



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Head of Planning

Date: 09/01/2024

Subject: Applications under various acts/regulations

Author(s) of Report: Andrew Burton, Chris Heeley and Sarah Hull

Summary:

Reasons for Recommendations

(Reports should include a statement of the reasons for the decisions proposed)

Recommendations:

Background Papers:

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.

Category of Report: OPEN

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SUPPLEMENTARY INFORMATION

APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1. **Application Number:** 23/00777/FUL

Address: Within Curtilage of KFC, Queens Road, Sheffield S2 4DL

Additional Representations:

Additional Representations:

Since the report was finalised and published, two additional representations have been received. One of which is an objection from Councillors Mersereau, Johnson and Phipps and one is a supportive representation from an address that had not previously made a representation.

The joint comment from Councillors Ruth Mersereau, Douglas Johnson and Martin Phipps, in summary, raises the following concerns;

- The drive-thru facility would encourage more motor traffic;
- The active travel route from Charlotte Road to East Bank Road would be disrupted by drivers entering and existing the site;
- Support the Sheaf and Porter Rivers Trust objections;
- This application to increase motor traffic and hard surfacing is at odds with the climate and nature emergency declared by Sheffield City Council;
- The application has potential conflicts with Sheffield City Council's Waterways Strategy, Development Framework and National Planning Policy Framework;
- Quality and siting of the cycle parking is unacceptable and insufficient;
- Would like to see the removal of the additional 'drive-thru' aspect as well as the bigger car park;
- Would like to see infrastructure that enables walking and cycling to the site;
- Wish to see a revised application which shows:-
 - improving the open space will be a priority;
 - evidence of extending the city's green network;
 - a more significant biodiversity net gain; and
 - allows public access to the waterway

The supportive representation highlights the following:

- Would be a valuable addition to the area

In response, issues raised relating to biodiversity are addressed in the committee report. The proposal has been assessed against policies of the UDP and NPPF in the committee report and is found to be compliant.

The site is not an area of open space; it is an existing car park for KFC. Some soft landscaping will be provided as part of the works to help improve visual amenity. The application does not increase the existing car park; the building and soft landscaping will see an overall reduction to the number of parking spaces.

A section of riverside walk exists and runs along the rear of the site, this was constructed to an adoptable standard, however it has not been formally adopted as it is intended that once more of the riverside walk is created, it would be adopted. Access to the river exists and is available to the public and no changes to the existing walk are proposed which would hinder or eliminate access to the existing section of the riverside walk nor would it be contrary to the Waterways Strategy. An additional development on the site is likely to promote greater engagement with the river.

Condition Correction/Additional Condition

There is an error in the listed conditions in that conditions 14 and 15 are identical.

Condition 14 should in fact read:-

Condition

A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason

In the interests of the visual amenities of the locality.

Report/National Planning Policy Framework (December 2023) Update:

As identified at the beginning of the main agenda report on page 55, a new National Planning Policy Framework (NPPF) was published on 19th December 2023 with insufficient time for the changes to be incorporated into the main agenda report.

The changes are relatively limited and in so far as they relate to this application, they do not affect the assessment or consideration as set out in the published report, except for the fact that paragraph numbers referenced have now changed. They are set out below for completeness: -

Agenda Report Paragraph Reference	New (December 2023 NPPF) Reference
11	11
111	115
130	135
152	157
159	165
167	173
169	174

2. Application Number: 23/02734/FUL

Address: Land at the junction of Scarsdale Road and Derbyshire Lane, and land opposite no's 105-The Cross Scythes, 145 Derbyshire Lane, Sheffield S8 8TF

Additional Representations:

Since the report was finalised and published, four additional representations have been received. Three of which are objections from addresses that have already made representations (two previous objections, one previous neutral), and one is a supportive representation from an address that had not previously made a representation. None of the representations raise issues that have not already been covered in the report, change the weighting of the planning balance or would result in a different recommendation.

The supportive representation highlights the following:

- Use of brownfield land and existing infrastructure
- Sustainable building methods

These issues have already been directly addressed in the report, including confirming the site is not brownfield land.

The objections raise the following issues:

- Slope stability
- Presence of grave on site
- The way the report handles the grave itself, and the wider potential archaeological interest on the site
- Impact of the development on radon gas release and human health
- The handling of the application as a whole in terms of number of amendments and amount of paperwork

Concerns around slope stability are addressed in the report.

Regarding the grave, a photograph submitted as part of a representation shows an inscribed stone. When viewed on the site, this stone sits within a pile of what appears to be discarded stone and rock objects and there are several other instances of this across the site. Since the publication of the report, officers have carried out a further site visit, and discussed the matter with the applicant and South Yorkshire Archaeological Service and remain of the view that the inscribed stone does not mark the site of a burial and that no further archaeological assessment work is needed. This matter is therefore considered to have already been addressed in the report.

The impact the development on ground gases, and the impact of ground gases on the development, would be covered by the recommended conditions relating to ground conditions and remediation, and through the Building Regulations regime. This matter is therefore considered to have already been addressed in the report.

In terms of the handling of the application, the submission included necessary assessment work, commensurate to a greenfield site with a number of constraints. The plans which support the application have been amended a number of times

based on feedback from the case officer and consultees. Whilst it is acknowledged that it can be difficult to navigate numerous amendments via the online planning file, none have significantly changed or increased the impacts of the development - which would have warranted re-consultation - and it is not unusual for plans to be amended over the course of an application.

Report/National Planning Policy Framework (December 2023) Update:

As identified at the beginning of the main agenda report on page 23, a new National Planning Policy Framework (NPPF) was published on 19th December 2023 with insufficient time for the changes to be incorporated into the main agenda report.

Changes have been made to the requirement for the Local Authority to maintain a 4-year housing supply (as opposed a 5-year supply - see NPPF paras. 75-77). However, the tilted balance, as discussed by NPPF para. 11, still applies given a 4-year supply also cannot be demonstrated at present (2.71 years for the 4-year period 2023/24 to 2026/27). The weight attributed to the lack of an evidenced 5-year housing supply (which was 2.87 years for the period 2023/24 to 2027/28) in the committee report is considered to be the same as the weight that would be attributed to the lack of a 4-year supply. The overall implications of the changes in respect of this application are therefore limited and do not affect the assessment or consideration as set out in the published report.

This is with the exception of the fact that the paragraph numbers referenced in the report have now changed; these are set out below for completeness, and listed in the order they appear in the report.

Agenda Report Paragraph Reference	New (December 2023 NPPF) Reference
11	11
111	115
130	135
134	139
167	173
183	189
184	190

3. Application Number: 22/02691/FUL

Address: 51-57 High Street And Ground And First Floor Of 59-73 High Street, City Centre, Sheffield, S1 2GD

Additional Representations:

An additional objection from an interested party has been received, which in summary, raises the following concerns;

- Too tall, visible for miles, blot the view, out of keeping with the area, hideous
- Too far from the university
- Not enough provision for green space or commercial units at street
- The design precludes any renewable energy integration.

In response, all issues raised are addressed in the committee report.

The distance from the University is not a material planning matter. Members are reminded that the proposal is not explicitly for the development of student accommodation as it would be open to all demographics.

Additional/Amended Conditions:

Condition no. 29 seeks to ensure the co-living amenity provision is in place before occupation. The condition states:

The residential portion of the development shall not be occupied unless all shared living/dining/amenity areas, as shown on the approved plans, including a gym and co-working space, have been provided. Thereafter, all aforementioned amenity provisions shall be retained in perpetuity for the purposes intended and be available for use by residents of the co-living scheme hereby approved at all times.

It is recommended that “as part of their tenancy agreement” is added to the end of the condition wording. This would ensure that these facilities remain fundamental elements of the co-living scheme at all times and do not become additional extras for tenants in future.

An additional condition is also recommended to stipulate that the development shall operate a minimum tenancy period of 3 months to assist the creation of communities within the development and avoid any concerns in relation to a potential high turnover of residents or use as short-term holiday type lets. It is recommended that the condition is worded as follows:

The minimum tenancy period shall be three months.

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

Report/National Planning Policy Framework (December 2021) Update:

As identified at the beginning of the main agenda report on page 84, a new National Planning Policy Framework (NPPF) was published on 19th December 2023 with insufficient time for the changes to be incorporated into the main agenda report.

Changes have been made to the requirement for the Local Authority to maintain a 4-year housing supply (as opposed a 5-year supply - see NPPF paras. 75-77). However, the tilted balance, as discussed by NPPF para. 11, still applies given a 4-year supply also cannot be demonstrated at present (2.71 years for the 4-year period 2023/24 to 2026/27). The weight attributed to the lack of an evidenced 5-year housing supply (which was 2.87 years for the period 2023/24 to 2027/28) in the committee report is considered to be the same as the weight that would be attributed to the lack of a 4-year supply. The overall implications of the changes in respect of this application are therefore limited and do not affect the assessment or consideration as set out in the published report.

This is with the exception of the fact that the paragraph numbers referenced in the report have now changed, set out below for completeness.

Agenda Report Paragraph Reference	New (December 2023 NPPF) Reference
2	2

11	11
74	75
86	90
111	115
114	118
120	124
124	128
130	135
169	175
183	189
185	191
194-202	200-208
218	224
219	225

4. Application Number: 23/02023/FUL

Address: Nook Lane Junior School, Nook Lane, Sheffield, S6 6BN

Additional Representations:

An additional representation in support has been received from a local resident. In summary the main support reasons expressed are as follows:-

- Concern is expressed about the existing security arrangements at the school and the view is expressed that child safeguarding should be the main priority above any other considerations.
- The type of fence chosen by the school is supported. The view is expressed that it is standard at many school sites and would not pose a problem with its appearance.
- The proposal is supported as a means of preventing unauthorised dog walking and fouling within the school grounds which is posing health and safety risks for the children at the school.
- The view is expressed that it should be possible to install the fence without causing very much damage to the hedges using a suitable methodology that is devised by an arboriculturalist.

In response, the issues raised are already considered to be addressed within the existing Committee report and conditions (C3 in particular). The proposal has been assessed against policies of the UDP and NPPF in the committee report and is found to be compliant.