

**PLANNING AND
HIGHWAYS COMMITTEE 14 JANUARY 2020**

SUPPLEMENTARY INFORMATION

**APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY
INFORMATION**

1. **Application Number** 19/02878/FUL
Address Site of 5 Rosamond Drive, Sheffield, S17 4LW

Amendment to Condition 2

Amended drawings showing revised car parking/turning space to Plot E have been provided. As such, the relevant ref numbers for the Site and Site Block Plans need to be changed to:

- Proposed Site Block Plan / 1699-03-rev P3
- Proposed Site Plan / 1699-04-rev P3

Amendment to Condition 3, 4 and 5

Given that the bungalow has been demolished, each of these three conditions to be reworded to; “No development, beyond the demolition of the dwellinghouse, shall commence until ...” .

Amendment to Condition 7

Condition 7 should be amended to “...at a minimum of 1:20 scale of the items listed below...”

Additional Representation & Additional Condition (*into Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s) section*)

A representation has been received from the Sheffield and Rotherham Wildlife Trust regarding the development, and is summarised as follows:

- Disappointing to read in a local resident’s representation that hedgehogs were killed during previous site clearance,
- Due to hedgehog population decline they are a priority species in the UK Biodiversity Action Plan, mitigation for these animals should be required,
 - Hedgehogs are reported on site and a hedge is planned for removal, so an Ecology Survey should be undertaken before any works commence, with mitigation to avoid mortality and disturbance,
 - Any works during October to March should be undertaken carefully to avoid injuring hibernating animals, and works should be carefully undertaken,
 - Mitigation should reduce fragmentation of habitats caused by the introduction of physical barriers to dispersal, to allow formation of a ‘hedgehog highway’ allowing free movement through the site, and
 - Planting should include native varieties.

Officer Response;

To ensure that works on-site are carried out with sensitivity to any hedgehogs which may be present and to achieve appropriate habitat, it is recommended an Ecology Management Strategy is required under an additional Condition. This would be worded as follows:

“No development, beyond the demolition of the dwellinghouse, shall commence until an Ecology Management Strategy document has been submitted to and approved in writing by the Local Planning Authority. This document shall include (but not be limited to) details of a hedgehog survey of the site, a relevant construction methodology statement, details of mitigation measures to avoid habitat fragmentation resulting from the development and any other biodiversity/habitat enhancement/s proposed. The development of the site shall proceed in accordance with the approved Ecology Management Strategy, and the agreed mitigation measures shall permanently remain in place.

Reason: In the interests of biodiversity and ecological enhancement.

The biodiversity/habitat enhancements would include measures relating to other species i.e. bat and bird boxes, and contribute to a biodiversity net gain from the development.

Additional Comment and Condition (into Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s) section)

Core Strategy policy CS65 requires 10% of the scheme's energy needs to be provided from a decentralised and renewable or low carbon energy source.

The Applicant has committed to providing 10% of the houses' energy needs in the form of either solar electricity, solar hot water or heat pumps. This is considered to be acceptable, and the following additional condition (number 24) requiring the submission of appropriate details is therefore recommended:

No development, beyond the demolition of the dwellinghouse, 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.

Resulting Alterations to condition numbering given to 'Other Compliance Conditions'

The additional conditions suggested above necessitates the re-numbering of subsequent conditions.

2. Application Number	19/01580/FUL
Address	Fletcher Plan Ltd, Clement Street, S9 5EA

Amended Conditions

The applicant's intention is not to process waste on Sundays and Bank Holidays, just undertake site maintenance. Therefore, should planning permission be granted, condition no. 14 would be amended to remove these hours from those permitted for waste processing and treatment.

Revised Condition 14

The waste processing and treatment use hereby approved shall not operate outside of the following times:

Monday to Friday: 0600 to 1800
Saturdays: 0600 to 1400

An additional condition would need to be added to allow the maintenance works on Sundays and Bank Holidays. It is recommended that the following condition be added;

Condition 15

No waste processing or treatment, including waste acceptance, movement and sorting, shall occur at any time on Sundays and Bank Holidays. On these days only ancillary activities, such as office work and machine maintenance, shall be undertaken between the hours of 0600 and 1400.

Reason: In the interests of the amenities of adjoining properties.

Additional representations

11 no. additional objections have been received from neighbouring residents on Brindle Mews, Clay Pit Way, Staniforth Road, Tudor Close, Darnall Road and Old Brick Place, in summary, raising the following comments;

- Take into account existing problems; dust, dirt, noise and odours from the site (and from the neighbouring sites), which are getting worse
- Windows and doors have to be closed, including during high temperatures, due to odours, noise and dust on and inside houses and on cars
- Dust affecting health, including children and older residents

- Road degradation and mud due to constant movement and parking of lorries on Allendale Way is dangerous, blocking motorist and pedestrian visibility, where school children use the road
- Expansion will add to these issues
- A few months ago another firm off Allende Way had a breach of condition notice served by the Council and Environment Agency for failing to keep the areas around the site clean
- 3 years ago an explosion occurred
- Insensitive business hours, operations commence at 6am on Saturday and Sundays, many people's days off, when industrial noise can be heard constantly
- Reported noise issues from Fletchers. A droning noise constantly present and audible (with windows closed) between around 11:00-18:35 on Sunday 12.01.2020 and until 19:15 on Saturday 11.01.2020. The same issue occurred up until around 19:00 last Sunday. The noise is coming from the new Fletchers site located on Century Street. This is clearly not maintenance but processing.
- Do not agree with the control measures, as monitored, and measures are not adhered to. Measures to mitigate issues outlined in the proposal are extensions of these current inadequate measures or simply no changes at all
- Unpleasant place to live, issues making lives miserable and affecting quality of life, people should be the priority not businesses who create problems
- In light of issues being discussed nationally and by Sheffield City Council regarding air quality, reject the application and work to reduce pollution, not exacerbate these problems
- The site is next to a residential area, schools and leisure facilities
- Expansion would be favourable if it meant operations would take place further from our dwellings however can only see more business activity occurring
- Should be in a different area, not where residents live

Officer Response

In response, the principle of the development and issues regarding dirt, dust, noise, odours, health and safety and traffic have all been addressed in the committee report.

The conditions recommended are considered to implement appropriate future planning control measures. There would also be strict controls in place relating to the environmental permit, monitored by the Environment Agency.

National Planning Practice Guidance confirms that planning authorities should assume that other regimes, such as Environmental Permitting by the Environment Agency, will operate effectively. The focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. In this case Fletchers operates under an Environmental Permit issued by the Environment Agency. The role of the Environmental Permit is to provide the required level of protection for the environment from the operation of a waste facility. The permit will aim to prevent pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health.

The National Planning Policy for Waste which sits alongside the National Planning Policy Framework reiterates that planning authorities should not concern themselves with the control of processes which are a matter for the pollution control authorities and should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

Issues relating to other sites cannot be addressed here.

Environmental Protection Complaints

In order to fully understand the nature of dust and noise complaints in the area, further consultation was undertaken with the Environmental Protection Service (EPS).

EPS confirmed that complaints relating to dust and noise from Fletchers have been made by local residents for several years (most complaints are made direct to the EA who regulate the site). Despite a relatively high number of complaints, the EA have not linked any emissions of dust or noise to Fletchers which requires enforcement action under the Environmental Permitting (England and Wales) Regulations 2016.

EPS have assisted the EA in monitoring and have not witnessed dust leaving the Fletchers site, despite numerous inspections over the last 5 years. The main source of dust in the vicinity was found to be from deposits of dust and debris in the highway disturbed by vehicles. It's unclear who is responsible for this as a number of other businesses are located in the area.

The EA have not found any breach of Fletchers operating permit relating to noise. There are no existing planning restrictions on Fletchers hours of operation. EPS have also carried out noise monitoring on five occasions over the past 2 years and have not found noise from Fletchers to be at a level that is excessive or requiring enforcement action.

- 3. Application Number 18/02477/FUL**
- Address 499 Loxley Road, Sheffield S6 6RP**

Amended Plans

Amended plans have been received showing the position of the boundary wall and the neighbouring property (No.497 Loxley Road) to rectify a previous drafting error. In addition the plans now clearly show the front elevation of the proposed store / garage to the dwellinghouse on Plot 2.

Additional Representations

A further nine representations have been received including one from Olivia Blake MP, all objecting to the proposed development. The representation from Olivia Blake raises concerns over the demolition of the traditional stone property and development on land to the side which reflects the ancient settlement pattern. The

representation also sets out that the proposed dwellings would result in overshadowing and would prevent access to the side of the neighbouring dwellinghouse. In addition the site is within a busy location, next to the Post Office on a main road and so the development would worsen existing parking problems for current residents and customers. Furthermore the development would obstruct views from the settlement to the valley beyond.

The other representations include one from the Stannington Green Party. To summarise, the objections are to the loss of the existing building and the effect the development would have upon the character and appearance of the area. The objections set out that the proposed dwellings would result in an overdevelopment of the site, being overly large and would be too close to neighbouring property, resulting in overshadowing and loss of amenity. In addition the development would be detrimental to highway safety.

Amended Conditions

Should planning permission be granted it is recommended that the wording of condition 2 be amended to be as follows to reflect the latest drawing numbers:

Condition 2

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

- Drawing A17-160 L(9) 001 F Proposed Site Layout (includes street scene elevations and red line boundary) published January 2020
- Drawing A17-160 L(1) 001 C Plot 1 Layout and Elevations published 9th January 2020
- Drawing A17-160 L(2) 002 D Plot 2 Layout and Elevations published 9th January 2020

Reason: In order to define the permission.

It is also recommended that the wording of proposed condition 25 be amended so that all permitted development rights are removed. This is due to the restricted nature of the site.

Condition 25

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the development shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage and to ensure that the traditional architectural character of the area is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.