation of flat roofs.

The application has been submitted as reserved matters, following the approval of outline permission for residential development in 2016. This earlier outline consent also approved the principle of vehicle access, this being via Chelsea Court, with only emergency vehicles utilising the Brincliffe Hill/Psalter Lane junction. Matters in relation to appearance, landscaping, layout and scale are therefore being considered at this stage.

The scheme is located within a Housing Area, redevelops a brownfield site and makes a positive contribution to Sheffield's five year housing land supply targets, which are welcome factors.

Given the proximity to the Banner Cross District Shopping Centre the proposed housing destiny is considered appropriate and is policy compliant.

The scale and siting of the new buildings are suitably sympathetic to the context and these blocks incorporate a number of design features to create meaningful articulation and visual interest. This includes incorporating generous amounts of glazing and extensive modelling in the elevations.

When matters such as the sustainable location are accounted for, it has been demonstrated that the impact on the local highway network with regard to issues such as highway safety, capacity and car parking could not be regarded as severe, which is the defined test of acceptability within the National Planning Policy Framework.

Given the separation distances, the proposals would have an acceptable impact upon the amenities of neighbouring occupiers with regard to matters such as privacy, dominance and shadowing, even taking account of the topography of the site and surrounding land.

The proposed blocks would supply 10% of energy from renewable sources, or via a fabric first approach, and include features such as green/brown roofs and electric vehicle charging points, ensuring this is a sustainable form of development.

Future occupiers will be provided with acceptable levels of amenity and the submitted information has demonstrated that the ecology impact can be mitigated, as can the loss of trees. Such mitigation includes new tree planting and the provision of new habitats.

The Rock Face Stability Report has identified that, with mitigation measures such as pinning and netting, the development can be accommodated while ensuring the stability of the rock faces that boarder the site.

As such the proposals are considered to be acceptable and the scheme is recommended for conditional approval.

RECOMMENDATION

Grant Conditionally.

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