

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the West and North Planning and Highways Committee
Date Of Meeting: 16/04/2013

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

NOTE Under the heading "Representations" a Brief Summary of Representations received up to a week before the Committee date is given (later representations will be reported verbally). The main points only are given for ease of reference. The full letters are on the application file, which is available to members and the public and will be at the meeting.

Case Number	12/03543/FUL
Application Type	Full Planning Application
Proposal	Demolition of existing Public House and erection of a convenience store (Use Class A1) and hot food takeaway (Use Class A5)
Location	Site Of Old Cart And Horses Inn 2 Wortley Road High Green Sheffield S35 4LU
Date Received	12/11/2012
Team	West and North
Applicant/Agent	Mr N Teal - HTC Architects
Recommendation	Grant Conditionally

Subject to:

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

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

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

Proposed Elevation, Job No.1043, Dwg. No. 10, Rev. N

Proposed Boundary Wall Section, Job No.1043, Dwg. No. 15
Proposed Floor Plans, Job No. 1043, Dwg. 12, Rev. F
Landscape Details Dwg. No. R/1409/1

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 The A1 retail unit hereby approved shall at all times remain physically separate to the adjacent A5 takeaway use and it shall not exceed 280 square metres of net sales space, unless otherwise agreed in writing with the Local Planning Authority.

In accordance with UDP Policy H10 and to protect the vitality and viability of the adjacent Local Shopping Centre.

- 4 The A1 shop use hereby approved shall be used for this purpose only between 0700 hours and 2300 hours on any day.

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

- 5 The A5 hot food takeaway use hereby approved shall be used for this purpose only between 0900 hours and 2300 hours on any day.

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

- 6 Prior to the retail units being brought into use, full details of the proposed servicing arrangements to be employed in relation to these units shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be adhered to for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 7 No deliveries to the building shall be carried out between 2300 hours to 0700 hours (on the following day) on any day.

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

- 8 No materials, waste and/or products of any sort shall be stored outside of the allocated on site storage and service yard unless otherwise agreed in writing with the Local Planning Authority.

In the interests of the amenities of the locality.

- 9 No movement, sorting or removal of waste bottles, materials or other articles, nor movement of skips or bins shall be carried on outside the building/s within the site of the development (shown on the plan) between 2300 hours and 0700 hours (the following day) on any day.

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

- 10 The gradient of shared pedestrian/vehicular access shall not exceed 1:12 unless otherwise approved by the Local Planning Authority.

In the interests of the safety of road users.

- 11 Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Prior to the retail units being brought into use, any deterioration in the condition of the highway attributable to the construction works shall have been rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.

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

- 12 Before the development is commenced, full construction details of the proposed car parking area, service area and segregated pedestrian routes shown within the site boundary on the approved plans (including details of how these areas will be surfaced, sealed and drained) shall have been submitted to and approved in writing by the Local Planning Authority. The approved areas and routes shall have been installed on site prior to the occupation of any part of the development and thereafter retained.

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

- 13 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.

In the interests of the safety of road users.

- 14 Notwithstanding the details on the approved plans, before the development is commenced final details of the proposed vehicular access shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed materials/specifications, any drainage works, any tactile paving, and demarcation of the highway boundary. The approved details shall have been installed on site prior to the occupation of any part of the development and thereafter retained.

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

- 15 There shall be no gates or barriers erected at the means of access to the site unless otherwise approved in writing by the Local Planning Authority.

To ensure access is available at all times.

- 16 The development shall not be used unless provision has been made within the site for accommodation of delivery/service vehicles in accordance with the approved plans. Thereafter, all such areas shall be retained free of all obstructions, including the storage, display and depositing of materials, packaging or other objects so that the service yard is fully available for the parking, turning and manoeuvring of delivery/service vehicles.

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

- 17 Before the development is commenced, full details of the type and location of any trolley parking/storage shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include full details of the measures to be implemented to prevent any trolley from being able to encroach/enter/join the adjacent public highway. Thereafter, the approved details shall be provided prior to the occupation of any part of the development and thereafter retained.

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

- 18 Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists. The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

- 19 Notwithstanding the details on the approved plans, before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and no part of the development shall be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

- 20 The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and/or footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

- 21 The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 22 No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways 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 any part of the development is brought into use.

Highway Improvement Works:

- Remodelling of splitter islands at the roundabout junction of Mortomley Lane/Jeffcock Road/Wortley Road, aimed at maximizing the area for pedestrians to stand in (possibly entailing kerbing works) plus provision of tactile paving to guide partially sighted pedestrians across the roads.

- Any revisions to road markings, including provision of yellow box and right-hand turning pocket on Wortley Road.
- Review of Heavy Goods Vehicle (HGV) regulatory direction signs in Chapeltown and improvements where necessary to reduce abuse.
- Any accommodation works to street furniture.

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.

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.

- 23 Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

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

- 24 Prior to works commencing on site, full details of the following shall have been submitted to and approved in writing by the Local Planning Authority:

- Construction method statement.
- Site safety/segregation.
- Any temporary site access for construction traffic.
- Location of site compound and temporary car parking arrangements for contractors.
- Any times that construction traffic will be prohibited from entering/leaving the site.

Thereafter, the construction works shall only be progressed in accordance with the approved details.

To ensure that adequate notice and opportunity is given for recording and monitoring any archaeological finds.

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

In order to ensure an appropriate quality of development.

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

Windows

Window reveals
Doors
Eaves and verges
External wall construction
Brickwork detailing
Roof
Rainwater goods
Bollards
Steps - including handrails and tactile paving.

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

In order to ensure an appropriate quality of development.

- 27 A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

In order to ensure an appropriate quality of development.

- 28 No windows serving the retail floor space shall be blocked up, filmed over or otherwise non transparent without the prior written approval of the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 29 Notwithstanding the details on the approved plans, before the development is commenced the final proposed car parking levels and the building plot level shall be submitted to and approved in writing by the Local Planning Authority. Cross sections shall be provided where requested. Thereafter, the development shall be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development and protect the amenity of neighbouring occupiers.

- 30 Notwithstanding the details on the approved plans, before the development is commenced full details (including samples where requested) of the means of site boundary treatment to be used around the site shall have been submitted to and approved in writing by the Local Planning Authority. This shall include full details (scale 1:20) of the manner in which the new boundary wall will tie into the existing boundary wall on the South-East boundary of the site adjacent to the public footpath. The development shall thereafter be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 31 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the access and facilities for people with disabilities, as shown on the plans, shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such access and facilities have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

To ensure ease of access and facilities for disabled persons at all times.

- 32 The development hereby approved shall be constructed in accordance with the scheme of works/recommendations set out in the Sustainability Statement (November 2012) prepared by Howell Goodfellow (Chartered Building Consultants) and submitted with this application. Thereafter the scheme of works shall be retained in use and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 33 Prior to the soft landscape works being implemented of development, full details of the trees species (Extra Heavy Standard) to be planted within the application site shall be submitted to and approved in writing by the Local Planning Authority and include:

- 1) Methods of planting
- 2) Details of tree pits

The development shall thereafter be carried out in accordance with the approved details.

In the interests of the visual amenities of the locality.

- 34 The approved landscape works shall be implemented prior to the first retail unit being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that five year period shall be replaced unless otherwise approved by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 35 The Local Planning Authority shall be notified in writing when the landscape works are completed.

To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

- 36 No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority.

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

- 37 The level of noise from all externally mounted plant, equipment, machinery and vent extracts shall not exceed 5dB below the background noise level at the nearest noise sensitive properties when measured as a LA90 15 minutes.

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

- 38 The A5 hot food takeaway element of this development shall not be used for such a purpose, unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted for written approval by the Local Planning Authority. These details shall include plans showing the location of the fume extract terminating at eaves level and shall include a low resistance cowl. The use shall not be commenced until the approved equipment has been installed and is fully operational.

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

- 39 Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Mondays to Fridays, and 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

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

- 40 Within 1 month from the commencement of development a lighting strategy for the buildings shall have been submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

(a) Any external lighting to the building including fixings and design of lighting units.

(b) Lighting to the car park and how this is to relate to the building façade and surrounding neighbouring buildings

The development shall thereafter be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development and protect the amenity of neighbouring occupiers.

- 41 The building shall not be used for the above-mentioned purpose unless a suitable receptacle for the disposal of litter has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

- 42 The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

In order to mitigate against the risk of flooding.

- 43 The development shall be carried out in accordance with the recommendations set out in Stage 3 of the Coal Mining Risk Assessment Report prepared by JPG (Leeds) Limited. In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings and/or any other mitigation measures (e.g. gas protection) to ensure the safety and stability of the proposed development, these works should be undertaken prior to commencement of development.

In order to protect the health and safety of future occupiers and users of the site.

Attention is drawn to the following justifications:

1. The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals from the Sheffield Development Framework and the Unitary Development Plan set out below:

BE5 - Building Design and Siting

BE6 - Landscape Design

BE7 - Design of Buildings Used by the Public

BE9 - Design For Vehicles

BE15 - Areas and Buildings of Special Architectural or Historic Interest

BE17 - Design and Materials in Areas of Special Architectural or Historic interest
BE18 - Development in Areas of Special Character
H10 - Development in Housing Areas
H14 - Conditions on Development in Housing Areas
S5 - Shop Development Outside the Central Shopping Area and District Centres
T21 - Car Parking
T28 - Transport Infrastructure and Development
CS39 - Neighbourhood Centres
CS51 - Transport Priorities
CS53 - Management of Demand for Travel
CS64 - Climate Change, Resources and Sustainable Design of Developments
CS65 - Renewable Energy and Carbon Reduction
CS74 - Design Principles

The proposed development will demolish existing buildings on a prominent site situated at the junction of Wortley Road, Jeffcock Road and Mortomley Road and replace it with an A1 convenience store (to be operated as a Sainsburys' Local) and a smaller A5 takeaway unit (selling fish and chips). The proposal has raised a significant amount of objections in the local area - including a high number of individual objections, a petition containing 597 names and an objection from Ecclesfield Parish Council.

Notwithstanding the objections, it is concluded that the application proposal is - on balance - an acceptable one. It is considered that matters of land use, demolition and heritage, highways, design, amenity and sustainability have been appropriately considered and balanced judgements reached in planning policy terms. Overall, it is considered that all of the material planning considerations are acceptable and there are no individual or combined concerns of such significance to warrant the refusal of the planning application.

The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at www.sheffield.gov.uk/planningonline or by calling the planning officer, contact details are at the top of this notice.

Attention is drawn to the following directives:

1. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980, and dealt with by:

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

For access crossing approval you should contact the Highway Development Control Section of Sheffield City Council on Sheffield (0114) 2736136, quoting your planning permission reference number.

2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

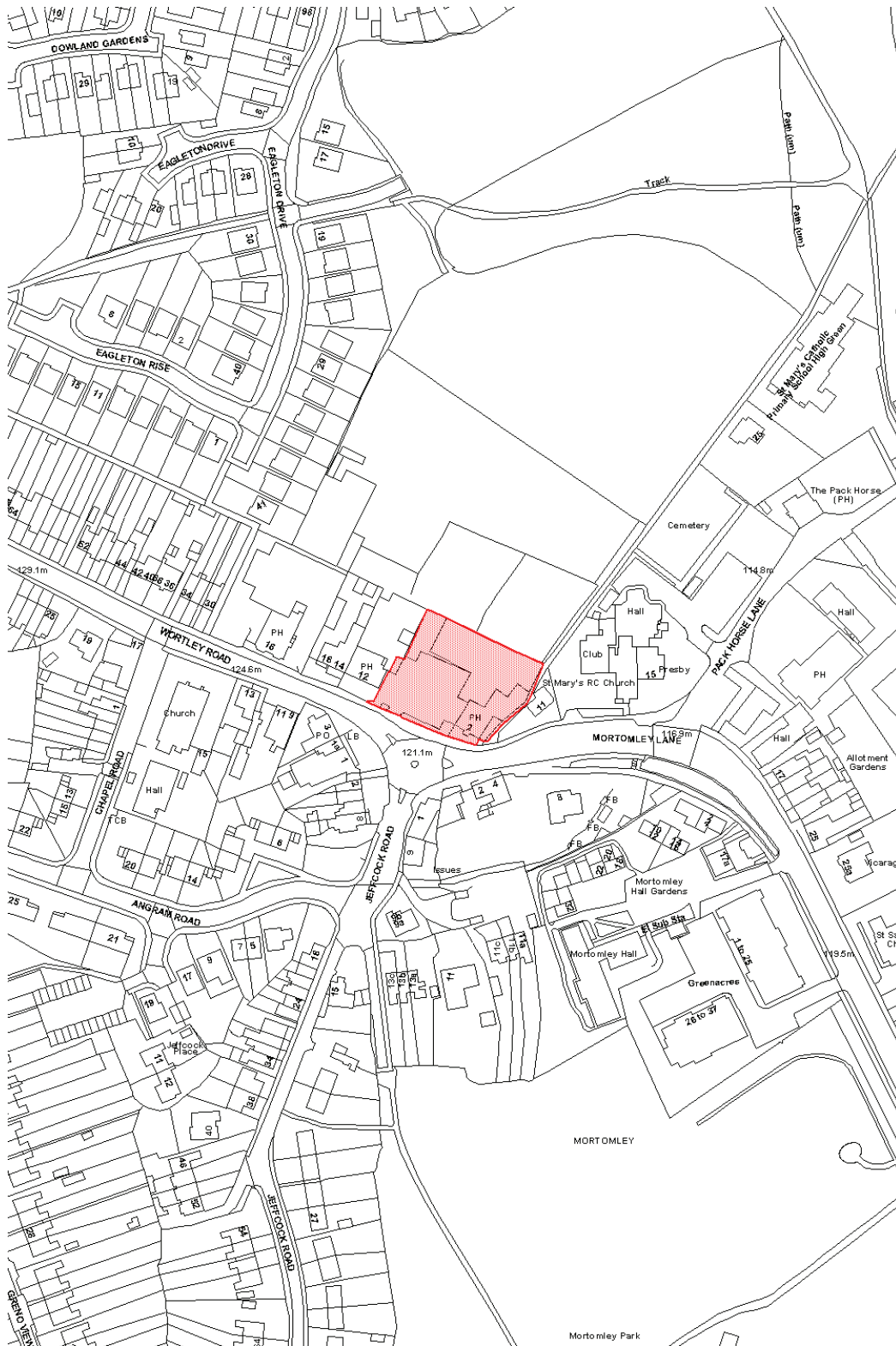
3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
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 and application forms on the Council website. 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. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all

requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

6. The applicant is advised that the signage indicated on the submitted drawings is not approved as part of this permission and will require separate Advertisement Consent. To discuss arrangements for obtaining such consent, and to request application forms, the applicant should contact Development Control Section, Development Services, on Sheffield (0114) 2039183 or go to www.sheffield.gov.uk/in-your-area/planning-and-city-development
7. In order to ensure that the site promotes high quality disabled access, the Applicant is advised that the ATM and area in front of it should be designed, installed and arranged in accordance with 'Access to ATMs - UK design guidelines' by the Centre for Accessible Environments.
8. It is recommended that the work be carried out in accordance with BS 3998 "Recommendations for tree work".
9. The applicant is advised that any new signage on the premises may require separate advertisement consent.

Site Location



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LOCATION AND PROPOSAL

The application site is in a prominent position on the north side of the roundabout junction that links Wortley Road, Mortomley Lane and Jeffcock Road in High Green. It is currently occupied by the Old Cart and Horses public house.

This building is situated along the southern side boundary with the majority of the site occupied by car parking to the north-west side and a beer garden along the rear (northern) boundary. The main public house building is a building of traditional character, comprising a rendered façade, a projecting porch, timber windows and a slate roof with chimneys projecting at either end. The buildings to the rear of the site appear to be later additions but seek to replicate the style of the original building. In terms of existing use, the site is occupied by 'Simply Chinese' - which includes a Chinese restaurant within the main pub building as well as a separate Chinese takeaway facility at the rear.

The character of the surrounding area is mixed and reflects its development over the years; there is no predominant architectural style. The area is classified as an Area of Special Character in the adopted Sheffield Unitary Development Plan (UDP). The site is also located within a designated Housing Area.

To the North, beyond a row of tall conifer trees, there is allotment land that currently appears to be in active use. To the East, is a residential property (No.11 Mortomley Lane), which comprises a two storey cottage building. This property backs onto the application site and faces down Mortomley Lane towards St. Saviour's Church. It does not have rear garden space; instead its garden is situated to the side and rear of the property (facing South-West and South-East). This space is enclosed by a low timber fence and is, therefore, exposed to and from the public view adjacent public highways. It is understood that there is a small amount of private space at its rear and this is adjacent to a public footpath which divides the curtilage of the application site and the property. Further to the East, beyond No.11 Mortomley Lane, there is the St. Mary's Catholic Church complex.

To the South of the site is High Green Local Shopping Centre, as designated by the UDP. The shopping centre is mainly contained within a parade of buildings that are located opposite the application site. To the West, immediately adjacent to the site, is The Queen's Head Public House, car park and beer garden. This property is an attractive two-storey stone building which addresses Wortley Road and has its rendered side elevation facing towards the application site.

This application seeks planning permission to demolish all of the existing buildings on the site in order to construct a convenience store (Use Class A1) and a hot food takeaway unit (Use Class A5) with associated car parking (20 spaces) on the land. In terms of their Gross Internal Area, the proposed convenience store will be approximately 362.7 square metres (3900 sq. ft.) and the takeaway unit will be around 56 square metres (600 sq. ft.). The development will also consolidate the vehicle entrances into to the application site and the car park leading to the adjacent Queens Head pub from the existing two to one that will be shared.

It is currently proposed that a Sainsbury's will occupy the convenience store as a Sainsbury's Local facility and the hot food takeaway will be a fish and chip shop.

RELEVANT PLANNING HISTORY

The site's relevant planning history is provided below:

92/00042/ADV – Resignage of Public House – Granted, 24.03.1992.

92/01223/FUL – Alterations and Extension to Public House to Form Restaurant And Provision of Car Parking Accommodation – Granted Conditionally, 13.10.1992.

SUMMARY OF REPRESENTATIONS

In accordance with statutory requirements, this application has been advertised as required. Following a re-consultation exercise it is the case that an extensive number of letters have been sent to local residents as well as a site notice posted on the site.

REPRESENTATIONS OF OBJECTION:

Ecclesfield Parish Council objects to the application. The application was considered by the Parish Council in December 2012. Approximately 60 members of the public attended the meeting along with teachers and pupils from two of the local primary schools. Following this meeting, the Parish Committee recognised the strength of feeling of local residents and businesses against the proposed development and agreed to support their objections on a number of grounds. The objections received from the Parish Council are reiterated by local residents and therefore for ease of reference for members, the objections have been combined and summarised by topic. A full copy of the representation is available on the online file.

153 representations objecting to the application have been received from local residents.

A petition containing 597 signatures has also been received from the 'Wortley Road Protest Group'.

The main objections are:

1. Highway Issues

- Overall: The main area of concern for the Parish Committee and most letters of objection received. It is considered that the development would have a significant negative impact on a route that already experiences high levels of traffic. It is advised that Wortley Road is regularly gridlocked.

It is considered that the transport analysis that forms part of the planning application does not give a realistic view of the traffic problems in the area. It was

done on Friday afternoon between 15.30 and 18.00 hours and on Saturday between 10.00 hours and 12.00 hours. The Committee request that an independent survey be performed for a longer period of time covering the school opening and closing times as this would give a very different picture.

- Vehicle Manoeuvrability & Access: A detailed objections has been received which questions the achievability of service vehicles being able to enter and exit the site in a safely and lawful manner.

- Weight limit on the road: Questions about whether there is a weight restriction on this road as per other roads in the area?

- Car Parking: Concerns about where people will park when the 20 space car park is full? Where will staff park? Where will the existing users of the pub's existing car park park? – This area currently provides parking for Ladbrokes, Barrettes, High Green Dental Surgery and their current customers. It is suggested that nearby car parking is a myth.

- Safety Aspect: The development would have a serious effect on pedestrians. There have already been serious injuries on the road. Any delivery vehicle would have to reverse into the car park - the area in question is a very narrow part of the road and it is uncertain whether it would be possible for these types of vehicles to negotiate this action.

- Children regularly walk down Wortley Road when they are going out on educational visits. The path is narrow and, in the past, vehicles have had to mount the kerbs when vehicles are coming in the opposite direction. The schools also experience difficulties when they have coach trips planned as the road is not wide enough to accommodate coaches easily and does cause serious congestion at busy times.

In light of the above, the Parish Committee has requested that a site visit be made to assess the impact of this development on pedestrians, car users, buses and emergency vehicles.

2. Loss of History & Village Character

The site is in an Area of Special Character and, therefore, the proposed development is in conflict with the UDP. It is also an area where any future development should be housing and not commercial development. The public house which is proposed to be demolished is one of the oldest in High Green, dating back to 1643. Due to the historical value of this building it is felt important that this be preserved within the village to help it retain its character.

Disbelief at the proposed removal and concern that the loss of the building that has been an essential part of village life for almost 200 years and the replacement development will erode the village environment and create more of a suburban high street. This change is not wanted.

The development does not give due regard to the scale, character, historic interest and materials of the locality. This ground of objection is supported by UDP and Core Strategy objectives which seek to preserve, enhance and protect local character (policies and content quoted). A modern retail structure would be out of place and would blight the village. The design of the proposal is unacceptable and it would stand out like a sore thumb compared to the adjacent buildings.

3. Planning Policy Issues

The application is flawed on several points of planning law and equally flawed from a social standpoint. It is not clear on the Sheffield website whether the Unitary Development Plan (UDP) for the area or the newer Sheffield Development Framework (SDF) Plan for the same area was currently in use. In view of this I telephoned the Sheffield Planning Policy Unit and it was confirmed that it was the UDP plan which was 'current' for the High Green Area. The future replacement for the UDP plan is the as yet un-adopted Sheffield Development Framework (SDF) plan. If the SDF had already been adopted then such development would be impossible as the area in question is designated as 'Neighbourhood Centre' / Green Belt. It is considered that the applicant is desperate to get this proposal accepted before the SDF plan is adopted.

4. Amenity Issues for Surrounding Residents

The impact of the development on surrounding residential properties is a concern. Specific issues have been raised by the occupier of the neighbour at No.11 Mortomley Lane who is concerned about the damage that the demolition works and removal of the existing trees could have on the property. There are concerns that the removal of trees and buildings will also lead to increased overlooking into private windows and garden spaces that they have.

There is concern that the loss of a car park, which is currently used by local businesses will have implications from a car parking point of view for users and residents in the area.

The development will have a negative impact on house prices.

5. Pollution Issues

Concern about the large delivery vehicles visiting the site at any time during the day as it would appear to be a shop with 24 hour opening. This would have a serious noise impact on neighbouring properties. Deliveries to such stores can be made at any time and this would create noise and light pollution for nearby residents. For example, because of reverse warning sirens on lorries and deliveries made using refrigerated vehicles.

5. Commercial Issues

Impact on existing businesses in the area - Concern that a successful application and development will have a detrimental effect on the local businesses (independent retailers and cafes), which will threaten their survival. The amount of

job losses will outweigh job gains. Also, it is considered that closures of existing businesses would be detrimental to the village.

It is considered that another supermarket and takeaway is not needed in this area.

Existing businesses that are outside the boundary of the local centre are long established and have been in their locations for decades before the UDP of 1998. This is not a reason to extend the boundaries of the proposals map.

In terms of UDP Policy S5, the development does not provide an appropriately sized food store and other facilities to meet the day to day needs of the local population. The daily needs of the local population area already met adequately by local businesses and the store will not be appropriately sized considering the locality. The store will be substantially larger than any of the other local businesses and it will be run by a large supermarket chain.

6. Consultation

The size of the consultation by Sheffield City Council has been very limited with only immediate neighbouring properties being notified. Furthermore, a public consultation should take place with representatives from Sainsburys and Punch Taverns with members of the public invited to put forward their views.

7. Additional Comments -

- If the politicians/planners really want to help the surrounding area, please free up space on Angram Bank for this kind of facility. This area has nothing within easy reach and there are numerous pensioners in that area.

- Although against this proposal, the area as a whole is immensely badly served. Councillors should realise that a great deal of local residents travel to Rotherham and Barnsley for better services than they have in the locality. We must be the only area in any major city in the UK to still not have 24hr opening, let alone a supermarket which offers the same choices as anywhere in the city.

- Local jobs are needed. We need the same as other areas take for granted. In past years the Council has turned down at least two prime locations and yet we build units for industry that still lay empty.

- High Green is already troubled by young people drinking inappropriately and the option to buy drink until midnight would only endanger the problem getting worse. Furthermore, another takeaway facility selling unhealthy food is not good for the people of High Green.

REPRESENTATIONS OF SUPPORT

2 representations supporting this application have been received. The comments are summarised below:

1. Support, but only if checks are made that excessive traffic and/or congestion are not caused by extra road traffic trying to access the site once developed.

2. Sad to see there has apparently been a campaign against it for the wrong reasons, ie competition issues. Having lived locally for over 20 years and feel this is much needed, High Green is no longer a village due to mass developments and a supermarket would be welcome. There are only two local shops selling food, and neither caters for my tastes and budget. As one local convenience store has closed (apparently only through parking issues) there must be room a new supermarket in this better location. Only concerns would be traffic, especially deliveries, and alcohol sales, but it is trusted the planning committee will deal with these. After all, the building will be replacing a car park and a pub, and the plans show that the area will be massively improved.

Finally, 1 neutral response has been received.

PLANNING ASSESSMENT

Land Use Issues

- Unitary Development Plan (UDP)

The application site is located within a 'Housing Area' in Sheffield's adopted UDP and, therefore, Policy H10 'Development in Housing Areas' applies.

In terms of the proposed convenience store, Policy H10 states that small shops (A1) are acceptable uses in Housing Areas but such acceptability is dependent upon the proposed size. 'Small Shops' are defined in the UDP as being "shops usually with not more than 280 sq.m. sales area, or which are ancillary to other acceptable uses in the Area".

The application submission is supported by a Retail Assessment, which stipulates that the convenience store unit will have a net retail sales area of 250 sq.m. The proposed unit is, therefore, consistent with the policy specifications of Policy H10, subject to all other material planning considerations being satisfied.

In terms of the proposed hot food takeaway, Policy H10 identifies that the principle of food and drink outlets are acceptable in Housing Areas. Once again, such acceptability is dependent upon other material planning consideration being satisfied.

Additionally, given the retail use included within the proposal it is also necessary to consider UDP S5 'Shop Development Outside the Central Shopping Area and District Centres' which makes reference to 'Edge-of Centre Development' and 'Other Development'. In particular, it states that retail development other than within or at the edge of the Central Shopping Area or District Shopping Centres will be permitted where the development is (a) a small shop; or (b) in, or at the edge of, a local centre, for appropriately sized food stores and other facilities to serve the day-to-day needs of the local population.

As explained above, the proposed convenience store is as a small shop in policy terms (because it is less than 280 sq.m.) and, as such, it is considered that this is an appropriate size for its location. Furthermore, taking into account the additional

criteria set out in Policy S5 it is considered that the development, by virtue of its size, nature and location:

- (a) would not undermine the vitality and viability of the City Centre or Chapeltown District Centre;
- (b) would not jeopardise private sector investment needed to safeguard the vitality and viability or regeneration of the larger centres;
- (c) would be easily accessible by public and private transport and for people with disabilities;
- (d) would not have a significant harmful effect on public transport services or priority measures or on other movement on the surrounding road network (see 'Highway Issues' section below);
- (e) would not result in traffic generation levels that would result in a significant increase in the number and length of customer trips (see 'Highway Issues' section below); and
- (f) would not take up land where other uses are required nor give rise to shortages of land for those uses which are preferred.

It is the case that even though the uses are currently within the 'Housing Area' designation, this is an edge of centre site that will have a negligible impact on the viability of the local centre. It is considered that the site – which has existing A3 and A5 uses on it – currently operates as part of the centre, as do the Funeral Service and medical centre that also lie outside the shopping centre. Thus, it is concluded that the application proposal is acceptable, in principle, in terms of the UDP.

- Sheffield Development Framework (SDF) Core Strategy

The Core Strategy provides the overall spatial strategy for the emerging SDF over the period 2009 to 2026.

Policy CS39 'Neighbourhood Centres' encourages new development for local shops and community facilities to serve the everyday needs of the community. High Green's Local Shopping Centre will be re-classified as a Neighbourhood Centre in the SDF and therefore this policy is relevant. Furthermore, the SDF Draft City Policies and Sites Document indicates that it is the Council's intention to include the application site within the new Neighbourhood Centre designation in the Sheffield Local Plan. It is understood that there is no intention to change this designation and it is considered that this proposal is a more updated vision for the site and one which goes some way to overriding the UDP's land use aspiration.

It is not considered that the current proposal would conflict with these aims and is therefore, concluded to be acceptable.

- National Planning Policy Framework (NPPF)

The NPPF sets out the Government's revised planning policies for England and how these are expected to be applied. The key goal 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.

In regard to the differences between the UDP and SDF aspirations for the site, and what weight should be given where, the NPPF applies. Based on policies set out in the NPPF (paragraph 216), weight should be given to the emerging Neighbourhood Centre allocation. The UDP allocation for the application site is based on an out of date planning policy. The NPPF is clear that "where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate that development should be restricted."

In general, there is considered to be sufficient national and local policy (including emerging policies) to justify the proposed use in land use terms. Therefore, the principle of the development at this location is concluded to be acceptable.

Highway Issues

Members will note that a significant proportion of the objections received about this application relate to highway issues and the impact of this development on the area and local highway network. Most relate to a perception of increased traffic on Wortley Road, resulting in severe congestion, which would pose a threat to residents and especially school children in the area. Also, large delivery vehicles reversing and manoeuvring round the roundabout is another concern that has been extensively raised.

UDP Policy H14 'Conditions on Development in Housing Areas' states that new development or change of use will be permitted provided that 'it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians. Furthermore, it states that non-housing uses should not lead to excessive traffic levels or other nuisance.

UDP Policy BE9 relates to 'Design For Vehicles' and states that new development should provide a safe, efficient and environmentally acceptable layout for all vehicles (including cycles) and pedestrians. In summary, this includes adequate access/egress points for all vehicles (including emergency vehicles), good quality design/layout, adequate manoeuvring/turning/parking space for service vehicles, and parking areas designed to minimise the risk of crime against people and vehicles.

UDP Policy T21 'Car Parking' states that provision should be made where it would (a) meet the operational needs of businesses, or (b) be essential for the viability of a new development, or (d) improve the environment or safety of streets, or (e) meet the needs of people with disabilities. Furthermore, levels of parking are expected to be regulated to prevent peak-hour congestion.

UDP Policy T28 'Transport Infrastructure and Development' indicates that new development which would generate high levels of travel will be permitted only

where it could be adequately served by existing public transport services and infrastructure, and the existing highway network. Development will be promoted where it would be best served by public transport, and where its location would reduce the need to travel, especially by car.

Core Strategy Policy CS51 'Transport Priorities' sets out that the strategic priorities for transport include containing congestion levels by taking into account the pressures of increasing demand, maximising accessibility to all users (including disabled people), and improving road safety.

Finally, Core Strategy Policy CS53 'Management of Demand for Travel' includes a package of measures to make better use of finite road space and reduce pollution. The policy recognises that needs and opportunities will vary between different areas and routes and that Travel Plans for specific developments enable actions to be tailored to each case.

With regard to parking provision and facilities, it is expected that a 'maximum' car parking provision for a convenience store with a gross floor area of 362 sqm. be 18 spaces. This is based on the UDP guidance of 1 space per 20 sqm. The submitted plans indicate 20 spaces (including 2no. disabled spaces), however the higher quantity proposed does not offer significant concern by virtue that the car park will be shared with the proposed takeaway unit and it is considered that the additional 2 spaces will be utilised and absorbed by this additional use. In terms of the proposed bicycle parking provision, the plans currently show it situated in the corner of the site closest to the roundabout but it is considered that a more appropriate location would be closer to the store's entrance (for improved security/surveillance purposes) and that it should be sheltered. A condition is suggested to rectify this.

In relation to matters of traffic, congestion, safety, manoeuvrability etc. it is advised that the application has been supported by a Transport Statement, the purpose of which is to consider highway issues (including many of the concerns raised) and to demonstrate compliance with national/local planning policy. Summarising the Transport Statement, the national database TRICS has been interrogated to predict the amount of traffic likely to be generated by the development (by all modes of travel). TRICS is a database of traffic survey information for different types of land uses across the country. This historical data is used to relate trip rates to the size, type and location of new development. The characteristics of the local highway network and ability to accommodate the development traffic are also considered, together with a review of personal injury accidents over the last 5 year period.

Wortley Road is the main arterial route running through High Green and connects Chapeltown to the A61. Wortley Road and Mortomley Lane carry a two-way flow of 700 vehicles per hour during the week-day peak periods, 2% of these are Heavy Goods Vehicles and 5% are buses. Jeffcock Road carries a two-way flow of 150 vehicles per hour during the week-day peak periods, of which 2% are Heavy Goods Vehicles. Jeffcock Road is not a bus route.

The development site itself currently accommodates the Old Cart & Horses Public House and a 26 space car park. Using TRICS to determine vehicle movements for the public house/restaurant (Old Cart & Horses) gives a two-way flow (entering and leaving the car park) of 11 vehicles during the network peak of 1600 hrs to 1700 hrs.

For the proposed food retail and hot-food takeaway, TRICS estimates 35 vehicle arrivals and 37 vehicle departures (two-way flow of 72) during the network week-day peak of 1600 hrs to 1700 hrs. The week-day peak of activity for the actual development is between 1800 hrs & 1900 hrs, estimated to be 50 vehicle arrivals and 49 vehicle departures (two-way flow of 99). On Saturday, the network peak period is between 1100 and 1200 hrs, for which TRICS predicts 20 vehicular arrivals and 21 vehicular departures (two-way flow of 41). The peak of activity for the development proposal on a Saturday is between 1800 and 1900 hrs, for which TRICS predicts 48 vehicle arrivals and 49 vehicle departures (two-way flow of 97).

Department for Transport (DfT) guidance states that as certain types of development, particularly retail, can have a significant effect on vehicular traffic, consideration may be given to the different types of vehicular trips that are likely to be generated. These different types are classed as: New trips; Pass-by trips; Linked trips; Diverted trips; and Transferred trips. New trips are trips that don't appear anywhere on the local highway network prior to the development opening. All trips associated with residential development are considered new. For many other types of development, the percentage of new trips can be relatively small. Pass-by trips are those that are already present on the road network directly adjacent to the point of access to the site, which will turn into the site. Pass-by trips are relevant where the site is located on a main arterial route within an urban area. Where it can be demonstrated that pass-by trips were already on the network, DfT guidance says they can be deducted from the calculated generation for the development. Linked trips are those that have multiple destinations, between say the development site and other established businesses within the local centre. If these trips are undertaken by parking up and walking between destinations, then the vehicle trip shouldn't be double counted. Diverted trips are those that are already present on the local highway network, but not on the road(s) from which the site access is taken. They divert from their existing route to access the site. They're similar to pass-by trips, but have to deviate to make use of the development. Identifying diversions can be important in assessing the operation of remote junctions when subjected to development traffic. Diverted trips generally return to their original route once they've visited the development site. Transferred trips are those that are already present on the local road network, accessing similar existing sites in close proximity to the proposed development and will have the potential to transfer their destination to the proposed development. Again, this can be important in assessing the operation of remote junctions.

The level of reduction in vehicle trip generation based on the mix of trips described above is open to a degree of subjectivity. However, on such an arterial route, it wouldn't be unreasonable to assume that 60% of cars visiting the site would have already been passing directly in front of the site access.

The submitted Transport Statement has opted for the following trip type proportions during the week-day network peak period: New trips 0%, Pass-by trips 55%, Linked trips 15%, and Transferred trips 30%. For the Saturday network peak period, a pass-by trip proportion of 40% was assumed.

Applying the above proportions to the TRICS data gives 16 new vehicle arrivals and 17 new vehicle departures distributed between Wortley Road, Mortomley Lane and Jeffcock Road (total two-way flow of 33 vehicles distributed between the 3 roads) for the week-day peak period, with obviously 72 vehicles overall still turning in and out of the site access. The Saturday network peak gives 12 new vehicle arrivals and 13 new vehicle departures distributed between Wortley Road, Mortomley Lane and Jeffcock Road (total two-way flow of 25 vehicles distributed between the 3 roads), with obviously 41 vehicles overall still turning in and out of the site access.

It is considered that these flows can be adequately accommodated within the existing highway network, with no detriment to safety or amenity. It is proposed to modify the road markings on the Wortley Road arm of the roundabout, creating a right-hand turning pocket for cars, with the addition of a yellow box. The splitter islands and arms of the roundabout would have tactile paving introduced. Where possible, the islands will be enlarged. The Heavy Goods Vehicle (HGV) regulatory direction signs in Chapelton will be reviewed and where necessary improved to reduce abuse. The site's two existing vehicular accesses onto Wortley Road will be amalgamated onto one, with The Queens Head sharing the same access as customers to the development. The access geometry and roundabout has undergone some swept-path analysis, to check the manoeuvring works for articulated delivery lorries and cars. Drawings have been provided as part of the transport information.

Personal injury accidents for the past 5 years have been considered. Only two accidents have occurred in the vicinity of the roundabout. One involved a car shunting into the back of another on the Wortley Road approach to the roundabout, resulting in slight injuries to the drivers of both vehicles. The second accident occurred on Pack Horse Lane when a car braked to allow a pedestrian (school child) to cross. A second car was travelling too close behind and ran into the back of the first car. The driver of the first car sustained a slight injury. The pedestrian was ok.

In light of the above details relating to the development traffic, for the week-day peak period (1600 hrs to 1700 hrs) the development generates/attracts 33 new two-way vehicle trips to the local highway network (distributed between Wortley Road, Mortomley Lane and Jeffcock Road), with 72 turning in and out of the site access. This equates to just over one vehicle a minute entering/leaving the customer car park during the peak hour, which is the equivalent of pedestrians crossing in the mouth of a quiet cul-de-sac. Therefore, it is concluded that there is no reason to believe that pedestrians will be exposed to unacceptable levels of vehicular conflict as a consequence of the proposed development.

With regards to servicing and deliveries, it is advised that this will take place by articulated lorry and this would be once a day. The service bay is situated at the

western end of the store. The turning manoeuvre into the bay is very simple, and is shown by a swept-path analysis drawing.

Finally, in terms of public transport accessibility, the site is favourably located with respect to bus provision, with the following service numbers all passing nearby: 13/13A, 29, 66, 72, 75 & 87. The majority of the built up area of High Green lies within a 1km walk of the site, approximately 13 minutes.

In light of the above – and notwithstanding the many objections received from local residents – the application proposal is concluded to be acceptable from a highway perspective. It has been demonstrated that the scale and type of development proposed is consistent with the requirements of national and local planning policy.

Demolition Issues

The application site was designated within an 'Area of Special Character' in the UDP when it was adopted in 1998. Many of the objections received express disappointment at the loss of the site's existing buildings and consider that the removal of such an old building of attractive appearance would be to the detriment of the site and surrounding area. Indeed, local residents suggest that the building is several hundred years old.

It is confirmed that there are no listed buildings on the application site.

Policy BE18 'Development in Areas of Special Character' encourages the retention of buildings, walls, trees, open spaces and other features that contribute to the character of the Area.

The NPPF defines a building, monument, site, place, area or landscape that is identified as having a degree of significance meriting consideration in planning decisions, as being a 'heritage asset' because of its heritage interest. Heritage assets are expected to be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Given the current UDP policy designation, it could be argued that the existing 'Area of Special Character' in which the application site is located is a 'heritage asset' and that the buildings included within it – including the Old Cart and Horses – are features that contribute to this. Alternatively, and/or in addition, it could also be argued that the building itself is a 'non-designated heritage asset' owing to its appearance and age.

It is noted that the 'Area of Special Character' designation dates back to 1998 and this was to give interim protection to an area believed to have the special or historic qualities to justify considering its future designation as a Conservation Area. During the 15 years since the UDP's adoption, the site has not become a Conservation Area and there are no plans to designate it as a Conservation Area in the emerging SDF Draft City Policies and Sites Document. Furthermore, the Members are advised that the "Area of Special Character" policy designation is not a term expected to apply in the future SDF documents because such historic areas

have been assessed and those of merit either adopted as Conservation Areas or highlighted as Conservation Areas in anticipation of future allocation.

Once again, in regard to the differences between the UDP and SDF aspirations for the site/surrounding area, and what weight should be given where, the NPPF applies. Based on policies set out in the NPPF (paragraph 216), weight should be given to the emerging allocation as a Neighbourhood Centre and not its previous allocations – including “Area of Special Character”. Therefore, development which supports the future allocation is encouraged.

In light of the above – and by virtue that there are no listed buildings on the site – it is concluded that the refusal of planning permission for the demolition of the building could not be supported. The loss of a building that has an attractive front elevation addressing a prominent junction is disappointing, however a balanced judgement is required which has regard to the scale of harm or loss and the significance of the asset and the nature of its replacement. The design of the new replacement development is considered to be acceptable, as described below, and given that there are not considered to be sufficient grounds to justify refusal for the demolition of an unlisted building within a Housing Area, it is therefore considered that the proposal is acceptable.

Design Issues

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

Owing to the site’s location in an Area of Special Character, UDP Policies BE15, BE17 and BE18 are all relevant. Policy BE15 ‘Areas and Buildings of Special Architectural or Historic Interest’ states that development, which would harm the character or appearance of an Area of Special Character will not be permitted. Policy BE17 ‘Design and Materials in Areas of Special Architectural or Historic interest’ expects a high standard of design using traditional materials and a sensitive and flexible approach of buildings and roads. Policy BE18 ‘Development in Areas of Special Character’ encourages new development which respects the appearance and character of the Area.

Core Strategy Policy CS74 ‘Design Principles’ reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of neighbourhoods, including historic village centres. Amongst other items, it expects development to contribute towards creating attractive, sustainable and successful neighbourhoods.

a) Proposed Layout and Streetscene

The proposed comprises one new building located at the back of the site along its north facing rear boundary. The building – at 35m wide – extends across the majority of the site’s width. In front of the proposed building there is to be car parking and landscaping.

The intention to set the building back within the site represents a significant alteration in townscape form and it is acknowledged that this could result in the car parking becoming unduly prominent within the streetscene. The site is located at a key intersection within the High Green shopping centre.

Currently, the Old Cart and Horses building contributes to the streetscene, most particularly through acting as a visual marker – both at close quarters from within the centre and in longer views where it holds the eye and helps to identify the centre. It is acknowledged that one key impact of the proposed position of the new building will be the loss of a building at this point, which will result in an extended view linking Wortley Road and Mortomley Lane.

The submission states that the current layout ensures for natural surveillance across the site as well as safer manoeuvrability. It is also argued that the position of the car park means that it can be easily viewed by those entering the site and that the openness will benefit the general feeling of well being around the site.

Officers have been had some reservations about the proposed position and so have explored alternative options for development at this site. This has included the re-positioning of the building to the front of the site with car parking behind and out of view, or another option of rotating the entire building through 90 degrees to result in a greater sense of enclosure and reducing the dominance of the parking. Whilst these options have been considered by the applicant, officers have been asked to consider the application as submitted because this is the preferred layout of the retailer.

Overall, it is considered that the position of the building will not have such a significantly detrimental impact such that refusal on design grounds could be justified. In respect of this conclusion, it is noted that the scheme must work as a whole and meet several criteria rather than just design alone. Indeed, it is noted that alternative layouts which are good for aesthetic reasons because they would address the back of pavement could have negative implications and impacts from a residential amenity, highway and/or safety perspective. Therefore, Officers have reached the conclusion that a balance must be struck at this site which goes beyond aesthetic considerations in order to achieve an overall high quality outcome.

It is considered that the size of the site is not so large and the extent of the car park so big as to result in the new building being ineffective in the streetscene – especially when approaching from the south along Jeffcock Road. The building is quite large and it is considered that the design changes that have taken place since submission will serve to significantly improve its overall appearance and raise the quality of the development (see below). Furthermore, there will be landscaping positioned along the front boundary of the site which will include 3no. extra heavy standard trees.

Therefore, and on balance, it is concluded that the proposed layout and impact of the development on the streetscene at this location is acceptable.

b) Proposed Architecture

The architecture of the building is simple but considered to be of sufficient design quality and appearance for the location. The building's form is rectangular with a mono-pitched roof that slopes shallowly downwards from the front elevation to the rear. The front elevation has the main design detailing and comprises column features which are situated at either end of the building and bookend the convenience store's shopfront, which dominates a large proportion of the ground floor area.

In terms of the proposed material palette, the building will be constructed from a steel frame and adorned with various materials depending upon their visual prominence. The main front elevation will be characterised by artificial Yorkstone (colour: natural), shopfront glazing within aluminium frames, and a rainscreen cladding system at high level above the proposed signage display. The side elevations will be constructed from a small element of artificial Yorkstone (colour: natural) and red brick. The rear elevation is constructed from mirco-rib cladding (colour: light grey) and the roof will have a metal profiled design (colour: goosewing grey).

The proposed design is considered to be contemporary yet also quite traditional in terms of the use of artificial Yorkstone and red brick. These materials will help the building relate to the surrounding context, which is predominantly stone and red brick. Design amendments have occurred to the front elevation since the application's submission and it is considered that these alterations have improved the appearance of the development and raised the overall architectural quality to an acceptable level for this location.

In order to ensure that a high standard of architectural detailing is achieved during the construction of the development, conditions are recommended to ensure that materials are submitted for assessment and that large scale details are supplied before development commences.

c) Proposed Scale

The proposed development will be approximately 35m long x 14m deep x 6m high. The surrounding area comprises predominantly two-storey properties. The size of these properties varies given the nature of the buildings and their use. Overall, the scale of the block is viewed as appropriate in the context and will ensure successful relationships are created with the surrounding buildings and spaces.

Sustainability Issues

Core Strategy Policy CS64 relates to 'Climate Change, Resources and Sustainable Design of Developments' and requires all new buildings to be energy efficient and to use resources sustainably. To help satisfy the policy, all new non-residential developments over 500 sq.m gross internal floorspace should achieve a BREEAM rating of very good (or equivalent) as a minimum.

The application proposal has a gross internal floorspace of 418.7 sq.m. and thus the development falls under the thresholds specified in Policy CS64. Notwithstanding this, a brief Sustainability Statement has been submitted with the proposal setting out measures that could be employed to improve the sustainability credentials of the building. This includes information relating to fabric standards, air permeability, renewable energy savings and lighting. It is also stated that BREEAM 'very good' can be achieved but there is no firm commitment to achieving this and it cannot be required because of the overall size of the building.

Policy CS65 relates to 'Renewable Energy and Carbon Reduction' and requires new significant developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy. The Sustainability Statement confirms that the development will achieve 10% of its overall energy needs from renewable energy. It is anticipated that renewable energy will be generated on site via Air Source Heat Pump technology.

From the evidence submitted, it is considered that the proposal demonstrates that the development will respond to sustainability requirements and, therefore, it is deemed to be consistent with the aspirations of Policies CS64 and 65.

Amenity Issues

The main consideration here is the impact of the proposed use on the residential properties which are situated within close proximity of the application site. The most sensitive residential property that is affected by this development is considered to be the neighbouring dwelling at No.11 Mortomley Lane.

UDP Policy H14 relates to 'Conditions on Development in Housing Areas' and requires that new buildings or uses do not lead to an unsatisfactory environment for people living in Sheffield. Amongst other things, it expects that development does not over-develop a site or deprive residents of light, privacy or security as well as provide safe access to the highway network and appropriate off-street parking and does not endanger pedestrians. Furthermore, development should not suffer from unacceptable pollution and, where appropriate, and buffers should be installed to shield sensitive land uses.

Following considerations, it is believed that this application does not contradict the aims and aspirations of Policy H14. The proposed development will not result in a significantly worse living environment for occupiers of neighbouring properties, than currently exists from the existing restaurant and takeaway buildings/use.

In terms of moving the development, its car parking and its impacts, closer to the residence - it is felt that this is not a significant issue at this location. No.11 Mortomley Lane is an exposed residential building that has limited private external amenity space owing to its position, low boundaries and relationship to surrounding public streets. There are no windows positioned in the rear elevation of the building, which would overlook the site, and it is considered that overlooking to obliquely positioned side windows would be no worse than that which currently occurs from the public footpath running between the curtilage of the application site and this dwelling. The public footpath will be maintained, thus providing the same

level of separation between the sites. Trees and landscaping are proposed to be installed along the shared boundary which will provide some screening from car parking and pedestrian routes within the site.

It is not considered that the built form of this development will have an overbearing impact on the adjacent property. As discussed, there are no windows located in the rear elevation of the building and, therefore, the new building will not be particularly visible from internal spaces. The building and car parking will be visible from external spaces, but this cannot be avoided due to the relationship between both sites and some landscaping is proposed along the boundary of the application site to soften the appearance. Furthermore, despite being at a high land level, it is considered that the new development will not have as much of an overbearing impact on the closest residential property than the existing buildings and conifer trees that are situated along the application site's side boundary. Indeed, the trees significantly overhang the boundary and public footpath and create a significant amount of overshadowing.

Overall, it is not considered that there will be no immediate and/or harmful impact upon this property such as would compromise the aims of policy H14.

It is noted that there are some concerns regarding potential noise pollution as a result of the car parking, servicing vehicles and the hours of opening. All these issues have been considered but they are equally considered to be acceptable in what is essentially an urban area and the impacts of these can be controlled by condition.

Similarly, in respect of light pollution, the details of the lighting scheme can be reserved by condition to ensure that any harm is minimised to an appropriate and acceptable level.

Finally, concerns relating to litter can be addressed by a condition requiring that a litter bin is provided on site, where appropriate.

Landscaping Issues

UDP Policy BE6 'Landscape Design' expects good quality landscaping in new developments and refurbishment schemes. Landscape work should provide an interesting and attractive environment as well as integrating with existing features and promoting nature conservation.

The new development will remove all existing trees and vegetation that exist on the site and mainly comprise of trees, grass and shrubbery positioned at the rear of the site around the area that is undeveloped, as it currently serves as the outdoor amenity space/former beer garden area. The largest trees to be removed are a row of large conifer trees that are situated along the rear (northern) and part of the side (south-eastern) boundaries of the site and these extend over 10m high.

The existing vegetation is considered to be relatively unremarkable in character and quality. Therefore, the proposed removal to facilitate the new development does not raise a significant concern in amenity terms.

Soft landscaping works are proposed to the south-west (front) and south-east (side) elevations. These are the most prominent elevations and it is intended to plant a mixture of ornamental shrubs and trees, and 4no. Extra Heavy Standard trees will also be planted to the frontage. 3no. Extra Heavy Standard are also proposed to be planted along the boundary shared with No.11 Mortomley Lane. Finally, it is intended to plant a native hedge along the rear of the site

Overall, the proposed soft and hard landscape works are considered to be acceptable and consistent with the aspirations of Policy BE6. The works will help to provide a setting for the building and soften the site's appearance along its main public frontages. It would be preferred that some additional tree planting was provided within the car park area in order to soften the appearance of this space, however Officers acknowledge that this is not practical owing to the space and visibility requirements needed for vehicle manoeuvres within the space. Therefore, whilst the failure to provide this additional landscaping is disappointing from an aesthetics perspective, it is not considered to be a reason to justify the refuse the application.

Disabled Access

UDP Policy BE7 'Design of Buildings Used by the Public' and states that in all buildings which are to be used by the public, provision will be expected to allow people with disabilities safe and easy access to the building and appropriate parking spaces.

Additionally, Policy BE9 'Design For Vehicles', part (f), states that adequate parking space will be expected for vehicles used by people with disabilities.

The proposal generates no significant concerns from an access point of view. There are proposed to be two disabled car parking spaces situated outside the main entrance of the proposed convenience store. Furthermore, sliding doors are proposed to be provided at the main public entrance points to each building. It is considered that detailed matters requiring further clarification and assessment – such as location and design of tactile paving, design of steps and design of ATMs – can be dealt with by condition.

In light of the above, the proposal is considered to be consistent with the aspirations of UDP Policy BE7.

RESPONSE TO REPRESENTATIONS

It is considered that the main issues raised in relation to highways, loss of a historic building and erosion of village character and noise/light pollution have been addressed in the main body of this report.

The concerns raised about the commercial impact of this new development are noted. However, matters relating to commercial competition and the impact of new development on similar existing businesses are not material planning

considerations. Therefore, these objections can hold no weight in the determination of this application.

With regard to the comments raised about an unsatisfactory public consultation exercise by the Council to inform local residents, it is advised that the Council decided to extend the area of consultation in order to include more properties on Wortley Road, Mortomley Lane, Jeffcock Road, Angram Road, Chapel Road and New Street. Also, a site notice has been displayed outside the site. It is considered that these consultation measures are sufficient for the scale and nature of development structural stability are covered.

Matters relating to demolition and the structural impacts of this upon neighbouring properties are noted, but are not necessarily material planning considerations, and details of structural stability and the like are a matter for building standards.

Material planning considerations regarding impact upon neighbouring properties have been considered within the main body of this report. The impact of development upon the value of property is not a material planning consideration.

The comments relating to the need for more supermarkets in this area, which open for 24hrs to stimulate more jobs and provide for population needs are noted.

SUMMARY AND CONCLUSION

The proposed development will demolish existing buildings on a prominent site situated at the junction of Wortley Road, Jeffcock Road and Mortomley Road and replace it with an A1 convenience store (to be operated as a Sainsburys' Local) and a smaller A5 takeaway unit (selling fish and chips). The proposal has raised a significant amount of objections in the local area - including a high number of individual objections, a petition containing 597 names and an objection from Ecclesfield Parish Council.

Notwithstanding the objections, it is concluded that the application proposal is - on balance - an acceptable one. It is considered that matters of land use, demolition and heritage, highways, design, amenity and sustainability have been appropriately considered and balanced judgements reached in planning policy terms. Overall, it is considered that all of the material planning considerations are acceptable and there are no individual or combined concerns of such significance to warrant the refusal of the planning application.

Therefore, Members are recommended to grant planning permission for the development, subject to the proposed conditions.

Case Number	13/00498/FUL (Formerly PP-02467403)
Application Type	Full Planning Application
Proposal	Application under Sec 73 to vary condition 42. opening hours, imposed by 11/01426/FUL (erection of retail foodstore) to allow the foodstore to open between 0800 and 2100 hours Mondays to Saturdays
Location	80 To 82 The Common Sheffield S35 9WN
Date Received	15/02/2013
Team	West and North
Applicant/Agent	Planning Potential (Harrogate)
Recommendation	Grant Conditionally

Subject to:

- 1 The development must be begun not later than the expiration of three years from 16 December 2011.

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

- 2 Samples of all proposed external materials and finishes, including windows, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 3 Sample panels of the proposed stone and brick shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panels shall be approved in writing by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

In order to ensure an appropriate quality of development.

- 4 Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before the commencement of development:

Main entrance
Canopy
Rainwater gutters, downpipes and external plumbing
External lighting
Glazing
Eaves and verges

Thereafter the development shall be carried out in accordance with the approved details

In order to ensure an appropriate quality of development.

- 5 Before the development is commenced 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 unless otherwise authorised in writing by the Local Planning Authority.

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.

- 6 Before the development is commenced details of the scale and appearance of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 7 Upon occupation, the submitted Travel Plan dated April 2011 to reduce dependency on the private car, which shall include clear and unambiguous objectives and modal split targets, together with a timebound program of implementation, monitoring and regular review and improvement, shall be operated for the duration of the development.

In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

- 8 The Local Planning Authority shall be consulted with and give prior approval in writing to any subsequent improvements or modifications to the Travel Plan, following the submission of progress performance reports as timetabled in the programme of implementation. All future owners/occupants of the site shall operate a Travel Plan and will adhere to the approved Travel Plan unless otherwise varied and agreed with the Local Planning Authority prior to occupation.

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

- 9 Prior to any works commencing on site, full details of the following shall have been submitted to and approved in writing by the Local Planning Authority, and the construction works shall only be progressed in accordance with the approved details:
- Construction method statement
 - Phasing of construction works
 - Site safety and segregation/hoardings
 - Any temporary site access for construction traffic
 - Location of site compound and temporary car parking arrangements for contractors
 - Haulage routes associated with construction
 - Times when construction works and movement of construction traffic will be restricted.
- In the interests of traffic safety and the amenities of the locality.
- 10 The gradient of shared pedestrian/vehicular access shall not exceed 1:12 unless otherwise agreed in writing by the Local Planning Authority.
- In the interests of traffic safety and the amenities of the locality.
- 11 Prior to works starting on site, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any remedial works will have been completed to the satisfaction of the Local Planning Authority prior to full occupation of the development.
- In the interests of traffic safety and the amenities of the locality.
- 12 Notwithstanding the submitted plans, prior to the development becoming occupied, suitable and sufficient, secure and sheltered bicycle/motorcycle parking accommodation (plus storage/changing/shower facilities for staff) shall have been provided in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority (ideally avoiding the use of 'butterfly' systems which have a tendency to buckle wheels). Thereafter, the bicycle/motorcycle parking shall be retained/maintained for the sole purpose intended.
- In the interests of traffic safety and the amenities of the locality.
- 13 All vehicle and pedestrian areas within the site shall have been surfaced, sealed and drained to the satisfaction of the Local Planning Authority prior to occupation.
- In the interests of traffic safety and the amenities of the locality.
- 14 The building shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those

plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

In the interests of traffic safety and the amenities of the locality.

- 15 The development shall not begin until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways 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.

Highway Improvement Works:

Any accommodation works to street furniture, including to traffic signs, road markings and lamp columns associated with the new access arrangements. Promotion of Traffic Regulation Orders in the local area (waiting/loading restrictions) and the making of Orders subject to usual procedures, including the provision of road markings and signs as necessary.

Provision of pedestrian refuge, drop kerbs and tactile paving to assist pedestrian movement in the local area.

Provision of sheltered parking area.

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.

- 16 Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

In the interests of traffic safety and the amenities of the locality.

- 17 The building shall not be used unless provision has been made within the site for accommodation of delivery/service vehicles in accordance with the approved plans. Thereafter, all such areas shall be retained free of all obstructions, including the storage, display and depositing of materials, packaging or other objects so that the service yard/car park is fully available for the parking, turning and manoeuvring of delivery/service vehicles.

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

- 18 The building shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

In the interests of traffic safety and the amenities of the locality.

- 19 At all times that construction works are being carried out equipment shall be provided to the satisfaction of the Local Planning Authority 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 but before the development is commenced full details of such equipment shall have been submitted to and approved by the Local Planning Authority. When the above mentioned equipment has been provided thereafter such equipment shall be used for the sole purpose intended in all instances and be properly maintained.

In the interests of the safety of road users.

- 20 The development shall not be begun until details have been submitted to and approved by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 21 The development shall not be used unless suitable parking provision has been made for disabled people. Details and layout of such parking shall be submitted to and approved in writing by the Local Planning Authority and thereafter provided and retained.

To ensure ease of access and facilities for disabled persons at all times.

- 22 The development shall not be used unless suitable manifestation has been provided on the glazed doors and fixed glazing.

To ensure ease of access and facilities for disabled persons at all times.

- 23 No development, including any demolition and groundworks, shall take place until the applicant or their agent or successor in title, has submitted a written scheme of investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

The programme and method of site investigation and recording

The requirement to seek preservation in situ of identified features of importance

The programme for post-investigation assessment

The provision to be made for analysis and reporting

The provision to be made for publication and dissemination of the results

The provision to be made for deposition of the archive created

Nomination of a competent person/persons or organisation to undertake the works

The timetable for completion of all site investigation and post-investigation works

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed

To ensure that any archaeological remains present, whether standing or buried, are preserved either by being left in situ or recorded and removed in accordance with an agreed method, before they are damaged or destroyed and that knowledge is then disseminated.

- 24 Prior to the commencement of any work on site, a detailed scheme for the foundation design and all new ground works shall have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

To ensure that ground disturbance is restricted to a minimum and is carried out in the agreed manner to preserve archaeological remains in situ.

- 25 Before any work on site is commenced, a comprehensive and detailed hard and soft landscape scheme for the site shall have been submitted to and approved by the Local Planning Authority. The landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first agreed in writing with the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that five year period shall be replaced unless otherwise agreed by the Local Planning Authority.

In the interests of the amenities of the locality.

- 26 Before any work on site is commenced, measures to protect the existing trees to be retained, in accordance with details which shall be submitted to and approved by the Local Planning Authority. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development unless otherwise agreed in writing.

In the interests of the amenities of the locality.

- 27 The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

- 28 The Aldi store hereby approved shall be constructed in accordance with the carbon emissions section (9.9 and 9.10) of the Design and Access Statement prepared by the Harris Partnership (reference 0392 SDAR 26/04/11). Within three months of first commencement of the use, a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed to achieve the reduced target emission rate.

In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 29 Prior to the commencement of development details showing how surface water run off will be reduced by 30% from that of the existing site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

In order to mitigate against the risk of flooding.

- 30 The store shall be constructed in line with the mitigation measures identified in section 6.3 of the Air Quality Assessment conducted by Mayer Brown Limited and dated August 2011 and adopt the London Councils' Best Practice Guidance, November 2006, 'The Control of Dust and Emissions from Construction and Demolition'.

In order to ensure appropriate air quality mitigation is implemented.

- 31 Prior to the use commencing full details of the following air quality measures shall be submitted to and approved in writing by the Local Planning Authority:

Vehicles delivering to the site should be Euro V Standard, after 2015 vehicles should be Euro VI standard or fitted with exhaust after treatment technologies such as continuously regenerating traps or non primary NO2 emitting catalysts systems

Details of a fleet improvement agreement

Details of a minimum of 4 electric charging points

Details of a minimum of 10 bicycle racks

Provision of a minimum of 4 car parking spaces to be reserved by signage for low emission cars
Details of promotion of public transport
Details of supporting the local supply chain e.g. local labour agreements

The above measures shall thereafter be implemented unless otherwise agreed in writing with the Local Planning Authority.

In order to ensure appropriate air quality is implemented.

- 32 Unless otherwise agreed in writing by the Local Planning Authority, no buildings or other obstructions shall be located over or within 3 (three) metres either side of the centre line of the sewer which crosses the site.

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

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

In order to define the permission.

- 34 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works have been submitted to and approved by the Local Planning Authority.

To ensure that the development can be properly drained.

- 35 No piped discharge of surface water from the application site shall take place until surface water drainage works including off-site works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

To ensure satisfactory drainage arrangements.

- 36 Surface water from vehicle parking and hard standing areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

In the interest of satisfactory drainage.

- 37 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by 3E Consulting (dated April 2011) and the following mitigation measures detailed within the FRA:

Finished floor levels of the building shall be set no lower than existing site levels.

To reduce the risk and impact of flooding on the proposed development and future occupants.

- 38 The development hereby permitted shall not be commenced until such time as a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 39 No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof have first been submitted to and approved by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority.

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

- 40 Prior to development commencing, details of a noise barrier shall have been submitted to the Local Planning Authority for prior written approval. The barrier shall be designed and positioned to mitigate noise from the service area affecting adjacent residential properties. The barrier shall be of a durable, imperforate construction, with a minimum surface density of 10kg/m². The barrier shall be installed as approved prior to use commencing and shall thereafter be retained.

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

- 41 Vehicles or equipment being used by the operator of the site and requiring reversing or other warning alarm systems, shall be fitted with broadband warning systems and shall not use standard "beepers" unless otherwise agreed in writing by the Local Planning Authority.

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

- 42 The store shall trade only between 0800 and 2100 hours on Mondays to Saturdays and between 1000 and 1600 hours on Sundays and Public Holidays.

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

- 43 No deliveries to, or collections from, the store shall be carried out between 2200 and 0700 hours (on the following day) Mondays to Saturdays, or between 1800 to 0900 hours (on the following day) on Sundays and Public Holidays.

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

- 44 No movement, sorting or removal of waste bottles, materials or other articles, nor movement of skips or bins shall be carried on outside the building within the site of the development between 2200 and 0700 hours (on the following day) Mondays to Saturdays or at any time on Sundays and Public Holidays.

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

- 45 Before the use hereby permitted commences, the applicant shall submit for approval by the Local Planning Authority a report giving details of the impact of lighting from the development on adjacent dwellings. The report shall demonstrate that the lighting scheme is in accordance with the recommendations of the Institute of Lighting Engineers' 'Guidance Notes for the Reduction of Obtrusive Light' (ILE; 2005) and the development shall be carried out and thereafter retained in accordance with the approved details. Notwithstanding this, should it be found at any point in the future that the lighting is causing significant light pollution to nearby residential properties, the Local Planning Authority reserves the right to request alterations to the lighting to prevent such pollution.

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

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

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

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

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

- 48 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.

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

- 49 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 or any part thereof shall not be brought in to 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 Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

- 50 The floor space shall not exceed 1000 square metres, and at least 75% of the sales floor space shall be devoted to the sale of convenience goods.

To ensure the unit is in scale with the centre.

In order to define the permission.

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

Drawings:

0392-108

0392-105A

0392-107 Rev B

0392-106

0392-109

0392-50 Rev B

V0392 LO1 Rev A

0392SDAR - CGI - 01E

0392SDAR - CGI - 02D

Access arrangement as T139/06

Traffic Regulation orders as T139/06,

unless otherwise authorised in writing by the Local Planning Authority.

- 52 Prior to the first beneficial occupation of any of the building, details of an interpretation board; giving details of the history of the site; and the location of the interpretation board, shall have been submitted to and approved in writing by the Local Planning Authority. The interpretation board shall be provided within 28 days of the first occupation of the building and shall thereafter be retained and maintained.

In order to ensure the character and history of the site is appreciated.

- 53 Prior to the commencement of development, details of works to improve the forecourt area adjoining the retained 'mill' building at the corner of The Common and Mill Road and to manage the wooded area on the opposite side of the watercourse adjoining the car park, shall be submitted to and approved by the Local Planning Authority. The approved works shall be carried out before the use of the site commences and shall thereafter be maintained.

In the interests of the visual amenities of the locality.

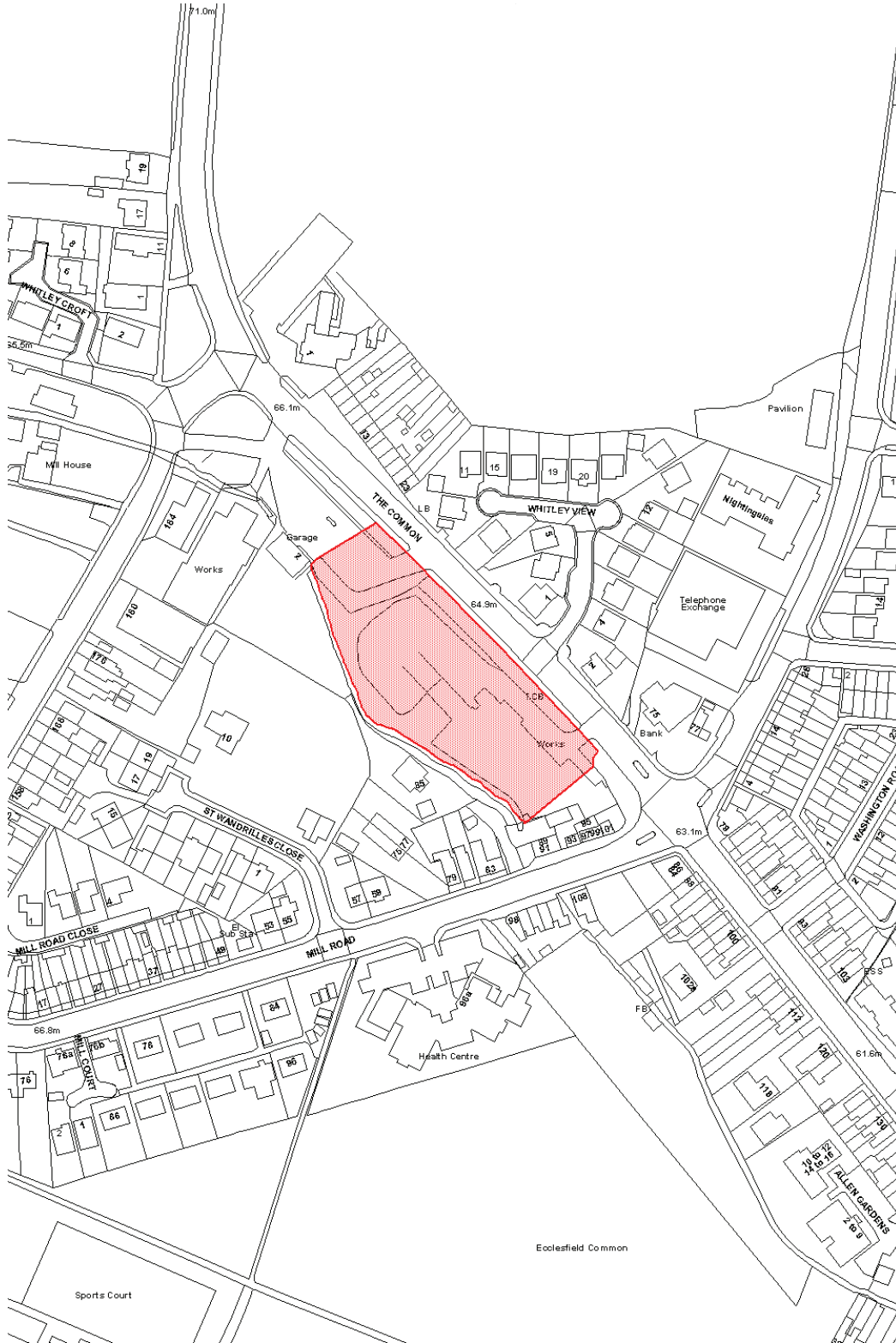
- 54 Prior to work on site commencing, full details of the works to the exposed elevation of the retained 'mill' building and the infilling of any other opening in this building shall be submitted to and approved by the Local Planning Authority. All external work to infill, repair or replace shall be carried out using natural stone to match the original materials of the original building, a sample of which shall be submitted to and approved in writing by the Local Planning Authority.

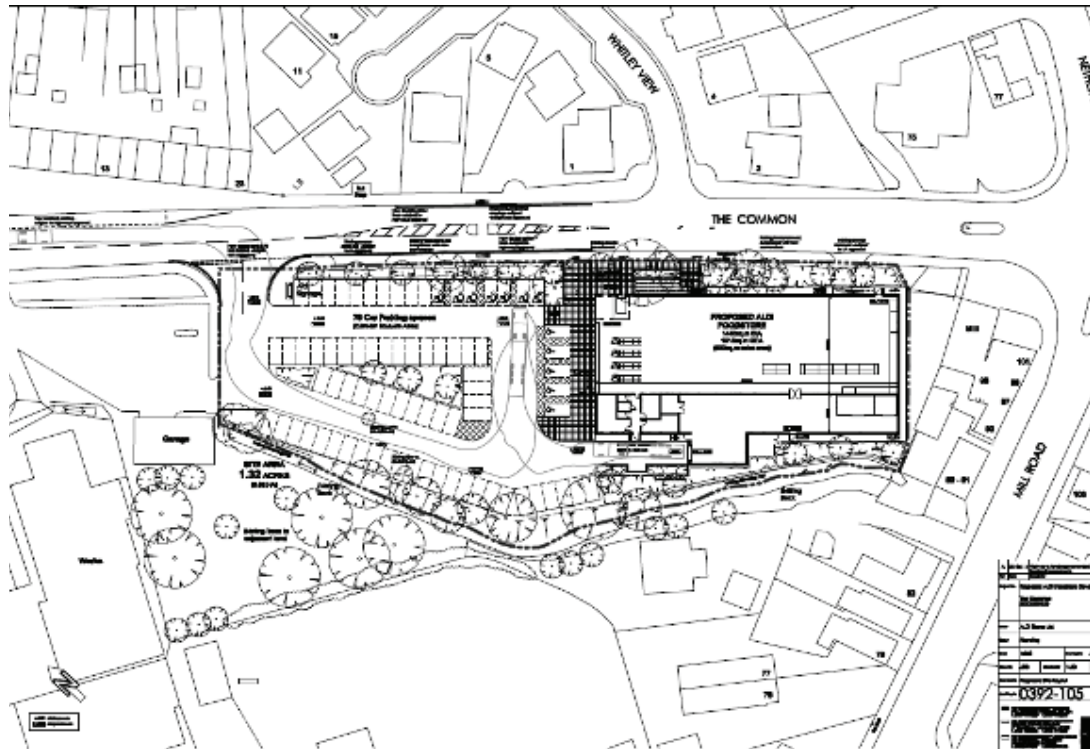
In the interests of the visual amenities of the locality.

Attention is drawn to the following directives:

1. The applicant is advised that condition No(s) 1 - 41 and 43 - 54 were imposed by planning permission No. 11/01426/FUL and are reproduced on this notice to provide you with a complete record of all conditions, regardless of whether some may have already been discharged.

Site Location





LOCATION AND PROPOSAL

Planning permission was granted through application 11/01426/FUL for an Aldi food store with associated car park and landscaping on the site of the former Rollem premises on The Common, Ecclesfield.

The site comprises an area of 1.32 acres and is located to the west of The Common in close proximity to the junction with Mill Lane. The surrounding area is varied containing a range of commercial and residential uses in buildings of various ages and style.

Construction work is on going with the external fabric of the building nearing completion; however the store is not yet open to the public.

Permission is sought to vary condition 42 of application 11/01426/FUL which relates to opening hours.

RELEVANT PLANNING HISTORY

11/01426/FUL – demolition of buildings and erection of retail foodstore with associated car park, landscaping and access – GCLA

12/00376/ADV – 2 illuminated name signs and 1 illuminated post mounted sign – GC

12/01495/COND – application to approve various details relating to conditions attached to 11/01426/COND – CONDEC

13/00287/ADV – illuminated name sign – GC

SUMMARY OF REPRESENTATIONS

Seven letters of representation have been received; three letters are in support and make the following comments:

- support the details although the preference would be for 0800 to 2000 in this very built up area
- no objection, waiting for the opening and wish the company well

The remaining four letters object to the proposal and raise the following points:

- object to the proposal but expect this will not be considered in the same way objections to the development weren't either
- living directly opposite the development, extended hours will impact my family due to increased traffic and footfall at a time that should be for relaxation
- expected a request to come through after the store had been approved
- disappointed at proposal
- still can't work out how the building got planning permission, it is too close to residential properties and will cause annoyance. The majority of people did not want the development in the first place
- the initially imposed opening hours were introduced for a specific reason and the reason for this has not changed
- the original consent stipulated the reason for the opening hours as being in the interests of the locality and occupiers of adjoining property
- there have been no subsequent developments to provide logical reasons for the hours to be changed
- the new store has not begun to operate and it is therefore not possible to measure the affect on residents or the environment
- the store is in the heart of a semi-rural but densely populated residential area
- 82 reasons for objection were lodged against the original application for the Aldi store, each of these reasons must be considered as they will be exasperated by longer opening hours
- Some of the reasons include traffic, noise and the disposal of materials
- The planning team should demonstrate concern for local residents and minimise inconvenience by adhering to its original restrictions on opening hours
- It is still strongly maintained that the original application should not have been approved and a challenge is being considered in respect of the decision, if the original application had been turned down this new issue would not have arisen
- A report "The Problem with the Aldi- Planning Consent in Ecclesfield" is included as part of the objection

- Aldi have now placed signage advertising its opening hours as between 0800 to 21:00 Mondays to Saturdays.
- As yet the application has not yet been determined. The signage gives the impression that there has been pre-agreement with Sheffield City Council and that the application will be rubberstamped.
- The signage gives the impression that a decision has been made without any concern for local residents and that the requirements of a big business have ridden roughshod over locals

PLANNING ASSESSMENT

Condition 42 of application 11/01426/FUL states

“The store shall only trade between 0800 and 2000 hours on Mondays to Saturdays and between 1000 and 1600 hours on Sundays and Public Holidays.”

Permission is now sought to vary this condition to read

“The store shall trade only between 0800 and 2100 hours on Mondays to Saturdays and between 1000 and 1600 hours on Sundays and Public Holidays.”

The main issue to be considered is whether the alteration to opening hours would result in unacceptable noise or disturbance that would affect neighbours’ amenities.

Policy H14 “Conditions on Development in Housing Areas” requires development to amongst other things

(k) “not lead to air pollution, noise, smell, excessive traffic levels or other nuisance, or risk to health or safety for people living nearby”

The NPPF is also relevant and details one of the core planning principles as being

“...to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

A detailed noise assessment was submitted with the original application and the data provided in this is useful in determining the impact of the proposed extended opening hours.

The nearest noise sensitive property is the residential dwelling to the west at 85 Mill Road which is approximately 7 metres away from the site boundary. Other residential dwellings on Mill Road are sited 16 metres from the boundary and dwellings on Whitley View are located 15 metres from the site boundary.

The noise report identifies noise sources to these properties as comprising:

- (i) noise from new fixed plant installations
- (ii) noise from the car park
- (iii) noise from the service yard, including delivery vehicle movements

No alterations are proposed to plant equipment or servicing arrangements and therefore noise from these elements will be as previously assessed. The proposed extended opening hours will result in the car park being used until 2100 hours as opposed to the originally approved 2000 hours. The assessment predicts noise levels from the car park based on peak traffic flows as resulting in noise levels of 44dB at houses on Whitley View, 46 dB at 85 Mill Road and 39 dB at St Wandrilles Close.

A noise survey was undertaken at two locations between 15.30 hours on Friday 15th April 2011 and 12:00 hours the following Tuesday. The background noise was found to be dominated predominantly by local traffic and some more distant traffic. The results from the survey show that the background noise levels at 9pm exceed the predicted peak car park noise levels. The fact that the car park will be used much less frequently between 8pm and 9pm than at peak hours also needs to be taken into account. As such it is considered that the noise from the car park resulting from the increased opening hours will not have an unacceptable impact on the living conditions of nearby residents.

A Transport Assessment was submitted with the original application, this predicts the number of trips to the store using comparable TRICS data. The data is based on the originally proposed opening hours of 0800 – 2000 hours and indicates that trips towards the end of the day are far fewer than at peak hours. It is logical to expect that this pattern of lower trip generation would be the same if the store was open until 2100. As such the level of traffic associated with the extended opening hours would be minimal and would not be harmful to highway safety or generate unacceptable levels of noise or disturbance given the background noise in the area.

RESPONSE TO REPRESENTATIONS

- The original decision to grant planning permission for the Aldi store was carefully assessed and decided at committee. The current proposal to vary opening hours should not be used to go over original objections to the building of the store, only the alterations proposed through the current scheme can be considered.
- The original proposal sought shorter opening hours and the application was assessed on that basis. That is not to say that alternative opening hours would have been viewed as unacceptable in relation to the original scheme. The above report assesses the impact of the extended hours on local residents and as detailed will not have a harmful impact
- The signage advertising opening hours as 0800 – 2100 hours has been installed at the stores own risk and is not an indication that a decision has been made prior to this application being heard at committee

SUMMARY AND RECOMMENDATION

The proposed variation of condition 42 to allow an extension of opening hours to 0800 – 2100 hours on Monday to Saturdays is deemed to be acceptable. The noise assessment submitted with the original scheme for the construction of the store illustrates that the background noise levels exceed the noise from the car park. Furthermore, the use of the store during the extra hour of 2000 – 2100 will be low in comparison to peak hours given a reduced demand at this time of day. The proposal will not lead to harmful impacts in highway terms. Consequently it is considered that the increase in opening hours will not be harmful to the amenity of nearby residential occupiers and complies with UDP policy H14 and the NPPF. As such the scheme is recommended for approval.