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| Case Number | 18/04773/OUT (Formerly PP-07361390) |
| Application Type | Outline Planning Application |
| Proposal | Outline planning application (all matters reserved) for residential development including the demolition of existing buildings |
| Location | Sheffield Health And Social Care Fulwood House 5 Old Fulwood Road Sheffield S10 3TG |
| Date Received | 24/12/2018 |
| Team | West and North |
| Applicant/Agent | DLP Planning Ltd |
| Recommendation | Grant Conditionally Legal Agreement |

Time Limit for Commencement of Development

1. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) Access, (b) Appearance, (c) Landscaping, (d) Layout and (e) Scale (matters reserved by the permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

2. Application for approval in respect of any matter reserved by this permission must be made 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.

3. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

Approved/Refused Plan(s)

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

Design Code Addendum - Proposed Residential Development - V3 October 2019 published 28/10/2019;

Density Plan Dwg no: 4454 PP13 rev D;

Character Areas Plan Dwg no: 4454 PP15 rev D;

Storey Heights Plan Dwg no: 4454 PP12 rev D;

Tree Constraints Plan Dwg No: 4454 PP14 rev E; and

Site Location Plan Dwg No: 4454 PP04 rev B published 06/11/2019.

Reason: In order to define the permission.

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

5. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

Reason: In the interests of protecting the biodiversity of the site. It is essential that this condition is complied with before any other works on site commence given that damage to existing habitats is irreversible.

6. Supplementary intrusive investigations shall be carried out post demolition of all buildings and removal of all structures, plant and equipment, and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

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

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

8. 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.

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

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

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

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

11. No development shall commence until full details of finished plot and floor levels have been submitted to and approved in writing by the Local Planning Authority, thereafter the development shall be carried out in accordance with the approved levels.

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

12. 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.

13. 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.

14. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document plans and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual environmental or amenity impacts that cannot be adequately controlled at source.

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

15. Prior to the commencement of the development which involves the demolition of buildings and/or clearance of trees an up to date bat survey for the development shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following:

- A) An up to date bat survey of the relevant buildings/trees affected to confirm the absence/presence and location of bat roosts (internal and external inspections of buildings as required);
- B) Mitigation and avoidance measures during demolition/clearance works;
- C) Time scales for the demolition and clearance of the relevant buildings/trees.

The development shall be carried out and completed in strict accordance with the approved bat survey, mitigation and avoidance measures and demolition timescales. If the relevant buildings/trees are not demolished/cleared in the agreed timescales agreed under part C) of this condition further bat surveys will be required in accordance with parts A), B) and C) of this condition.

Reason: To ensure that bats, a protected species, are not adversely affected by the development and to ensure that development.

16. No development (including demolition, construction, or other enabling, engineering or preparatory works) shall take place until a final phasing plan for all works associated with the development has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to define the permission and to assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

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

17. No phase of the development shall be occupied unless all redundant accesses relevant to that phase of development have been permanently stopped up and reinstated to kerb and footway. The means of vehicular access shall be restricted solely to those access points indicated or approved under relevant reserved matters applications.

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

18. Within three months of the commencement of development details of bird and bat boxes, including the number and type of boxes to be used and their locations on the site or adjoining it, shall have been submitted to and approved in writing by the Local Planning Authority. The relevant phase shall be carried out in accordance with the approved details and thereafter retained.

Reason: In the interests of biodiversity.

19. Unless it can be shown not to be feasible and viable all buildings that form the subject of a reserved matters application shall incorporate green/brown roofs. Prior to foundation works commencing of any phase of the development details of:

- a) The design and location of the green/brown roof forming part of the development, and
- b) Full details of the green/brown roof construction and specification, together with a maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the green/brown roofs shall be implemented and retained in accordance with the approved details.

Unless an alternative specification is approved the green/brown 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 and the visual amenities of the locality.

20. Prior to the development commencing, unless it is agreed in writing by the Local Planning Authority that it is not feasible or practical, a detailed Employment and Training Strategy for that phase, designed to maximise local opportunities for

employment from the construction and operational phase of development shall have been submitted to and approved in writing by the Local Planning Authority.

The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

21. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

22. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:
1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
 2. A package of measures to encourage and facilitate less car dependent living; and,
 3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
 4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
 5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

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

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

23. Within 3 months of the commencement any phase of the development the applicant shall submit a lighting scheme, giving details of the lighting scheme (building and free standing) and the impact of light from the development. The report shall demonstrate that the lighting scheme is designed in accordance with The Institution of Lighting Professionals document GN01: 2011 'Guidance Notes for the Reduction of Obtrusive Light' and shall be designed with specific reference to protecting the adjoining woodlands and trees from obtrusive lighting. The development shall be carried out and thereafter retained in accordance with the approved details. [The guidance notes are available for free download from the 'resources' pages of the ILE website.]

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

24. 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.

25. No building or other obstruction including landscape features shall be located over or within 3 (three) metres either side of the centre line of the public sewer i.e. a protected strip width of 6 (six) metres, that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

26. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the specifications, provision and distribution of electrical car charging facilities within the development shall be submitted and approved in writing. Thereafter the electrical car charging facilities shall be provided in accordance with the approved details and retained.

Reason: In the interest of sustainability and minimising the impacts of the development on air quality.

27. Should the clearance of site vegetation and/or trees take place within the bird nesting season (March to August inclusive) a pre site clearance check shall be carried out by a suitably qualified ecologist no more than 48 hours before works commence to establish the presence of nesting birds. If active bird nests are present clearance works can only proceed once all chicks have fledged.

Reason: In order to ensure that nesting birds are not adversely affected by the development.

28. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

Any necessary signing, lighting, surfacing and other improvement works to SHE/145 - public footpath, SHE/643 - public footpath, SHE/CT/32 - cycle track.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway.

29. Within 3 months of the commencement of development, full details of the landscaping of the Whitley Woods Local Wildlife Site buffer zones shown on the approved parameter plans, shall have been submitted to an approved in writing by the Local Planning Authority. The site buffer zones shall have been landscaped in accordance with the approved details prior to the first occupation of the development.

Reasons: In the interests of the visual amenities of the locality and to mitigate the effects of the development on the adjoining Local Wildlife Site.

30. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years of the date of the submitted Baker consulting Ecological Appraisal and Protected Species Report dated July 2019, the ecological mitigation measures secured through the planning conditions shall be reviewed and, where necessary, amended and updated. The review of the ecological mitigation measures shall be informed by further ecological surveys commissioned to:

- i) establish if there have been any changes in the presence and/or abundance of protected species and
- ii) identify any likely new ecological impacts.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously considered as part of this outline application, the originally approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the local planning authority prior to the recommencement of development. Works shall then be carried out in accordance with the revised approved ecological mitigation measures and timetable.

Reason: In the interests of ecology.

Other Compliance Conditions

31. No part of the development shall be used unless all redundant accesses to that part of the development site have been permanently stopped up and reinstated to kerb and footway and the means of vehicular access shall be restricted solely to those access points indicated in the Reserved Matters application.

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

32. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and

approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

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

Reason: In the interest of satisfactory and sustainable drainage.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

Mr S Turner
Highway Adoptions
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 4383

Email: stephen.turner@sheffield.gov.uk

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. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.
4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines 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

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

5. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:

Ecology Unit
Sheffield City Council
West Wing, Level 3
Moorfoot
Sheffield
S1 4PL
Tel: 0114 2734481/2053618
E-mail: parksandcountryside@sheffield.gov.uk

6. 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

7. 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.

8. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a

cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

9. 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.

Please note: You must not start work until you have submitted and had acknowledged a CIL Form 6: Commencement Notice. Failure to do this will result in surcharges and penalties.

10. The Developer should consult with the Lifelong Learning Skills and Communities (LLSC) Service in Sheffield City Council who will be able to provide information and guidance on drafting the Employment and Training Strategy.

For further information, please contact:

Kerry Moon

Investment Support Manager - Sheffield City Council

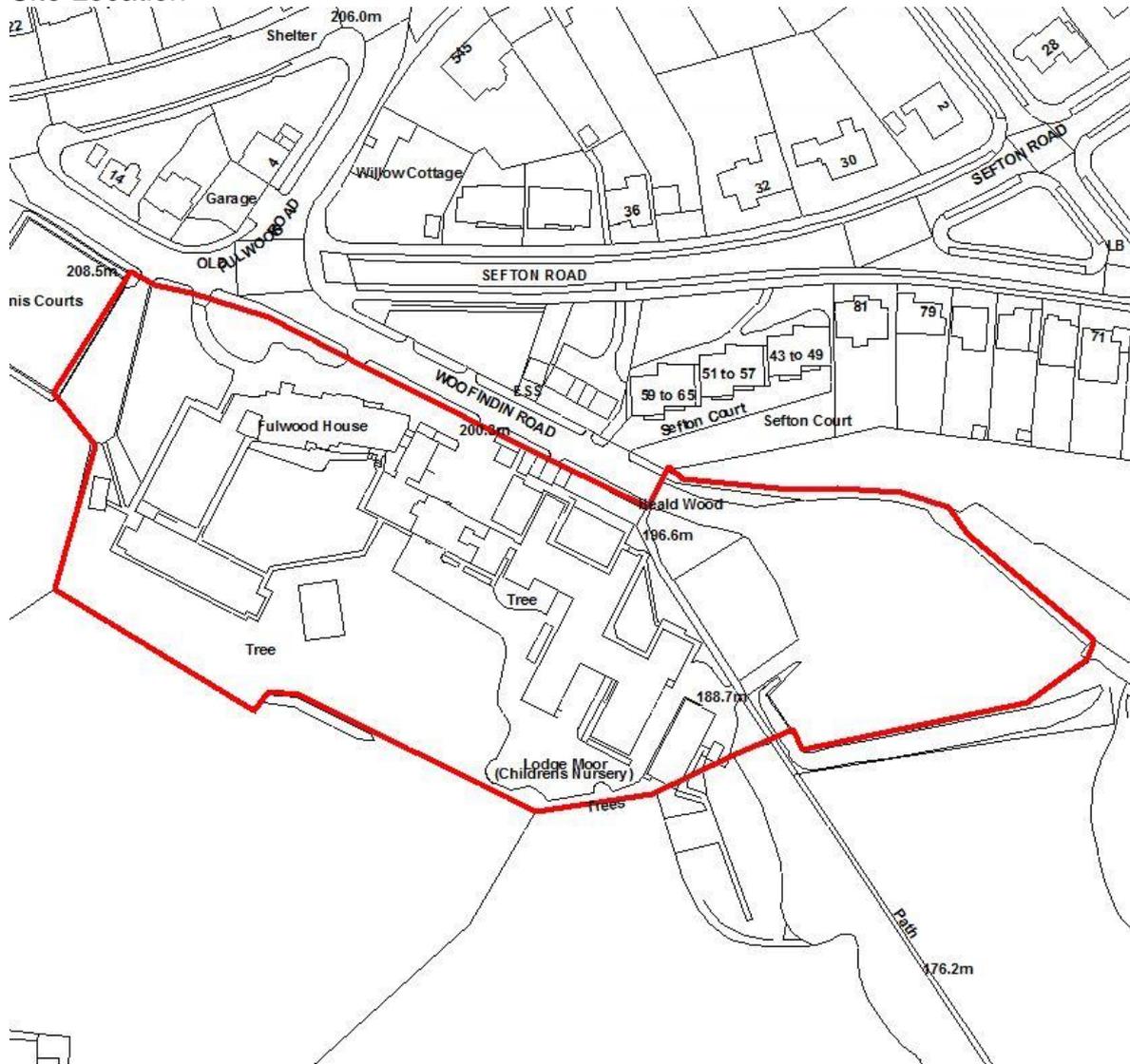
Lifelong Learning, Skills and Communities | Moorfoot | Sheffield S1 4PL

Tel: 07875009200

Email: kerry.moon@sheffield.gov.uk

11. The applicants are advised that the site contains established bat roosts. Irrespective of any planning consent you are required to gain a Natural England Bat Mitigation License prior to commencing any works on site.

Site Location



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LOCATION AND PROPOSAL

This application relates to the NHS Health and Social Care Services site which is located off Woofindin Road in Fulwood, Sheffield.

The application site comprises of an area of approximately 2.1 hectares and includes an 8 storey 1950's office block, a three storey Edwardian building known as 'Old Fulwood House' and a series of smaller more modern ancillary buildings that are used for a variety of different purposes including a children's nursery. These ancillary buildings range between one and four storeys in height. The remainder of the site comprises of surface level car parking, scattered mature tree planting and landscaped amenity areas.

The majority of site is in an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP) with the exception of a very small area of Green Belt land adjacent the southern boundary that is in part occupied by an existing children's nursery which is to be demolished. The entire south, east and west boundaries of the site are defined by the Green Belt, as is part of the northern boundary where Heald Wood separates the site from existing properties on Sefton Road and Clarendon Road.

A small surface level car park area in the north-west corner of the site falls in the Fulwood Conservation Area. The Conservation Area boundary also extends along a large part of the southern and western boundary of the site. An area of Special Character, which encompasses dwellings on Fulwood Road, Sefton Road and Clarendon Road, is located further to the north of the site beyond Heald Wood.

Two public rights of way are located within the site. One route connects Woofindin Road to Whitley Wood Road (via an adjoining site) and the other provides access into Whitley Woods to the south.

Site levels fall substantially from the north-west to the south east corner of the site. Outline planning permission is sought for residential development with all matters reserved (access, appearance, landscaping, layout and scale). It is proposed to demolish all buildings on site with the exception of the original Fulwood House building which is to be retained and converted as part of the scheme.

PLANNING HISTORY

There is various planning history dating back to the 1980s and early 2000's regarding minor extensions and alterations to the buildings on site. There is however no recent relevant planning history.

SUMMARY OF REPRESENTATIONS

The application was advertised by individual letters of notification, site notices and a newspaper advert. In response 35 letters have been received plus a survey carried out by local Councillors which requested residents views on how they would like to see the site developed.

31 letters of objection have been submitted which includes 18 identical letters each signed by different residents of the flats within Whitley Woods House which is located immediately to the east of the application site. The issues raised are summarised as follows:

- The car park on site was once part of the open Countryside and Green Belt (part of the George Woofindin Convalescent House estate) and should be restored as open land rather than developed for high density housing.
- Four and five storey development is inappropriate and will block the views of residents on Sefton Road and Clarendon Road. It will also impact views from across the Mayfield Valley.
- The proposed buildings will occupy a much greater footprint and a greater mass than the existing buildings on site. The visual impact of the development on the surroundings should be minimised rather than seeking to maximise views out.
- The proposed flats are located too close to the southern site boundary, impacting on the woodland and adjoining recreational areas.
- The density of the development is too high. The scale of the development on the car park should be reduced to accord with the rest of the site.
- Underground parking appears impractical and insufficient for the numbers of dwellings proposed.
- The demolition and removal of the ugly 8 storey office block is welcomed; however it does not justify the building of other large, inappropriate high density developments.
- There is a lack of clarity on design, external appearance and materials to be used in the development.
- Surface water run-off from the site should be reduced as it already leads to erosion of paths below the car park.
- Not enough residents have been consulted on the application.
- The higher density and increased height of the building would impact on the enjoyment and use of the footpaths that run through the site.
- The proposal results in the removal of a large number of trees.
- The entire site is not Brownfield land and it should not be built upon.
- The car parking area located in the Fulwood Conservation Area has significant merit and should be protected. The development will not protect the integrity of the Conservation Area.

- Increase in traffic will erode the integrity and character of the Conservation Area and locality.
- Loss of privacy, trees to the rear of Clarendon Road are deciduous and the apartments will clearly be visible in the winter.
- The layout should be amended to locate the flats in a similar position to the existing taller office block. Development should not exceed three storeys.
- The Green Belt is detrimentally affected by this development.
- The visual impacts of the development will be greater than illustrated in the supporting submissions.
- Green roofs and gardens should be a mandatory requirement of the development to reduce water run-off from the site.
- No account is taken of the tree preservation order on the site.
- Public recycling facilities should be provided on site as those at the end of Clarendon Road and Sefton Road are already overwhelmed.
- There is no direct cycle/pedestrian access between the application site and Whitley Woods House. Walkers and cyclist often trespass on to private land using the private drive rather than the dedicated footpath to access to and from Whitley Wood Road. Discussions are underway with SCC highways to erect barriers to prevent unauthorised access.
- Details of any off site improvement works to adjoining footpaths should be the subject to consultation with local residents.
- Lack of clarity on boundary treatments, additional information should be provided to ensure appropriate security for adjoining properties.
- Inappropriate pre-consultation undertaken by the applicants.
- The recommended 15 metre landscape buffer has not been provided on the southern boundary of the development.
- Lack of engagement with local stakeholders regarding travel planning.
- The scheme should be reduced in size to minimise pressure on local amenities including schools, roads and local shopping facilities.
- The quantum of open space on the site is clearly reduced by the development.
- A contemporary design is not suitable for this site and does not accord with policy CS74 of the Core Strategy

Local Councillors Survey Results

Councillor Sue Aston has submitted comments summarising the results of a survey of local residents. 350 households were letter dropped and 75 responses were received. The issues raised are summarised as follows:

Residents expressed views on a number of different issues including the mix of housing, scale of development, the importance of preserving and enhancing views, protecting wildlife and trees, retaining foot/cycle access and ensuring that the design is in keeping with the surrounding area. A preference was expressed for smaller dwellings, bungalows and apartments as part of the mix of accommodation to be provided. In terms of scale most residents indicated that development should be a maximum of three storeys and several comments indicated that buildings should be of the same or a similar scale to existing properties in the area. Residents identified access (footpath), design, protection of trees and wildlife and views as a top priority in the redevelopment of the site.

2 Neutral comments including the comments of Sheffield and Rotherham Wildlife Trust.

- Consideration should be given to amending the site layout so that the Public Right of Way (PROW) on the northern boundary of the site can be closed and diverted to connect to the other PROW on the southern boundary. This will address concern with existing walkers and cyclists incorrectly using the driveway of Whitely Wood House as they think it is the PROW. Suitable boundary treatment should be provided.
- Supportive of sympathetic development of the site.
- The building should not be left vacant of any period of time as this may attract vandalism

Sheffield and Rotherham Wildlife Trust

- A 15 metre buffer should be created along the southern boundary of the site in accordance with the recommendations of the applicant's ecology survey.
- All woodland, trees, hedgerows and ponds within the site should be retained as far as possible.
- A sensitive lighting scheme should be produced as light has the potential to affect adjoining woodland habitats.
- The impact on protected species must be considered through appropriate surveys.
- Bat/bird boxes should be included and native planting included to enhance the ecology of the site.
- Scrub clearance should be undertaken outside of the bird/breeding nesting season.

- An ecological (not just landscape) management plan should be conditioned to secure appropriate ecological mitigation.

2 Letters in support

- The redevelopment of the site is supported and the lessons should be learned from the blight caused by Hallam towers standing empty for so long. It should not become a magnet for anti-social behaviour and development should commence soon.
- An increase in population could improve local amenities.

PLANNING ASSESSMENT

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The Council's development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in February 2019 (NPPF) is a material consideration.

The NPPF sets out the Government's planning priorities for England and describes 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.

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 213 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The assessment of this development proposal also needs to be considered in light of paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

As Sheffield does not currently benefit from a five year housing land supply the most important policies for determining this application are automatically considered to be out of date, as made clear in footnote 7 of paragraph 11. As such the two Paragraph 11 tests, often referred to as 'the tilted balance', will apply.

In this context the following assessment will:

- Assess the proposals compliance against existing local policies as this is the starting point for the decision making process.
- Consider the degree of consistency these policies have with the Framework and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Apply 'the tilted balance' tests, including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Land use

The majority of the site is in an allocated Housing Area as defined in the adopted UDP. Policy H10 of the UDP identifies housing (use class C3) as the preferred use of land in the policy area.

A very small part of the existing nursery building located adjacent to the southern boundary of the site is in the Green Belt. The red line application site boundary includes this building in order to ensure that it can be demolished. The removal of the building will enhance the openness of the Green Belt. The detailed layout of the scheme is not considered at this outline stage and any reserved matters application will need to ensure that new development does not encroach into the Green Belt.

Previously Developed Land

The application site is considered to be brownfield land (previously developed) in accordance with the definition contained in Annex 2 of the NPPF and is identified on the Local Planning Authority's Brownfield Register, a register of brownfield land which is considered to be suitable for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017.

Core Strategy Policy CS24 (Maximising the Use of Previously Developed Land for New Housing) prioritises the development of previously developed (brownfield) sites. The weight attributed to CS24 is open to question as it is a restrictive policy based on outdated housing need figures. However the promotion of brownfield

development aligns strongly with the NPPF, in particular paragraph 118 c) which gives substantial weight to the value of using brownfield land within settlements for homes and other identified needs. In this regard CS24 can be offered substantial weight.

Furthermore the NPPF at paragraph 68 supports the development of medium sized windfall sites such as this, as they can make an important contribution to meeting the housing requirement of an area. The NPPF give great weight to the benefits of using suitable sites within existing settlements for homes. This site is in an established residential area and is considered to be sustainably located, benefiting from public transport links (bus) and local services including shopping facilities on Brooklands Avenue (approximately 500m away) and Nether Green (approximately 450m away). In light of the above the principle of redeveloping this brownfield site for residential purposes is considered to be acceptable and accords with both local and national planning policy.

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.

Core Strategy Policy CS23 'Locations for New Housing' identifies that new housing will be concentrated where it would support urban regeneration and make efficient use of land with the main focus of development being on sustainably located sites within or adjoining the main urban area of Sheffield. As the efficient provision of new brownfield housing development is a strong theme within the NPPF (as identified elsewhere in this assessment), in this regard this policy can be offered substantial weight.

Core Strategy Policy CS22 relates to the scale of the requirement for new housing and sets out Sheffield's housing targets until 2026; identifying that a 5 year supply of deliverable sites will be maintained. However, the NPPF (2019) now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method.

The Council is in the process of updating its 5-year housing land supply position and in light of the 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 (2020).

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

Housing Density

Policy CS26 of the Core Strategy recommends a density of 40-60 dwellings per hectare for a site such as this due to the proximity of high frequency bus services. Density outside of this range is also considered to be acceptable, where it achieves good design and reflects the character of the area.

Policy CS31 'Housing in the South West Area' identifies that the density of development should be in keeping with the area. Fulwood and the immediate surroundings is generally characterised by lower density development due to the presence of a high number of large dwellings which are set in substantial plots.

This policy limits housing development to specific circumstances and as a result is now considered to carry significantly reduced weight in the determination of this application.

More up to date guidance on the efficient use of land is contained in the NPPF which is considered to carry increased weight over Policies CS26 and CS31 given that Sheffield's housing need is now greater than it was when the Core Strategy was published.

Paragraph 122 of the NPPF advocates making efficient use of land taking account of a number of factors including identified housing needs; market conditions and viability; the availability of infrastructure; the desirability of maintaining the prevailing character of the area, or of promoting regeneration; and the importance of securing well designed places.

Where there is an existing shortage of land for meeting housing needs, as is the case in Sheffield, the NPPF (para 123) places increased emphasis on avoiding low density housing development and ensuring that developments make optimal use of the potential of each site.

The applicant's Design and Access Statement indicates that the development could yield up to 161 dwellings, comprising of 132 apartments and 29 houses. This equates to an overall density of development of 73 dwellings per hectare.

The number of dwellings proposed is purely indicative as the layout and scale of development is not defined as part of this outline application. The parameter plans accompanying the application do however indicate how different parts of the site could be developed at different densities, ranging from 20-25 dwelling per hectare up to a maximum of 60-80 dwellings per hectare. The highest density development proposed is located towards the north-east corner of the site where there is considered to be potential for buildings up to 5 storeys in height due to topography of the site.

Although lower density development is prevalent in the area, this is a sustainability located brownfield site, in an established residential area where it is considered possible to accommodate higher density development without harmfully affecting the amenities of adjoining residents or the character of the area.

Increased densities could also deliver a wider range and mix of homes including smaller dwellings and apartments which is supported by Policy CS41 'Creating Mixed Communities'. The Council's Strategic Housing Section has identified that smaller homes are in short supply in the area and the lack of these properties limits the opportunities for the larger resident older population of the area to downsize and stay in the local neighbourhood. An identified housing need could therefore be addressed by increasing the density of development by building flats.

In light of the above and the guidance contained in the NPPF which encourages the efficient use of land, particularly where the council cannot demonstrate a 5 year housing land supply, the density of development proposed is considered acceptable.

Design Issues

Policies CS74 of the CS and UDP policies BE5, H14 and H15 all seek to secure high quality developments which are of an appropriate scale and which enhance the character and appearance of the area. These policies are considered to broadly align with the guidance in the NPPF, including paragraph 124 which identifies that good design is a key aspect of sustainable development. The policies are also considered consistent with paragraph 127 of the NPPF which is concerned with design and 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.

Policy CS31 is specific to housing development in the south west of the City and is concerned with safeguarding and enhancing the areas character by restricting the scale and density of development. As noted above this policy carries a significantly reduced weight in the consideration of this application as the Council does not have the required 5 year housing land supply.

In order to facilitate the comprehensive redevelopment of this site the scheme seeks to remove all buildings with the exception of Old Fulwood House which will be retained, converted and altered by removing a previous inappropriate side extension. All other existing buildings on site are not considered to be of any significant value to warrant their retention or protection.

This application is in outline with all matters reserved for subsequent approval, with the exception of establishing that the principle means of access will be taken from Woodfindin Road. The applicants Design and Access Statement (D&A) includes illustrative layouts to demonstrate that the proposed quantum of development proposed could be delivered appropriately. A design code and a series of parameter plans have also been submitted which broadly indicate the potential scale and density of development, character areas within the site, parking, access and landscape principles.

Scale, Layout and External Appearance

The site will be accessed from Woofindin Road and there are a series of public rights of way that cross the site which will be retained and incorporated in the detailed layout of the scheme. The majority of the mature trees within and adjoining the site will also be retained, a number of which are protected by Tree Preservation Order (TPO).

The parameter plans indicate four distinct character zones (A1, A2, B1 and B2) within the site.

Area A1 fronts Woofindin Road and Old Fulwood Road and contains the retained Old Fulwood House building. The existing 8 storey office block on site stands substantially above the prevailing scale of existing buildings in the locality and its removal as part of this development is considered to be beneficial from a visual amenity perspective. The scale of new development on the site frontage is indicated to range between 3 and 4 storeys, at a density of between 35 and 45 dwellings per hectare. This would indicate the potential for some blocks of flats to be delivered which would reflect the scale of Old Fulwood House. This is considered to be an appropriate response to the street facing elevation of the site.

Area A2 lies to the south of Fulwood House and covers a large part of the application site extending to the rear (southern) site boundary. A lower density and scale of development ranging between 20 and 25 dwelling per hectare and between 2 and 3 storeys in height is indicated. The approach is considered acceptable taking account of the sloping topography of this part of the site and its more rural/landscaped character adjacent the Green Belt boundary.

The south east corner of the site currently comprises a sloping area of surface car parking. It is located at a substantially lower level than the majority of the application site and existing properties to the north, beyond the wooded embankment of Heald Wood. The parameter illustrate this area is split in two different parts.

Area B1 covers most of the existing car park but is separated from Heald Wood by a substantial 15 metre wide buffer zone. It is proposed to include some higher density development; up to 60 – 80 dwelling per hectare with buildings ranging between 3 and 5 storeys in height. The approach to developing this part of the site at a higher density and scale of is considered acceptable taking account of the site's topography and the backdrop of the woods which will ensure that any development will not appear overly tall or out of character.

Area B2 is located immediately adjacent to the southern boundary and is indicated to be developed at a density of 35 to 45 dwellings per hectare with buildings up to two storeys in height to ensure an appropriate transition of scale adjacent to the southern site boundary and Green Belt beyond.

The general layout parameters are considered to result in an appropriate form of development taking account of the site constraints.

The general height and density parameters are maximums, however the range proposed and their distribution across the site is considered to result in an

appropriate scale of building, taking account of the character of the area and the significant topographical changes across the site.

The detailed landscape and external appearance of the development is reserved for subsequent approval. The design code and parameter plans do however provide a suitable framework which will inform a reserved matters submission.

Key Views

Some key views analysis of the site, from across the Mayfield Valley to the south, has been undertaken by the applicants based on a purely indicative scheme. The analysis illustrates that the removal of the existing 8 storey office block from the site will have a positive visual impact. The lower scale of development proposed as part of this application will be viewed in the context of the rising topography to the north, which is characterised by suburban housing development and mature tree cover. Detailed analysis of the visual impact of the development will need to be undertaken as part of the reserved matters application when the exact scale, layout and design of the scheme is known.

Impact on Heritage Assets

The NPPF seeks to protect heritage assets from unacceptable harm (para 190). Paragraphs 193 to 199 of the NPPF identify how the effects and impacts on heritage assets should be considered. Paragraph 193 states 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.

At a local level policy BE16 and BE19 seek to protect the setting and appearance of Conservation Areas and Areas of Special Character.

There are no listed buildings within the site. The closest listed building (553 Fulwood Road) is over 85 metres to the west, separated from the site by intervening land. As such it will be unaffected by the proposal.

The Porter Valley Park (a Grade II listed Park and Garden) lies approximately 130 metres to the south, separated from the site by trees and landscaping. There is adequate separation between the site and this heritage asset to ensure that its setting and appearance are unaffected by the development.

A very small surface car park in the north west corner of the site falls within the Fulwood Conservation Area. The redevelopment of this part of the site is constrained by the presence of a group of TPO trees. The car park does not contribute positively to the character of the Conservation area and, should it be possible to redevelop this part of the site without damaging the trees, the impact on the Conservation Area would not be harmful due to the screening afforded by the trees and the loss of the car park. New buildings on this car park would also be viewed in

the context of existing buildings in the immediate street scene and Old Fulwood House.

The remainder of the site is not located in the Conservation Area, however a large part of the southern and western boundary of the application site adjoins the Fulwood Conservation Area boundary. Further to the north-east beyond Woofindin Road and Heald Wood, is an Area of Special Character.

Details of the scale, layout, appearance and landscaping of the scheme are not considered at this outline stage. This is however a previously developed site containing a number of existing buildings and structures. Taking account of the parameter plans and the design code discussed above it is considered that an appropriate form of development could be accommodated without detrimentally affecting the setting, character or appearance of the Fulwood Conservation Area and the neighbouring Area of Special Character.

Impact on the Green Belt

The government attaches great importance of the protection of the Green Belt and the NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (para 133). UDP Policy GE4 states that the scale and character of any development which would be conspicuous from the Green Belt should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment.

A very small part of the red line application site boundary extends into the Green Belt in order to encompass an existing nursery building which is to be demolished. No new development is proposed within the Green Belt, it is however acknowledged that the site will be apparent in long distance views from the Green Belt to the south. The proposal relates to a previously developed site in an established housing area and it will be viewed from the south in the context of the adjoining urban area and the rising topography. The visual impact of the development on views from the surrounding Green Belt will therefore be limited.

A number of mature TPO trees are located along the southern boundary of the site, which limits the developable area. The parameter plans also indicate that a substantial buffer is to be provided along parts of the northern and southern site boundaries in order to protect an adjoining Local Wildlife Site (LWS) at Whiteley Woods. The buffer will provide the site with a landscaped setting reflective of its surroundings.

A detailed assessment of the visual impact of the development will be undertaken as part of a reserved matters application, however in principle it is considered that this previously developed site could be developed without having any harmful impact on the openness, character or appearance of the adjoining Green Belt.

Landscape and Ecology Issues

Paragraph 170 (a) and (d) of the NPPF identifies that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity.

Paragraph 175(a) states that, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused, while part d) of paragraph 175 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

At a local level Policy CS74 of the Core Strategy identifies that high-quality development will be expected, which respects, take advantage of and enhances the distinctive features of the city, its districts and neighbourhoods, including: the topography, landforms, river corridors, Green Network, important habitats, waterways, woodlands, other natural features and open spaces.

Policy GE11 of the UDP seeks to protect and enhance the natural environment ensuring that the design, siting and landscaping of development respects and promotes nature conservation and includes measures to reduce any potentially harmful effects of development.

Policy GE13 also seeks to ensure that development affecting areas of natural history interest and local nature sites should, wherever possible, be sited and designed so as to protect and enhance the most important features. Where development would decrease the nature conservation value of an area of a Local Nature Site, that decrease must be kept to a minimum and compensated for by the creation or enhancement of wildlife habitats elsewhere, within the site or local area.

UDP Policy BE6 requires new development to provide a suitable landscape scheme with regards to new planting and/or hard landscaping and details of existing vegetation that is to be removed or retained. Development should also try to integrate existing landscape features and use native species where appropriate.

The site is not covered by any ecological or landscape designations in the UDP. The Porter Valley Local Nature Reserve (LNR) is located to the south, in the valley bottom, and is considered to be adequately separated from the site so that no harmful impacts will occur.

The surface level car park located in the south east corner of the site is not within, but is bordered to the north, south and east by the Whiteley Woods LWS. The applicants Ecology Report (as amended) identifies the need to provide a 15 metre buffer between the LWS and any development contained within the site. The submitted parameter plans show the buffer zone will be provided and no development will encroach into it.

The ecology assessment identifies those habitats and species present on site and assesses the potential impact on the identified habitats. The conditions relating to habitats and species have been identified through desktop surveys, national and local databases and through supplementary field survey work. The reports have

been considered by the Council's Ecology Section and the survey and assessment methods used by the applicant are considered acceptable.

The site comprises largely of intensively managed habitats or habits influenced by humans including buildings and hardstanding areas, there are however a number of scattered mature and semi mature trees and areas of maintained grass land and vegetation throughout the site. A number of the existing trees are protected by TPO.

Bats receive full protection under the Wildlife and Countryside Act 1991. A ground based inspection of suitable trees and an external and, where possible, internal inspection of the existing buildings was undertaken to establish bat activity and the presence or absence of roosts. Only two of the trees within the site were considered to offer high potential to accommodate potential roosts. Of all the buildings surveyed only the 8 storey office block contained confirmed bat roosts that require a Natural England Bat Mitigation License and a pre-demolition survey to be undertaken before any clearance or demolition works can take place. The integration of bat boxes into new buildings and around the site, as well as the retention of mature trees and provision of new landscaping, is considered to satisfactorily mitigate any impact on bats.

The Wildlife and Countryside Act gives general protection to wild birds and it is illegal to disturb wild birds while they are nesting. The trees and more mature landscaping offer potential nesting habitat however some basic mitigation, secured by condition, will serve to protect nesting potential on site. Clearance of breeding bird habitat should take place outside of the breeding bird season and will be the subject of a pre-clearance breeding bird survey. Provision will also be made for the integration of bird boxes and new landscaping.

Obtrusive lighting and light spillage onto the adjoining woodland and LWS has the potential to affect existing habitats and contribute to a decline in biodiversity. However it is considered that with a sensitively design lighting scheme, secured by condition, the impacts of the development can be suitably mitigated.

With regard to trees and landscaping a majority of the high quality mature trees located within the site are already protected by TPO and should be retained and integrated into any new development. The street trees located outside of the application site boundary on Woofindin Road and within Heald Wood are unaffected by the development.

Detailed matters of landscaping are reserved for subsequent approval and will be considered further at that stage.

It is considered that suitable mitigation measures are proposed to offset the impact of the development and to enhance the biodiversity of the site. These include the provision of green roofs where feasible and viable, a landscape and ecological masterplan, bird and bat boxes and the retention of mature trees and the provision of new landscaping. Consequently, it is concluded that there would be no harm to the natural environment within or adjacent to the site in accordance with policy criteria.

Highways Issues

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

Policy CS 51 of the Core Strategy 'Transport Priorities' sets out six strategic priorities including developing alternatives to the car, containing congestion levels and supporting economic growth through demand management measures and sustainable travel initiatives.

Policy CS 53 'Management of Demand for Travel' also seeks to make the best use of the road network, promote good quality public transport walking and cycling and use travel plans to maximise use of sustainable forms of travel and mitigate the negative impacts of transport.

The NPPF (paragraphs 102 to 111) promotes sustainable transport and the above highlighted UDP and CS policies are considered consistent with national policy and therefore carry weight in the determination of this application. The NPPF also states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109).

The site is located in an established residential area within easy reach (approximately 200m) of high frequency public transport services which connect the site with the City Centre, and of local shopping facilities at Brooklands Avenue (approximately 500m) and Nether Green (approximately 450m). The site also benefits from a dedicated pedestrian and cycle route which passes along the northern boundary of the site, facilitating access to Fulwood and established footpaths and cycle routes in the Porter Valley. The site is considered to be in a sustainable location.

Vehicle access to the site is currently taken from Woofindin Road and this would remain the case for the residential development proposed. The existing buildings on site are occupied and used by the NHS for a variety of different purposes including office accommodation, conference facilities as well as a children's nursery. The applicants Transport Assessment (TA) has assessed (informed by surveys) the likely levels of vehicular traffic generated by the existing and proposed use for both the AM and PM peak periods. Calculations are made for the peak periods as these will be the periods when the development has the greatest impact.

The TA indicates that the proposed development will result in a significant reduction in the number of vehicle movements generated when compared to the current uses of the site and that the amount of traffic generated by the development can be readily accommodated on the adjoining highways without threatening highways safety or giving rise to any severe highways impacts (NPPF para. 109).

While there are extensive car parking areas within the site, the current use of the site leads to the proliferation of on street parking in the immediate area. No details of vehicle parking are provided as part of this application; however suitable provision for future residents and their visitors will need to be accommodated within the site. The residential development proposed will therefore lead to a reduction in the

amount of on street parking that currently takes place on the highways adjoining the site. As such, the proposals are considered to be acceptable from a highways perspective.

Impact on the Amenities of Neighbouring Properties and Future Occupants
UDP Policy H14 (Conditions on Development in Housing Areas) part (c) seeks to ensure that sites are not overdeveloped or deprive residents of light private or security.

Policy H15 (Design of New Housing Developments) expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met.

This is a fairly self-contained site which is separated from adjoining properties by a public highway and areas of mature woodland/trees and site levels fall substantially from the North West to south east. As this is an application for outline planning permission, a detailed assessment of the scale of any development proposed will be considered under a reserved matters application. However taking account of the changes in levels across the site it is considered that residential buildings between 2 and 5 storeys could be reasonably accommodated without giving rise to any unacceptable overbearing, overlooking or overshadowing of adjoining properties. The parameter plans and illustrative layout also demonstrate that this is achievable.

The demolition of the prominent 8 storey building on site is considered to improve views and outlook from existing properties to the north. The reduction of traffic and on-street parking issues associated with the existing commercial use of the site is also considered to be beneficial from a residential amenity perspective.

It is considered that future occupants of any forthcoming development will be afforded suitable living conditions, by virtue of the fact that the site is not substantially overlooked by existing properties or affected by any particular noise or other environmental conditions.

Issues to do with noise and general disturbance during the construction and demolition period can be adequately controlled by a condition requiring the submission of a Construction and Environmental Management Plan (CEMP).

The proposal is therefore considered to be acceptable from a residential amenity perspective.

Sustainability Issues

The NPPF attaches great weight to mitigating the effects of climate change. When determining planning applications paragraph 153 of the NPPF makes it clear that local planning authorities should expect new development to comply with local requirements for decentralised energy supply unless it is not feasible and viable, and that buildings are designed to minimise energy consumption.

Policy CS64 of the Core Strategy seeks to ensure that new buildings are designed to reduce emissions of greenhouse gases through high standards of energy efficient

design. 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. For the above reasons these policies are considered to consistent with the NPPF and therefore carry weight in the consideration of this application.

As matters of design, appearance scale and layout are reserved for subsequent approval no details have been provided regarding how a 10% reduction in the developments energy demands will be achieved. Details will therefore be secured by condition.

Given the site's wider landscape setting, where feasible and viable it would be desirable to provide green roofs, details of which will also be secured by condition, along with details of the provision of facilities to enable the charging of plug-in and other ultra-low emission vehicles, which are encouraged by the NPPF in paragraph 110 (e).

As noted above the development makes efficient use of a previously development site in an established residential area which has access to public transport and local shopping facilities. Therefore in general terms the proposal is considered to represent a sustainable form of development.

Drainage Issues

The NPPF (para 163) seeks to ensure that development does not give rise to increased flood risks elsewhere and that the most vulnerable development is located in areas at the lowest risk of flooding. Paragraph 165 also requires the provision of sustainable drainage systems in major developments, unless there is clear evidence that this would be inappropriate.

Policy CS 67 'Flood Risk Management' of the CS seeks to reduce the extent and impact of flooding by guiding development to areas at the lowest flood risk and through a series of measures which include: limiting surface water runoff; requiring the use of Sustainable Drainage Systems (SuDs); and de-culverting watercourses where ever possible. This policy accords with the guidance contained in the NPPF and is therefore afforded weight in the consideration of the application.

The application site is located in Flood Zone 1 (the lowest risk of flooding). The applicant's Flood Risk Assessment does not identify any significant flooding issues affecting the site. The Environment Agency's surface water flood maps do however identify the potential for some low risk surface water flooding of Woofindin Road and the public right of way cutting through the site to the south. This occurs as a result of the prevailing topography of the site which falls towards the south east.

The provision and design of a SuDs scheme will be dependent on the site's exact ground conditions. A detailed drainage strategy, informed by intrusive ground investigations to test soakaway capacity, will need to be provided as part of a reserved matters application, details of which will be secured by condition.

Yorkshire Water has recommended a series of conditions in relation to mains drainage, as have the Lead Local Flood Authority (LLFA), in order to reduce surface water discharge.

Given the above, the proposals are considered to be acceptable in principle from a drainage perspective.

Land Contamination and Historic Coal Mining Issues.

Paragraph 178 of the NPPF identifies that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining.

The applicant submitted a Phase 1 Site Investigation with the application, which identifies that the site is not at any particular risk from historic contamination issues. Relevant additional ground investigation will be secured by condition. The site is not located in a high risk coal mining area.

Affordable Housing

The site falls in the South West Affordable Housing Market Area. In accordance with the Council's CIL and Planning Obligations Supplementary Planning Document (SPD), 30 % of the gross internal floor area of the development is required to be transferred to a Registered Provider at the Transfer Price, subject to viability. The NPPF (para. 62) identifies that affordable housing should be delivered on site unless a robust justification for an off-site financial contribution is made.

As this application has been submitted in outline with all matters reserved, the exact design and layout of the scheme is not known. The applicant is not therefore prepared to commit to delivering the full affordable housing requirement without viability clauses.

As a consequence, scheme viability, which will be considered at reserved matters stage, may lead to the reduction or omission of affordable housing from the scheme and therefore the weight that can be attributed to its delivery at this stage is reduced. The applicant's approach does however remain policy compliant and accords with the Council's published guidance contained in the CIL and Planning Obligations SPD.

Community Infrastructure Levy (CIL)

The site falls within CIL Charging Zone 5 (south west). Within this zone there is a CIL charge of £80 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010.

Health and Education Issues

Local residents and the NHS have raised concerns regarding the capacity of existing medical practices in the locality. These concerns are noted, however the proposed development falls well below the threshold of 1000 dwellings (the submission indicates that the development could accommodate in the region of 161 dwellings), as set out in the CIL and Planning Obligations SPD, where contributions towards health related infrastructure will be required. As such any requirement for the enhancement of local facilities will be secured through CIL.

The Council's Education Section have assessed the scheme and concluded that, at primary level, the potential additional yield generated from this development could be accommodated in the catchment schools (Nether Green Infant and Junior Schools). At secondary level there is oversubscription of High Storrs, King Edward VII and Mercia School and future forecasts show there will be continuing capacity issues. These capacity issues are acknowledged however the development of this site falls well below the thresholds (500+ dwellings for primary and 1000+ for secondary) set out in the CIL and Planning Obligations SPD whereby section 106 education contributions are required. Any additional education provision will therefore be funded through CIL.

Employment, Regeneration and Training Strategy

The Council promotes and seeks to provide local employment and training as part of developments, particularly during the relevant construction and operational phases. The provision of a Local Employment Strategy will therefore be secured through the planning conditions should Members be minded to grant consent for the project.

Public Art

Policy BE12 of the UDP identifies that public art should be an integral part of the design of major developments. Details will be secured by condition.

Statement of Community Involvement (SCI)

The Council, in its Statement of Community Involvement (SCI), and the Government (in paragraphs 39 to 42 of the NPPF) encourage applicants to undertake pre application discussions with the Local Authority and to engage with the local community and statutory and non-statutory consultees before submitting an application.

Prior to the submission of this application the applicant engaged with the Council's paid pre-application enquiry service and were advised of the planning related issues in respect of the proposed scheme.

The applicant also undertook a letter drop of over 100 addresses in the vicinity of the site, prior to the formal submission of the application, providing residents with details of the scheme and a point of contact at the NHS Trust for residents to make comments and discuss the proposals. Only 4 responses were received from residents seeking clarification of the proposals and expressing concerns that the proposal may affect views from residential properties nearby.

In principle the pre-application consultation process undertaken by the applicants accords with the adopted SCI.

RESPONSE TO REPRESENTATIONS

A number of representations have been received; the issues raised are largely addressed in the main body of the report. Issues not raised in the report are responded to as follows:

There is no right to a view across another person's land and as such any view that a local resident may currently enjoy cannot be protected under planning legislation. Issues relating to layout, design, amenity, parking and highways are noted but as the proposal is in outline form with all matters reserved these concerns are not matters which the Local Planning Authority can consider further at this stage. An appropriate broad set of parameters are however established as part of this application which will shape any future reserved matters submissions.

Adjoining residents will have the opportunity to raise further comments at the detailed design stage should a reserved matters application be submitted.

The application was advertised by way of press and site notices (6) and individual letters of notification to adjoining neighbours (75). The level of consultation is appropriate for the scale of development proposed and accords with Council's code of practice.

The development will need to provide appropriate bin storage, including provision for recycling, details of which will be considered as part of a reserved matters application.

The design code includes details of potential boundary treatments, including new hedging or parkland fencing (adjacent the Green Belt) and brick or dry stone walling to reinforce existing character. These treatments are considered to be acceptable in principle, however full details will be provided as part of a reserved matters application.

There is an established cycle/footpath access through the site. Unauthorised encroachment on to adjoining land not within the applicants ownership is beyond the scope of the application and is a matter for the owner of that particular parcel of land.

SUMMARY AND CONCLUSION

This application seeks outline planning permission with all matters reserved (access, appearance, landscaping, layout and scale) to redevelop the NHS Health and Social Care Services site located off Woofindin Road in Fulwood for residential purposes. It is proposed to demolish all buildings on site with the exception of the old Fulwood House building which is to be retained and converted as part of the scheme.

The assessment of this development proposal has been considered in light of paragraph 11 of the NPPF, which identifies that when making decisions a presumption in favour of sustainable development should be applied. Paragraph 11

goes onto state that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, as is the case here as Sheffield does not currently benefit from a five year supply of housing land, planning permission should be granted unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The residential development of this sustainably located previously developed site, the majority of which lies in an established housing policy area, is considered to be acceptable in principle. The development will contribute towards the Council's 5 year housing land supply, and the provision of apartments, which the applicant indicates will make up at least part of the development, will address an identified need for smaller homes in this part of the city.

The site falls in the South West affordable housing market area where 30% of the gross internal area of the development should be provided as affordable housing. As this is an outline planning application with all matters reserved the applicant has confirmed that they are willing to sign a section 106 legal agreement to secure affordable housing provision subject to viability. This approach accords with the guidance contained in the CIL and Planning Obligations SPD and remains policy compliant. The weight that can be attributed to affordable housing delivery is however reduced as the requirement to deliver affordable housing could be reduced or removed based on scheme viability.

The application is accompanied by a series of parameter plans and a design code which establishes an appropriate framework for the submission of a reserved matters application.

The site is not affected by any significant amenity issues and it is considered that the living conditions of existing residents adjoining the site and future occupants of the development will be satisfactory.

The proposal is not considered to have any harmful impacts on the adjoining areas of Green Belt, the Local Wildlife Site, the Fulwood Conservation Area or the Area of Special Character.

A number of mature trees are located within the site. The highest quality specimens are protected by Tree Preservation Order. The ecological impacts of the development can be suitably mitigated by condition.

The proposed development will result in a significant reduction in the number of vehicle movements when compared to the current commercial use of the site. The amount of traffic generated by the development can be readily accommodated on the adjoining highways without harming highways safety or giving rise to any severe highway impacts.

For the above reasons the development is not considered to give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the redevelopment of this site for housing purposes. In accordance with paragraph 213 of the NPPF the scheme is considered to be compliant with relevant local policies

that continue to be consistent with the NPPF and complies with other relevant policy guidance contained in the NPPF that are material to the determination of the application.

It is recommended that outline planning consent is granted conditionally and subject to the provision of a section 106 legal agreement to secure affordable housing.

HEADS OF TERMS

Provision of 30% of the gross internal floor area of the development as affordable housing.