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Case Number	18/03406/FUL (Formerly PP-07261920)
Application Type	Full Planning Application
Proposal	Erection of 19 apartments in 1x 3/4-storey block with associated landscaping and provision of car parking (Resubmission of planning permission 17/04555/FUL) (Amended Plans received 9th July 2019)
Location	Land At Horndean Road And Barnsley Road Sheffield S5 6UJ
Date Received	05/09/2018
Team	West and North
Applicant/Agent	Coda Planning Ltd
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

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

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

## **Approved/Refused Plan(s)**

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

Elevations - Dwg No(07)001 rev B  
Ground and First Floor Plans - Dwg No (08) 001 rev B  
Second and Third Floor Plans - Dwg No (08) 002 rev B  
Roof Plan - Dwg No (08) 003 rev B  
Proposed Site Plan (09) 001 rev C

Reason: In order to define the permission.

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

3. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

4. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

5. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to

be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

6. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-

- The parking of vehicles of site operatives and visitors;
- Means of access for construction traffic;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of the appropriate development of the site.

7. No development shall commence until details of finished site and floor levels, including details of the design and construction of any new retaining walls that may be necessary shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved details.

Reason: In the interests of the appropriate development of the site.

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

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

- a, Balconies
- b, Brick work detailing
- c, Windows
- d, Doors

e, Parapet

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

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

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

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

10. The development shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport it is essential for these works to have been carried out before the use commences.

11. The development shall not be used unless the car parking accommodation for 12 cars as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

12. The existing stone boundary wall fronting Barnsley Road shall be retained. Prior to any above ground works full details of a suitable means of site boundary treatment to all other site boundaries shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless such means of site boundary treatment have been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

13. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

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

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

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

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

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

16. The proposed green roof(s) (vegetated roof system) shall cover a minimum area of 80% of the roof and shall be provided prior to the use of the building commencing. Full details of the green roof construction and specification, together with a maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. Unless an alternative specification is approved the green roof shall include a substrate based growing medium of 80mm minimum depth and incorporating 15 - 25% compost or other organic material and the vegetation type shall be herbaceous plants. The plant sward 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.

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

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

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

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

19. The development shall not be used unless a sight line with dimensions of 2.4 metres x 43 metres, has been provided at the vehicle entrance/exit to the site. When such sight line has been provided, thereafter the sight line shall be retained and no obstruction to the sight line shall be allowed above 1.05 metres above the nearside channel level of the adjacent highway.

Reason: In the interests of the safety of road users it is essential for these works to have been carried out before the use commences.

### **Other Compliance Conditions**

20. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

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

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

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. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.

3. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.

4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk)

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

6. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when

measured at positions on the site boundary adjacent to any noise sensitive use.

7. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

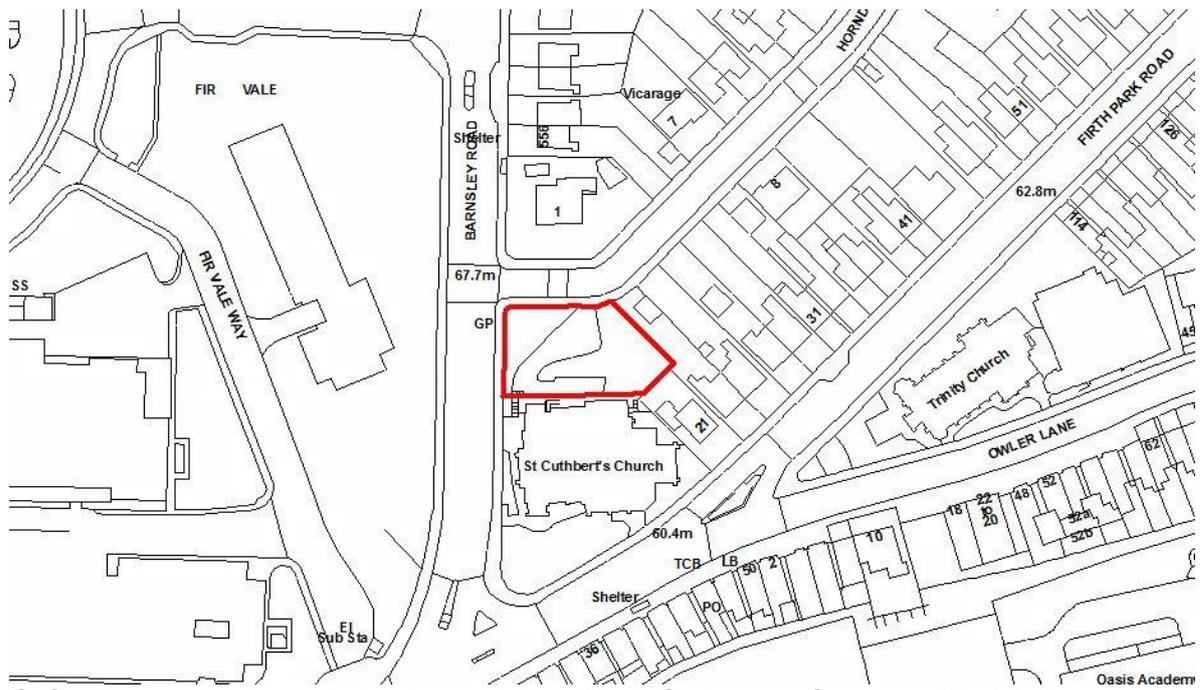
To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

## Site Location



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## LOCATION AND PROPOSAL

The application relates to approximately 0.1 hectares of land located at the junction of Barnsley Road and Horndean Road in Fir Vale.

The site previously accommodated St Cuthbert's Church Hall, which was demolished many years ago. The application site has stood vacant ever since, is now overgrown and is currently fly-parked.

The site is adjacent to the Grade II listed St Cuthbert's Church which occupies a prominent position in the locality close to the junction of Barnsley Road and Firth Park Road / Owler Lane. The topography of the area rises to the north emphasising the dominance of the church.

The application site is in an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The locality is mixed in character. The area to the north and east comprises of terraced, detached and semi-detached dwellings. To the south, beyond the Church is the Fir Vale local shopping area. To the west across Barnsley Road is the Northern General Hospital site.

The site is bound to the north and west by Horndean Road and Barnsley Road, to the south by the church and to the east by the rear gardens of properties on Firth Park Road. The site is elevated above Barnsley Road by approximately 1.5 metres and retained by an existing stone boundary wall.

A previous application ref: 17/04555/FUL which sought permission to redevelop the site for 26 flats was withdrawn in April 2018. Planning consent is now sought for the erection of 19 one and two bedroom apartments contained in a 3/4 storey 'L' shape building. The proposal includes 12 parking spaces to the rear.

Planning consent has previously been granted on this site in 2006 for the erection of 12 apartments.

## RELEVANT PLANNING HISTORY

- 06/00404/FUL - Erection of 12 apartments and associated car parking and amenity space (additional plans received 13/3/06) - Granted Conditionally (Legal Agreement).
- 06/00405/LBC - Demolition of church hall and erection of 12 apartments and associated car parking and amenity space (additional plans received 13/3/06) - Granted Conditionally.
- 17/04555/FUL - Erection of 24 apartments in 1 x 4 storey block with associated car parking accommodation, cycle spaces and landscaping - Withdrawn.
- 17/04556/LBC - Erection of 24 apartments in 1 x 4 storey block with associated car parking accommodation, cycle spaces and landscaping - withdrawn.

## SUMMARY OF REPRESENTATIONS

7 letters of representation were received in relation to the first round of consultation, all in objection. One resident claims to have written on behalf of a number of other local residents in the area affected by the development.

The issues raised are summarised as follows:

- The area is subject to excessive traffic and parking issues mainly associated with the hospital.
- Residents struggle to park their own cars, and parking and access issues will only be made worse by the development.
- The position of the site access will lead to highways safety issues.
- The proposed development does not respect local context and street pattern or the scale and proportions of surrounding buildings and would be entirely out of character of the area to the detriment of the local environment.
- The scale of the proposal is unacceptable as there are no four storey buildings in the area.
- The proposal does not blend into the character of the area.
- The proposals will significantly affect the views of the church and its prominence particularly from the north.
- The building would block views of the church tower and lead to a loss of light to frequently used office space and community rooms.
- Limited provision for on-site amenity space.
- The granting of an application for 12 units previously on this site does not set a precedent for this development.
- Noise issues affecting the church's operations both during construction and operation of the building.
- Insufficient bin storage and concerns with how collection vehicles will access the site.
- Concerns that the church could be affected by water ingress if adequate drainage is not provided.
- Overdevelopment of the site leading to overlooking of adjoining residents and loss of light.
- The council must consider its responsibilities under The Human Rights Act (Protocol 1, Article 1) which states that a person has the right to peaceful enjoyment of all their premises which includes the home.
- Concerns with the stability of the land and further clarification is required in relation to retaining structures needed to separate the church from the development, new structures should not create maintenance issues for the church.
- If the development is allowed controlled hours of work should be imposed.

Following the receipt of amended plans a further round of consultation was undertaken. 5 letters of representation have been received, all in objection.

The issues raised are summarised as follows:

- The proposals will add extra hazards to already congested roads in the vicinity of the site.
- The applicant's statistical analysis of car ownership which indicates that they have provided more spaces than needed does not reflect the real life situation affecting the site.
- Yellow lines outside the site intensify parking and highways related issues.
- Inadequate number, size and design of car parking spaces.
- There are 64 dwellings on Horndean Road and 67 cars associated with the occupants of those properties; unfortunately no one uses a bike or other modes of travel except public transport. The statistical analysis offered by the developer does not reflect the real situation on site. The amendments do not address previous concerns.
- Two void spaces are provided in the building could these be used for further development/flats.
- Inadequate parking provision, spaces are not large enough.
- A number of previous objections still stand in relation to land instability, design, scale etc.
- The proposal will destroy the character of this family orientated area.
- Detrimental impact on the church, views of it, its setting and appearance.
- Extra parking generated by the development will spill over onto the highway.

## PLANNING ASSESSMENT

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The key aim of the NPPF is to deliver sustainable development, which has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy; a social objective - to support strong, vibrant and healthy communities; and an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment. The following assessment will have due regard to these overarching principles.

### Principle of Development

The site is in an allocated Housing Area as defined in the adopted UDP. Policy H10 identifies housing (use class C3) as the preferred use of land in the policy area. As such the principle of the redevelopment of this vacant site for housing purposes is considered to accord with Policy H10.

### Housing Land Supply

Policy CS22 of the Core Strategy sets out Sheffield's housing targets until 2026. The NPPF 2019 provides more up to date guidance on this matter and requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing.

The Council is in the process of updating its 5-year housing land supply position and in light of the recently changed assessment regime (identified in the revised

NPPF (2019) and associated Practice Guidance) further detailed work is required. The Council will therefore be undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing its conclusions in a monitoring report later this year (2019).

The Council cannot demonstrate a five year supply at this time and the Council's most recent assessment of supply, contained in the SHLAA Interim Position Paper (2017), showed a 4.5 year supply of sites.

Furthermore the NPPF (Para 68) emphasises the important contribution small and medium sized sites, such as this, can make to meeting the housing requirement of an area. The NPPF confirms that local planning authorities should support the development of windfall sites giving great weight to the benefits of using suitable sites within existing settlements for homes.

This development will make a small but positive contribution towards the Council's housing land supply of deliverable sites, which is afforded appropriate weight as a material consideration in the determination of this application.

#### Efficient Use of Land

Core Strategy Policy CS26 seeks to make efficient use of land for new housing and identifies that a density of between 40-60 dwellings per hectare is appropriate in this location. More up to date guidance on the efficient use of land is contained in the NPPF which is considered to carry increased weight to Policy CS26.

The NPPF promotes making effective use of land in meeting the need for homes (para 117). It gives substantial weight to the value of using suitable brownfield land within settlements for new homes (para 118c). It also promotes and supports the development of under-utilised land. The redevelopment of this site is considered to accord with the above.

Paragraph 122 of the NPPF identifies that development that makes efficient use of land should be supported taking account of the need for particular types of housing; viability; availability of infrastructure and scope to promote sustainable travel modes that limit the use of the car; the desirability of maintaining the area's prevailing character and setting; or of promoting regeneration and change; and the importance of securing well designed and attractive places.

Greater emphasis (para 123 NPPF) is placed on making decisions that avoid homes being built at low densities where there is an existing or anticipated shortage of land to meet identified housing needs, as is the case in Sheffield.

This proposal will make use of an underutilised brownfield site in a sustainably located residential area. It will deliver a mix of one and two bedroom flats, in an area dominated by larger properties and so it will contribute to the mix of accommodation available and the city's overall housing land supply.

The proposal for 19 flats with a net site area of 0.1 hectares represents a density of approximately 190 dwellings per hectare. It is considered that the density of development proposed is acceptable, taking account of the site's proximity to local

shopping and leisure facilities in Fir Vale and access to high frequency bus services.

The site provides an appropriate amount of car parking, given its sustainable location, and the development is not considered to harm the amenity of adjoining properties or character of the area as a result of its density.

The site is not considered to be overdeveloped and the proposed density of development is considered acceptable in accordance with the guidance contained in the NPPF.

### Design Issues

Core Strategy Policy CS74 and UDP Policies BE5, H14 and H15 seek to secure high quality developments which are of an appropriate scale and which enhance the character and appearance of the area.

Para 124 of the NPPF identifies that good design is a key aspect of sustainable development. In relation to design, Para 127 of the NPPF sets out a series of expectations including ensuring that developments add to the quality of the area, are visually attractive as a result of good architecture; layout and landscaping; are sympathetic to the local character and surrounding built environment; establish and maintain a strong sense of place; optimise the potential of a site and create places that are safe, inclusive and accessible.

The scale, siting and design of the building has been carefully considered in order to ensure it contributes to the appearance of the street scene and does not over dominate the adjoining listed church.

The scheme has been amended during the course of the application removing a metal clad mansard roof from part of the block fronting Barnsley Road, reducing the scheme to three storeys where it adjoins the church. Some of the accommodation has then been redistributed towards the Horndean Road frontage where the building transitions from four to three storeys. The building has also been set further back from Barnsley Road in order to expose the tower of the church in views from the north.

The proposed building occupies a prominent corner site with its primary frontage onto Barnsley Road. The footprint of the building is 'L' shaped wrapping around the north and west boundaries of the site with parking to the rear. A contemporary 4 storey element of the building is positioned on the corner of Horndean Road and Barnsley Road, the design of which reflects the strong horizontal emphasis of the neighbouring church's stone tower. The proposed building is however differential in scale to the church tower.

The rest of the Barnsley Road elevation is set further back and down from the corner block to reflect the topography of the site. This approach helps break up the massing of the structure, retains views and maintains the dominance of St Cuthbert's Church.

The scale of the building is considered appropriate for this prominent corner site fronting a strategic road, particularly when taking account of the topography of the area.

The external elevations of the building are to be faced in brick, punctuated by large vertically proportioned glazing elements. Recessed and patterned brick detailing is proposed to add interest. Projecting balconies are incorporated throughout. The balconies add interest and allow future occupants some directly accessible external space and help to animate the building's facades.

The primary entrance to the building is off Hordean Road and is identified by full height-glazing and a simple glazed canopy. The stone boundary wall on the Barnsley Road frontage would be retained.

The design approach is contemporary and, subject to appropriate detailing, which will be secured by condition, the scheme is considered to contribute positively to the character and appearance of the street scene.

#### Impact on Listed building

Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have special regard to the desirability of preserving a listed building or its settings or any features of special architectural or historic interest which it possesses. This assessment will have regard to this requirement.

The NPPF seeks to protect heritage assets from unacceptable harm (para 190 NPPF). Paragraphs 193 to 199 of the NPPF identify how the effects and impacts on heritage assets should be considered by decision makers. Paragraph 193 identifies that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

There is a presumption that where development results in substantial harm applications should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, subject to additional criteria set out in paragraph 195.

NPPF Paragraph 196 goes on to identify that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

At a local level the UDP seeks to protect the setting and appearance of listed buildings (BE19 and BE20). Policy CS74 of the Core Strategy also identifies that high quality development is expected and development should respect the distinctive heritage of the city.

No listed buildings are contained within the application site; however St Cuthbert's Church is located immediately to the south of the application site. The church was built in a gothic revival style and constructed of stone. A stone tower was added to the original Church in 1959.

The prominence of St Cuthbert's Church within the local area is a key component in its character. Churches generally have a dominant place in the townscape and on the skyline.

The applicant has commissioned a heritage statement prepared by Archaeological Research Services to assess the impact of the development on the significance of the adjoining listed building. The assessment was based on the originally submitted scheme and it concluded that St. Cuthbert's Church role as a focal point would be slightly diminished due to the massing of the building affecting the verticality of the church tower. However these impacts would only occur when viewed from two discrete areas in the immediate locality. It was concluded that the development would not significantly affect these vistas or the significance of the church building.

The report also noted that the development would be more noticeable in views of the church from along Barnsley Road to the north, but it is concluded that the role of the church as a focal point is not as readily appreciated from this direction. The report concluded that the effects of the development will need to be weighed against the desirability of redeveloping this vacant plot with a high quality building, thereby replacing an informal car parking area that is currently having an adverse impact upon the setting of the church.

In response to the above assessment, with which your officers concur, the scheme has been amended by setting the front elevation of the building further back from Barnsley Road and by reducing the overall height of the part of the building adjacent to the church tower from 4 to 3 storeys. These amendments are considered to adequately mitigate any effects on the setting of the church.

The scheme will redevelop a neglected and overgrown site currently used (unauthorised) for car parking which detracts from the setting of the listed building. It will deliver much needed housing development, making efficient use of a sustainable brownfield site.

The design, scale, massing and layout of the proposed development are considered to respect the character, appearance and setting of the church, maintaining its dominance in the locality. The proposal is considered to result in less than substantial harm to the setting of the listed building. The public benefits of the scheme, in terms of bringing back into use an untidy vacant brownfield site and the provision of much needed housing are considered to outweigh the harm caused in this case.

The scheme is considered to make a positive contribution to the overall character of the area and does not therefore conflict with adopted local and national planning policy.

## Amenity Issues

UDP Policy H14 part(c) seeks to ensure that sites are not overdeveloped or deprive residents of light private or security. Policy H15 expects the design of new housing developments to provide good quality living accommodation to ensure that basic standards of daylight, privacy, security and outlook are met.

Policy H5 seeks to secure suitable living conditions for future occupants and existing neighbours and to ensure that there is not a concentration of flats that would cause nuisance to existing residents.

The building has been sited towards the Horndean and Barnsley Road frontages of the site in order to minimise any impact on the amenities of adjoining properties. The primary outlook from the flats is over the adjoining highways and the rear parking court. The properties to the east on Firth Park Road are located at a lower level than the application site; the garden of No. 23 is terraced and extends to the back edge of pavement on Horndean Road, where a single storey garage is located. Taking account of the separation distances and oblique angle between the proposed development and existing dwellings on Firth Park Road the proposal is not considered to give rise to any harmful overlooking.

Properties to the rear of the site on Firth Park Road are located at a lower level than the application site. However the building is sited towards the road frontages of the site, taking account of this as well as the orientation and the separation distances provided, the development is not considered to have a significant or harmful overbearing or overshadowing impact on the amenities of adjoining property.

No. 1 Horndean Road, to the north of the application site is located on the opposite side of the road, at a higher level than the application site. The property benefits from some screening provided by tree planting and a boundary fence. It is considered that there is adequate separation across the highway to maintain privacy and not result in any harmful overbearing or overshadowing.

There will be some increased activity to the rear of the site due to the inclusion of car parking within the site. Boundary treatment, which will be secured by condition, will provide suitable protection to adjoining properties.

On site amenity space is limited to a small area on the Barnsley Road frontage and balcony spaces for a number, but not all, of the flats in the scheme. Given the nature of the accommodation, the restricted dimensions of the site and the need to strike a balance between providing off street parking and securing a reasonable density of development the proposed arrangements are considered to be acceptable.

Future residents are likely to be affected by road traffic noise, so full details of appropriate glazing specification and ventilation will be secured by planning condition.

Concerns have been raised about the impact on light to spaces and rooms in the

adjoining church. Clearly the development will increase the mass of the building adjacent to the church and will reduce the amount light it receives at certain times of day. However there is considered to be adequate separation between the church and the proposed building to retain appropriate daylighting.

In light of the above the proposals are considered acceptable from an amenity perspective.

### Highways Issues

Core Strategy Policy CS53 'Management of Demand for Travel' sets out a variety of ways in which the increased demand for travel will be managed across the city including applying maximum parking standards to all new developments to manage the provision of private parking spaces.

Policy H14 part(d) seeks to ensure that development would provide safe access to the highways network and appropriate off street parking and not endanger pedestrians.

Access to the site will be gained from Horndean Road set back from the junction with Barnsley Road, in a similar position to the existing vehicle access to the site. Twelve parking spaces are to be provided underneath and to the rear of the building. Some spaces are double banked and are therefore likely to be allocated for the use of occupants of the two bedroom units.

The level of car parking proposed is considered acceptable due to the highly sustainable location of the site. Residents are afforded easy access to high frequency public transport services, as well as local shopping facilities/amenities in Fir Vale. Taking account of these factors and the nature of the accommodation proposed the likelihood of all occupants requiring a car is considered to be reduced.

Secure cycle parking is also provided as part of the development which enables residents to use other more sustainable modes of transport than the car.

A number of residents have raised concerns with regard to existing congestion and on street parking issues in the locality. The proposed access to the site will not remove any additional on street parking as it is located in a similar position to the previous access to the church hall. The southern side of Horndean Road is double yellow lined which protects the junction with Barnsley Road from being parked on both sides of the highway, thus facilitating safe access to Horndean Road. These arrangements will remain.

It is considered that due to the limited scale of the development it will not give rise to any severe residual cumulative impacts on the highways network or detrimentally affect highways safety. As such and in accordance with Paragraph 109 of the NPPF it is considered that the development should not be resisted on highways grounds.

Sustainability, Flood risk and Drainage

Policy CS64 expects new buildings to be designed to reduce emissions of greenhouse gases to combat the impacts of climate change. Policy CS65 seeks to promote renewable energy and carbon reduction and requires developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. An equivalent reduction in energy demands via a fabric first approach is now also accepted.

Policy CS67 requires developments to incorporate measures to reduce the impact and extent of flooding

The building has been designed to maximise efficiency and a 10% reduction in the building's energy demands is indicated to be achieved through a fabric first approach. The final method to achieve this requirement will however be controlled by condition to allow flexibility, should an alternative be considered more practical and/or viable.

The applicant has also indicated that a green roof will be provided, with details to be secured by condition.

The site is located in flood zone 1 which is identified by the Environment Agency as being at the lowest risk of flooding. Full details of the drainage arrangements will be secured by condition, including methods of reducing surface water run-off from the site.

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

CIL and Affordable Housing

The site falls in an area of the city where there is no requirement to provide affordable housing as part of this development. There is also no CIL charge.

Public Art

Policy BE12 encourages works of public art in places which can readily be seen by the public as an integral part of the development. The final detail of this will be controlled by condition.

## RESPONSE TO REPRESENTATIONS

The majority of issues raised in the representations have been covered in the main report. This response covers the outstanding issues:

- Noise and disturbance during the construction period is controlled by separate legislation. A directive will be added informing the applicant of the hours of work restrictions, noise and disturbance issues.
- Details of drainage and boundary treatments have been secured by planning conditions.

- Planning permission would be required to increase the number of flats in the development.
- Adequate provision for bin storage is provided within the building.
- In making its decision, the Council should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority to act in a manner which is incompatible with the European Convention on Human Rights. Particular reference is made to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of possessions, including land). In addition, under Article 6 the applicant and those third parties (including local residents) who have made representations have the right to a fair hearing which means that full consideration should be given to their comments. When making its decision the Council must balance any likely private harm against the wider public good to ensure that interference with anyone's rights shall only be permitted if it is proportionate (the degree of harm to the individual balanced against the public interest). On this occasion it is the view of Officers that any interference is in accordance with the law and justified as being in the public interest and on the basis of the planning merits of the proposal. Any restriction on rights caused as a result of the proposed development is considered to be proportionate to the wider benefits of granting permission and that such a decision falls within the margin of discretion afforded to the Council.

## SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of 19 apartments and associated car parking and amenity space on the site of the former St Cuthbert's Church Hall (now demolished) which is located at the junction of Horndean Road/Barnsley Road at Fir Vale. As amended the 6 two bed and 13 one bed units are contained in a 3 to 4 storey building fronting Barnsley Road and Horndean Road.

Planning consent was granted on this site in 2006 for 12 apartments. However the scheme was not implemented and the site has remained vacant ever since. It is currently overgrown and fly-parked and detracts from the character and appearance of the area.

The adopted Sheffield Unitary Development Plan identifies dwellings (use class C3) as the preferred use of land in housing policy areas. The proposal is considered to make efficient use of this underutilised and sustainably located brownfield site. It will provide a range of smaller units in an area that is dominated by larger family properties and will contribute towards the Council's requirement to provide a 5 year housing land supply.

The scale, massing and design of the proposed building is considered appropriate and the scheme will provide a modern contemporary building of high quality design, which contributes to the visual amenities of the locality. The development will lead to less than substantial harm to the setting of the Grade II listed St

Cuthbert's Church but this harm is outweighed by the positive contribution that the redevelopment of this derelict site will make as well as the positive contribution to housing supply as described above.

The proposal is not considered to adversely affect the amenities of adjoining properties or give rise to any overlooking, overshadowing or overbearing issues.

Suitable and sufficient secure car parking is provided on site along with secure cycle parking and bin storage. The existing on street parking and congestion issues raised by residents in the area are acknowledged. Nevertheless, taking account of the highly sustainable location of the development, which benefits from easy access to local shopping facilities and high frequency public transport services, the level of parking proposed is considered acceptable. The development is not considered to give rise to any severe residual cumulative impacts on the highways network or to adversely affect highways safety.

Taking the above into account, the proposed development is considered to accord with the adopted Sheffield Unitary Development Plan, the Core Strategy, the National Planning Policy Framework (NPPF) and the provisions of Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990.

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

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