

# **City Centre, South and East Planning and Highways Committee**

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**Monday 14 January 2013 at 2.00 pm**

**To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

## **Membership**

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Councillors Alan Law (Chair), David Baker, Richard Crowther, Tony Downing, Jayne Dunn, Ibrar Hussain (Deputy Chair), Peter Price, Janice Sidebottom and Diana Stimely

## **Substitute Members**

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

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## **PUBLIC ACCESS TO THE MEETING**

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The areas covered by the City Centre, South and East Planning and Highways Committee, include Arbourthorne, Beauchief, Birley, Dore, Ecclesall, Gleadless, Graves Park, Greenhill, Nether Edge and Totley.

The Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues. It is also responsible for determination of City Centre planning, development of transport matters and strategic development projects affecting the City as a whole.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552. You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

Planning and Highways Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last.

Further information on this or any of the agenda items can be obtained by speaking to Martyn Riley on 0114 273 4008 or email [martyn.riley@sheffield.gov.uk](mailto:martyn.riley@sheffield.gov.uk).

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**CITY CENTRE, SOUTH AND EAST PLANNING AND HIGHWAYS COMMITTEE  
AGENDA  
14 JANUARY 2013**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting**  
Minutes of the meeting of the Committee held on 17 December 2012
- 6. Site Visit**  
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Applications Under Various Acts/Regulations**  
Report of the Director of Development Services
- 8. Enforcement of Planning Control: 326 Granville Road**  
Report of the Director of Development Services
- 9. Enforcement of Planning Control: 40 Woolley Wood Road & 11 Holywell Road**  
Report of the Director of Development Services
- 10. Record of Planning Appeal Submissions and Decisions**  
Report of the Director of Development Services
- 11. Date of Next Meeting**  
The next meeting of the Committee will be held on 4 February 2013.

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life.

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email [lynne.bird@sheffield.gov.uk](mailto:lynne.bird@sheffield.gov.uk)

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City Centre, South and East Planning and Highways Committee

Meeting held 17 December 2012

**PRESENT:** Councillors Alan Law (Chair), David Baker, Richard Crowther, Tony Downing, Ibrar Hussain (Deputy Chair), Peter Price and Diana Stimely

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Jayne Dunn and Janice Sidebottom, but no substitutes were provided.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No items were identified where resolutions may be moved to exclude the public and press.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of the Committee held on 26<sup>th</sup> November, 2012 were approved as a correct record.

**5. SITE VISIT**

5.1 **RESOLVED:** That the Director of Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Thursday 10<sup>th</sup> January, 2013 in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

**6. PROPOSED CLOSURE OF TWO PUBLIC FOOTPATHS AT SILKSTONE ROAD AND WICKFIELD GROVE, FRECHEVILLE**

6.1 The Director of Development Services submitted a report seeking authority to process a Highway Closure Order for the proposed closure of two sections of public footpath at Silkstone Road and Wickfield Grove, Frecheville. The report stated that the footpaths were located within the Scowerdons, Weaklands and Newstead Housing Regeneration Project area and that the Council housing, which the footpaths served, had already been demolished. As a result, the development company for the site had submitted an application indicating that the footpaths were no longer required and requesting that they be closed under Section 118 of the Highways Act 1980 or Section 257 of the Town and Country Planning Act 1990.

6.2 **RESOLVED:** That (a) no objections be raised to the proposed closure of the

sections of footpath at Silkstone Road and Wickfield Grove, Frecheville, as detailed in the report of the Director of Development Services and shown on the plan now exhibited, subject to satisfactory arrangements being made with the Statutory Undertakers with regard to their mains and services that may be affected;

(b) authority be given for the Director of Legal Services to take all necessary action on the matter under the powers contained within Section 118 of the Highways Act 1980 or Section 257 of the Town and Country Planning Act 1990; and

(c) in the event of no objections being received or all objections received being resolved, authority be given for the Order to be confirmed as an Unopposed Order.

## **7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

7.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee for this date in respect of Case No. 12/03326/FUL and other applications considered be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) notwithstanding the officer's recommendation, an application for planning permission for alterations to a door and window openings and use of the building as 6 flats at 102 Harcourt Road. (Case No. 12/03456/FUL) be refused, as the Committee considered that the development would provide a change of use, leading to overdevelopment and an over concentration of flats and shared housing in the area, which would have a detrimental impact on the community and as such was viewed to be contrary to policies H5 and H14 of the Unitary Development Plan;

(c) notwithstanding the officer's recommendation, an application for planning permission for the retention of an existing boundary fence at 161 Psalter Lane (Case No. 12/03306/FUL) be granted, (i) as the Committee considered that the development was not out of character within the Nether Edge Conservation Area with other examples of such fencing erected at properties within the area and as such was not contrary to Policies BE15, BE16, and H14 of the Unitary Development Plan and (ii) with a condition attached requiring details to be submitted for approval by the Local Planning Authority, on the planting of a climbing plant to the front of the fence;

(d) an application for planning permission for the demolition of a storage building and erection of two dwellings, including construction of a temporary access road at Fern Glen Farm, Hathersage Road (Case No. 12/03177/FUL) be deferred, to allow the applicant to submit additional visual representations of the proposed development to the next meeting of this Committee;

(e) an application for listed building consent for the demolition of the Edwardian

extension of the former Jessop Hospital for Women and the construction of a five storey plus basement building, to provide up to 19,725sqm of educational floorspace, plus landscaping and servicing at Leavy Greave Road (Case No. 12/02873/LBC) be granted, conditionally, subject to clearance by the Secretary of State;

(f) an application for planning permission for the demolition of the Edwardian extension of the former Jessop Hospital for Women and the construction of a five storey plus basement building, to provide up to 19,725sqm of educational floorspace, plus landscaping and servicing at Leavy Greave Road (Case No. 12/02873/FUL) be granted, conditionally, subject to (i) an amendment to (A) Condition 3 in respect of highway improvements, (B) Condition 6 in respect of securing the reconstruction of the footways adjoining the site, (C) Condition 8 in respect of cycle parking accommodation, (D) Condition 10 in respect of a hard and soft landscaping scheme, (E) Condition 14 in respect of the finalised gas protection measures, (F) Condition 21 in respect of surface water drainage and (G) Condition 22 in respect of the inclusion of public art within the development and (ii) an additional condition being attached in respect of the piped discharge of surface water, all as detailed in a supplementary report circulated at the meeting;

(g) having noted information provided by officers concerning the need to limit the throughput of the proposed plant to ensure emission levels are maintained within an acceptable level, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of a rail connected aggregates depot with a coated roadstone plant, a ready-mixed concrete plant and an aggregate recycling facility at Unit 3 Europa Way (Case No. 12/02771/FUL) be granted, conditionally, subject to an additional condition concerning the limit on the output from the coated roadstone plant, as detailed in the aforementioned supplementary report;

(h) in connection with the decision to refuse an application for planning permission to lower a dry stone wall and the erection of 1.4 metre fencing panels on top at 8 Thornsett Gardens (Case No. 12/02245/FUL), the Director of Development Services or Head of Planning be authorised to take all appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the fence at 8 Thornsett Gardens;

(i) in connection with the decision to grant, conditionally, an application for planning permission for the retention of a external flue and incinerator at 34 Tannery Street (Case No. 12/02135/FUL), the Head of Planning, in consultation with the Chair, be requested to write to the Manager of the Environmental Protection Service requesting that the concern now raised over the incinerator waste odours affecting a nearby property at night be investigated at the earliest opportunity; and

(j) an application for planning permission under Section 73 in respect of removing/altering Condition 8 (No amplified music) imposed by Case No. 04/04689/FUL, to allow amplified music within the building, subject to the findings of an acoustic report, at Mylnhurst Preparatory School and Nursery at Button Hill (Case No. 12/01891/FUL), be granted with conditions.

(Note: The aforementioned application in respect of Mylnhurst Preparatory School and Nursery at Button Hill (Case No. 12/011891/FUL) was considered consecutively with a report of the Director of Development Services concerning a Breach of Planning Control at the School (Item 8 of the minutes))

**8. ENFORCEMENT OF PLANNING CONTROL: MYLNHURST SCHOOL, BUTTON HILL**

8.1 Following a decision of the Committee to approve an application for planning permission in respect of allowing amplified music within the building, subject to the findings of an acoustic report, at Mylnhurst Preparatory School and Nursery at Button Hill (Case No. 12/01891/FUL) (Item 7.1 of these minutes), consideration was given to a report of the Director of Development Services on his investigation into complaints received in respect of perceived breaches of planning control, in relation to the use and construction of the school sports hall/swimming pool at Mylnhurst Preparatory School and Nursery. The report outlined the issues which related to the use of the swimming pool/gymnasium, the approved landscaping scheme and the omission of solar panels from the building roof. Members noted that, as detailed above, the issue relating to the playing of amplified music had already been considered,

8.2 It was stated that residents living near to the School were invited to give their comments on the matters raised and the responses received were outlined. An officer assessment of the remaining perceived breaches of control was also detailed, along with consideration being given to the enforcement options that could be introduced, to require compliance with the planning permission Case No 04/04689/FUL.

8.3 The Committee heard representations from a representative of the community in connection with the Planning Application Case No. 12/01891/FUL and which also related to the enforcement proposals detailed in the report now submitted. In summary, the representations related to the noise nuisance out of school hours experienced by residents and the impact this had on their quality of life, and a request was made that Condition 8 in respect of planning permission Case No. 04/04689/FUL be enforced and that a restriction of use be put on the sports building at the weekend.

8.4 **RESOLVED:** That (a) in respect of the use of the swimming pool/gymnasium building, it be noted that no material change of use had occurred and accordingly no further action be taken on respect of this matter;

(b) with regard to a decision of the Committee to approve an application for planning permission for Mylnhurst Preparatory School and Nursery in respect of allowing amplified music within the building subject to the findings of an acoustic report (Case No. 12/01891/FUL) (Item 7.1 of these minutes), no further action be taken in respect of the breach of Condition 8 (amplified sound) with regard to planning permission Case No. 04/04689/FUL;

(c) in respect of Condition 3 (landscaping), it be noted that the School was actively working towards the implementation of a revised landscape scheme, and

accordingly no further action be taken at this stage, but in the event that the Head of Planning was not satisfied sufficient progress is being made towards this implementation, the Director of Development Services and Head of Planning be authorised to take any appropriate action including, if necessary, the service of enforcement notices and the instigation of legal proceedings to secure compliance with the Condition 3;

(d) in respect of the omission of solar panels from the roof of the swimming pool/gymnasium building, it be noted that this did not constitute a breach of planning control and accordingly no further action be taken on this matter; and

(e) delegated authority be given to the Head of Planning, in consultation with the Chair (Councillor Alan Law); to vary the action authorised to achieve the objectives hereby confirmed including taking action to resolve any associated breaches of planning control.

## **9. ENFORCEMENT OF PLANNING CONTROL: 137 TO 139 ABBEYDALE ROAD**

9.1 The Director of Development Services submitted a report on his investigation into complaints received in respect of a breach of planning control in relation to the unauthorised extension to the rear of the Caspian Restaurant at 137 to 139 Abbeydale Road. The report stated that the building as constructed, due to its size and appearance, was unacceptable and that the owner had not submitted a revised application that would be in accordance with planning policies.

9.2 An assessment of the breach of control considered that the extension as constructed was contrary to Policies BE5(c) and H14(a) of the Unitary Development Plan.

9.3 **RESOLVED:** That (a) the Director of Development Services or Head of Planning be authorised to take all appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised rear extension at 137 to 139 Abbeydale Road; and

(b) delegated authority be given to the Head of Planning, in consultation with the Chair (Councillor Alan Law), to vary the action authorised to achieve the objectives hereby confirmed including taking action to resolve any associated breaches of planning control.

## **10. ENFORCEMENT OF PLANNING CONTROL: 79 BARBER ROAD**

10.1 The Director of Development Services submitted a report on his investigation in to a complaint concerning a breach of planning control relating to the unauthorised front dormer window at 79 Barber Road. The report stated that due to its size and appearance, the dormer window was unacceptable and that the owner had not submitted a revised application that would be in accordance with planning policies.

10.2 An assessment of the breach of planning control considered that the dormer window as constructed was contrary to Policies BE5(c) and H14(a) of the Unitary Development Plan and Supplementary Planning Development Guideline DHE5.

10.3 **RESOLVED:** That (a) the Director of Development Services or Head of Planning be authorised to take all appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised front dormer window at 79 Barber Road; and

(b) delegated authority be given to the Head of Planning, in consultation with the Chair (Councillor Alan Law), to vary the action authorised to achieve the objectives hereby confirmed including taking action to resolve any associated breaches of planning control.

**11. ENFORCEMENT OF PLANNING CONTROL: RICHARDSON CUTLERY WORKS, ALMA STREET**

11.1 The Director of Development Services submitted a report on his investigation in to a breach of planning control relating to the use of a car park at the site of Richardson Cutlery Works, Alma Street. The report detailed the history of the site being used as a car park, initially with temporary permission granted for Site "A", although this had now expired and to the unauthorised use of Site "B", all as shown in the plan attached to the report now submitted. Reference was also made to the demolition of a boundary wall at Cotton Street to allow access to Site "B" and to a Conservation Enforcement Notice served by the Council requiring its reinstatement. It was further stated that this Notice was now subject to an appeal and that an application for the use of site "A" and "B" as a car park had been refused planning permission, under delegated powers, on 5<sup>th</sup> October 2012.

11.2 The reasons for refusing planning permission and an assessment of the breach of control was detailed in the report now submitted, along with the planning policies that it was considered would be contravened by the continued use of the site as a car park.

11.3 **RESOLVED:** That (a) the Director of Development Services or Head of Planning be authorised to take all appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the cessation of the unauthorised use of land for car parking at the site of Richardson Cutlery Works, Alma Street; and

(b) delegated authority be given to the Head of Planning, in consultation with the Chair (Councillor Alan Law), to vary the action authorised to achieve the objectives hereby confirmed including taking action to resolve any associated breaches of planning control.

**12. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

12.1 The Committee received and noted a report of the Director of Development Services detailing (a) planning appeals recently submitted to the Secretary of State and (b) the outcome of recent planning appeals along with a summary of the reasons given by the Secretary of State in his decision.

**13. CLLR JANICE SIDEBOTTOM**

13.1 The Committee learnt that Councillor Janice Sidebottom had been unable to attend the meeting due to a fall, and Members expressed their sympathies at her plight and requested that their good wishes be conveyed to her.

**14. DATE OF NEXT MEETING**

14.1 It was noted that the next meeting of the Committee will be held on Monday, 14 January, 2013 at 2.00 pm at the Town Hall.

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**SHEFFIELD CITY COUNCIL  
Planning and Highways Committee**

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**Report of:** Director of Development Services

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**Date:** 14/01/2013

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**Subject:** Applications under various acts/regulations

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**Author of Report:** Lucy Bond 2734556 and Chris Heeley 2736329

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**Summary:**

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**Reasons for Recommendations**

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

**Recommendations:**

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**Background Papers:**

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**Category of Report:** OPEN

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Application No.	Location	Page No.
12/03594/CHU (Formerly PP-02299133)	Units 6A And 6B Junction 34 Industrial Estate Greasbro Road Sheffield S9 1TN	16
12/03177/FUL (Formerly PP-02219984)	Fern Glen Farm Hathersage Road Sheffield S17 3AB	28
12/03172/LBC	Crookes Valley Methodist Church Crookesmoor Road Sheffield S6 3FQ	39
12/03078/FUL	Crookes Valley Methodist Church Crookesmoor Road Sheffield S6 3FQ	42
12/03042/FUL (Formerly PP-02216701)	Land At Infield Lane, Britannia Road And Catcliffe Road Sheffield S9 4PE	56



SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To The CITY CENTRE AND EAST Planning And Highways Committee  
Date Of Meeting: 14/01/2013

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.

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Case Number	12/03594/CHU (Formerly PP-02299133)
Application Type	Planning Application for Change of Use
Proposal	Use of units for sorting and baling of non hazardous and non putrescible waste with external storage of empty skips
Location	Units 6A And 6B Junction 34 Industrial Estate Greasbro Road Sheffield S9 1TN
Date Received	13/11/2012
Team	CITY CENTRE AND EAST
Applicant/Agent	MTB Design LTD
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:

drawing nos. P1, P4

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 There shall be no crushing, chipping or shredding of waste material on the site.

In the interests of the amenities of the locality and the amenities of nearby residents.

- 4 Heavy Goods Vehicle Movements to the site shall not exceed 10 per day and 50 per week, unless otherwise agreed in writing by the Local Planning Authority. Records of daily vehicle movements shall be kept by the applicant and retained for a period of 6 months and made available for the Local Planning Authority to view on request.

In order to ensure the impact of vehicle movements on residents of Greasbro Road is limited to that proposed in the application, in the interests of residential amenity and pedestrian safety.

- 5 All tipping, storage, and processing of waste shall take place within the building.

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

- 6 The building shall not be used for the above mentioned purposes on any Sunday or any Public Holiday and shall be used for such purpose only between the hours of 0700 to 1700 Monday to Friday and 0700 to 1300 on Saturday.

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

- 7 The Heavy Goods Vehicles transporting waste to and from the site shall be sheeted to prevent waste inadvertently escaping from the vehicle.

In the interests of the amenities of the residents of Greasbro Road.

- 8 The Heavy Goods Vehicles delivering waste to and from the site shall have EURO V compliant engines or similar unless otherwise approved in writing with the Local Planning Authority.

In the interests of minimising the air quality impacts of the proposal.

- 9 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.

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:

IB5 - Development in General Industry Areas

IB9 - Conditions on Development in Industry and Business Areas

CS5 - Locations for Manufacturing, Distribution/Warehousing and other Non-office Businesses

CS8 - Tinsley Park

The application proposal is considered to be supported by development plan policy which seeks to promote industrial/waste transfer uses in industrial areas. However this is predicated on the proposal not causing unacceptable living conditions for residents.

Given the limits on the types of activities to be undertaken on site, because it will be contained within a building, and given the distance to residential properties, it is considered that the operations on the site will not be detrimental to residential amenity. This view is endorsed by the Environmental Protection Service who have scrutinised the likely environmental impacts.

The key issue is whether the HGV movements to the site will worsen residential amenity or traffic and pedestrian safety. The impact of the proposal should be assessed against the likely level of traffic that might reasonably be generated under the existing permission, and not judged against a vacant building that generates no traffic. It is concluded that the number of HGV movements is at the lower end of the spectrum of movements that could be expected for a warehouse and distribution unit. Given this, and the controls that can be secured through the planning permission it is concluded that the proposal will not worsen residential amenity or harm traffic or pedestrian safety.

The applicant should consider installing a scheme of sound attenuation works. Such scheme of works should be designed to adequately protect the occupiers of the adjoining commercial and office use from noise and vibration arising from the use of the plant and equipment associated with the recycling operation. In addition to the above, the Council's Environmental Protection Service recommends the siting of any new plant and equipment is located the furthest distance away from the party wall.

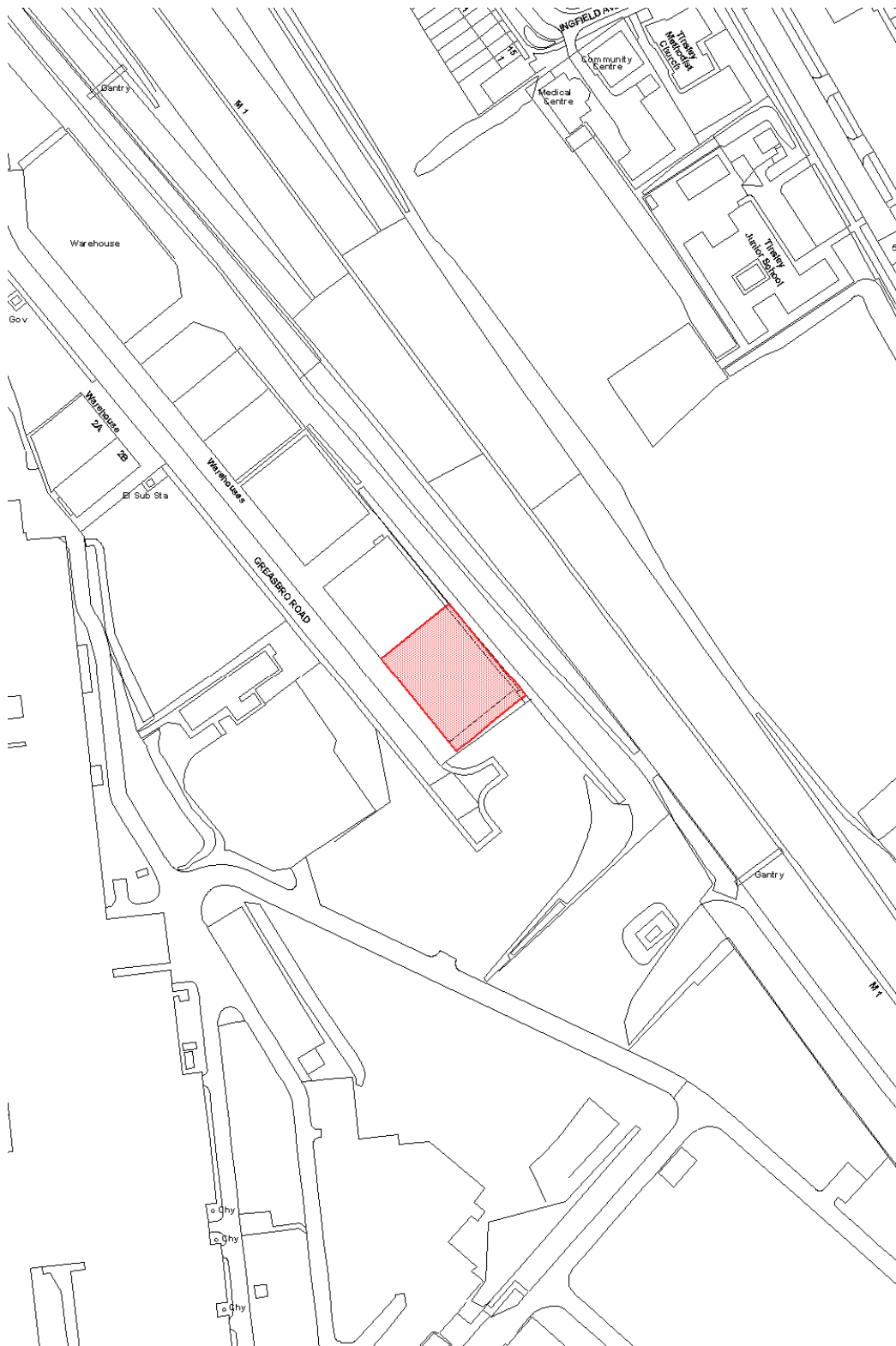
The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

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](http://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. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Engineers in their document "Guidance Notes for the Reduction of Light Pollution". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available from the Institute of Lighting Engineers, telephone number (01788) 576492 and fax number (01788) 540145.
2. Plant and equipment shall be designed to ensure noise levels do not exceed 10dBA (LA90) below background noise levels when measured at the site boundary.

# Site Location



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## LOCATION AND PROPOSAL

The application site is the last of a series of warehousing/industrial units located at the southern end of Greasbro Road know as Junction 34 industrial estate. The unit faces onto Greasbro Road with a parking/servicing courtyard between the building and the road. It backs on to the M1 motorway, which is elevated at this point. To the west, south and south east of the unit there is industrial land which forms part of the Outo Kumpu industrial site.

The nearest sensitive uses are housing and Tinsley Junior School located approximately 150m away on the opposite side of the motorway and separated by playing fields. There is also terraced housing on the northern section of Greasbro Road on both sides of the highway. This housing is 370m from the site at the nearest point. All traffic entering and leaving the industrial estate has to pass along this residential street which has on-street parking on both sides of the road.

The applicant is seeking permission to use the building for the segregation and recycling of light waste material. This will include plastics, carpets, textiles, mattresses, hessian sacks, polythene, paper, cardboard etc. The material brought to the site has already been initially sorted and any wood, scrap, stones, ceramics, soils, dusts etc will have been removed. The material will be transported to Greasbro Road for segregation and then baled and stored ready for transportation. All the tipping, storage, sorting and baling of material will take place within the building. The applicant originally applied for the crushing of masonry, the chipping of green waste and the shredding and processing of waste wood, however this has been removed from the application to address residents concerns about noise and dust.

The applicant has other sites in Attercliffe where skip Lorries are based and material is initially sorted. The applicant is expecting to process a maximum of 10,000 tonnes of material per year. The proposed working hours are 7am until 5pm Monday to Friday and 7am to 1pm on Saturday with no working on Sundays or Bank Holidays. It is estimated that on average (4-5 days a week) there will be one load in a morning and one in an afternoon that is, 4 movements a day. As a maximum (1 day a week) there may be 2 deliveries in a morning and 2 in an afternoon, 8 movements in total. The delivery vehicles to be used are approximately 9.5m long, for comparison purposes the new standard four axle refuse collection vehicles used by Veolia are 12.2m long. The vehicles to be used for deliveries have an automatic sheeting system to avoid debris falling from the vehicles, and use the latest Euro 5 engines which are the least polluting.

The applicant has advised that 3/6 jobs will be created and that the proposal will divert waste away from landfill and will reduce carbon emissions.

## RELEVANT PLANNING HISTORY

The units of which the application site is part were constructed in the early 1970s under a planning permission for warehouses. Since then there have been no planning permissions granted for this unit, therefore the authorised use is for storage and distribution.

## SUMMARY OF REPRESENTATIONS

A petition signed by 121 people urging the Council to reject the application has been received, along with 109 letters and emails objecting to the scheme. These objections include one from Tinsley Residents Environmental Action Team, some residents have sent in more than one objection, and a small number of objections are from Tinsley residents who live some distance from the site.

Copies of letters sent to Clive Betts asking him to object to the scheme have also been submitted, these repeat the objections summarised below.

The grounds of objection are:

- Residents already have to put up with a large amount of commercial traffic using Greasbro Road at all hours, including articulated vehicles. There is constant noise from this traffic which causes sleep disturbance. The commercial traffic using Greasbro Road causes damage to parked cars and some residents are woken in the morning to move their cars so large delivery vehicles can get past. Greasbro Road is not suitable for large vehicles and the above problems would be significantly worsened by the proposal and there would be increased noise from the large number of HGVs delivering to the site. The delivery traffic will worsen pedestrian safety problems for children playing outside the houses and for residents crossing the road; it will further divide Greasbro Road from Tinsley. The area is already heavily affected by traffic and in an Air Quality Management Area; pollution from vehicles will worsen health problems. The development will not reduce the number of vehicle movements as the building is currently vacant. A yellow box junction should be introduced to Shepcote Lane for the safety of vehicles turning on to Shepcote Lane.

- The information submitted by the applicant estimating vehicle movements is not credible as the 150,000 tonnes of material that are to be moved to and from the site cannot be accommodated on 10/15 vehicles per day. It is estimated that the development will result in 60 HGV movements per day travelling along the residential section of Greasbro Road. The applicant's assessment of vehicle numbers does not include those of their own customers. There is nothing to limit the volume of waste to the max 10,000 tonnes that the applicant now says he will process at the site.

- Debris falling from the vehicles will be a hazard and automatic vehicle sheeting does not stop material falling from vehicles, as is evidenced by the debris on the roads in Tinsley.

- The site is too close to a residential area. The Greasbro Road houses are occupied by families with children and many people suffer from health problems. The development will increase odours and dust from the crushing of masonry and shredding of timber (these elements have been since removed from the application). The fact that they have been withdrawn from the application confirms the resident's original concerns are justified. The light waste that is to be brought

to the site produces dust and harmful contaminants when broken down. It is unclear if hazardous material will be brought to the site.

- An Environmental Impact Assessment and air quality report should have been carried out as the site is already in an Air Quality Management Area where monitoring shows that PM10 and nitrogen dioxide levels already exceed national air quality objectives.
- Residents of Greasbro Road should have been notified about the application and wider consultation should have been carried out with the local community.
- The information submitted by the applicant is inconsistent and not credible.
- The development will make it more difficult to sell a house on Greasbro Road. (This is not a planning matter).

## PLANNING ASSESSMENT

### Policy

The application site lies within a General Industrial Area as defined on the Unitary Development Plan Proposals Map. General Industry and warehousing are the preferred uses; a waste transfer use would need to be considered on its merits, Policy IB5.

Core Strategy Policy CS5 states that manufacturing, distribution/warehousing and non-office businesses will be located in the Lower Don Valley.

Core Strategy Policy CS8 states that at Tinsley Park the major land uses will be industry and warehousing/distribution, making particular use of rail freight facilities. It also states that Tinsley Park will be a location for non-office business uses.

The Sheffield Development Framework Draft Proposals Map shows the site as falling within an Industrial Area. Within these industrial areas preferred uses are general industry, warehouses/storage and waste management facilities.

There is some doubt as to whether the proposed use is a waste transfer use or a general industrial use. A waste transfer use purely involves the sorting of waste whereas planning inspectors have in the past found that the baling of paper and cardboard is an industrial use.

In policy terms if the proposal is a general industrial use it is a preferred use and supported by planning policy. If it is a waste transfer use then it is to be considered on its merits under Unitary Development Plan but a preferred use under the Sheffield Development Framework (SDF). As the SDF is the more up to date policy and shows the Council's emerging thinking on policy it is considered that more weight should be given to this policy.

### Amenity Impact

Unitary Development Plan Policy IB9 states that in Industry and Business Areas, changes of use should not cause residents to suffer from unacceptable living conditions.

The applicant has confirmed that tipping, baling and storage of waste material will all take place within the building. Given the noise from the motorway, which the site backs on to, and the distance to the nearest residential properties, there is no reason why the tipping, sorting and baling of waste will adversely affect residential amenity.

There is no reason why the processing, baling and storage of the materials proposed will create a significant amount of dust, particularly as the applicant has removed the crushing, shredding and chipping of material from the application proposal. Any dust that is created is likely to be contained within the building. Even if this were an issue, given the distance to the Greasbro Road properties, it would be very unlikely that dust would travel this distance.

All the vehicular traffic from the site has to travel along the residential part of Greasbro Road. This part of the road is approximately 125m long and is fronted by approximately 50 terraced houses. The street is narrow with on street parking on both sides, meaning that there is only sufficient width for one vehicle to travel along the street. It is clearly unsatisfactory for HGV's to routinely travel down a street such as this. As is evident from the representations, the existing traffic has a significant impact on residential amenity, results in damage to vehicles and is a pedestrian safety risk. However this is an existing situation. The planning authority needs to focus on whether the development traffic will worsen the amenity impact. To assess this it is necessary to compare the impact of traffic from the authorised use of the building with that from the proposed use.

The highway officer has advised that a warehouse unit of this size could on average generate between 8-14 HGV movements per day. This is an average and some warehouse and storage uses will generate more HGV movements and some less. The applicant expects a maximum of 8 HGV movements and considers it would be more likely to be 4 per day. This fits with the estimated maximum 10,000 tonnes of material to be processed at the site each year.

It can be seen that the maximum expected HGV movements is at the lower end of the range of average number of HGV movements which could be expected under the existing permission. The average number of HGV movements expected from the proposed use is half the average number that could be expected under the existing permission. This shows that the amenity impact on residents of vehicle movements should be less than might be expected under the existing permission. The applicant has agreed to a planning condition to limit the maximum number of vehicle movements to 10 any day and 50 a week.

As the applicants vehicles have an automatic sheeting system the risk of material falling off HGV's is very small.

There will be no odorous or hazardous material brought to the site and therefore there should be no odour impact on local residents.

It should be noted that the applicant has agreed to a condition limiting the operating hours to those described in the application. There are no controls under the existing permission over the working hours or the number of vehicle movements to the site.

The Environmental Protection Service have scrutinised the application and advised that proposal will not have a detrimental impact on residential amenity.

The Environment Agency has advised that they have no objections to the proposal. The operations will be controlled under an Environmental Permit issued by the Environment Agency.

#### Access Issues

It is clearly unsatisfactory that the Junction 34 industrial estate is accessed via a residential street. It is unlikely that planning permission would be approved for a new industrial estate with these access arrangements. However the estate and application building already exists and can be serviced under the existing permission by larger vehicles with more frequent deliveries than is the case with this proposal. The information above on vehicle movements shows that the HGV movements are likely to be less frequent than might be expected under the existing permission.

Although the first 150m of Greasbro Road which is occupied by the residential properties is substandard the remainder of the road is suitable for industrial traffic. The servicing arrangements adjacent to the unit are satisfactory and there is sufficient car parking available adjacent to the unit.

As the proposal will generate similar or less traffic than might be generated by the authorised use, it is concluded that the proposal will not worsen traffic or pedestrian safety. Therefore there is considered to be no basis for resisting the application on traffic or pedestrian safety grounds.

#### Visual Amenity

The applicant is proposing surplus skip storage in a narrow strip approximately 6m wide on the south east side of the building. This is screened from the Greasbro Road residential properties by the building and is screened from the motorway by the motorway embankment.

As the waste material is to be stored and processed in the building the proposed development will have no significant impact on the appearance of the site. The site is too far from the Greasbro Road dwellings to impact on the visual amenity of residents, it is also not visible from the sensitive properties on the east side of the motorway.

#### Air Quality

The application site lies in an Air Quality Management Area. Air Quality assessments are only required for applications that are likely to have a significant impact on air quality, such as major traffic generators like Supermarkets, or uses that produce significant stack emissions such as incinerators. As this proposal does not produce significant emissions and the traffic will be no greater, if not less than is likely to be generated by the authorised use of the building, there is no justification for an air quality assessment. Despite this the applicant is utilising vehicles with Euro V engines which produce lower emissions.

#### Environmental Statement

Some residents have argued that an Environmental Statement is required. The application involves the change of use of a fairly modest building and does not involve any particularly polluting processes or result in complex environmental impacts. Therefore an Environmental Statement is not required.

#### RESPONSE TO REPRESENTATIONS

The Council's code of practice for public consultation on planning applications, as set out in the Statement of Community Involvement requires immediate neighbours of the site to be consulted. The immediate neighbours of this site are other businesses and they were consulted as part of the planning application. Therefore the publicity requirements as set out in the Statement of Community Involvement were met. In deciding not to consult the Greasbro Road residents the distance from the site was taken into account, along with the likely environmental impacts of the proposal such as the fact that this is a change of use of an existing building, all storage, processing and tipping will take place in the building, and the HGV movements are expected to be no greater than would be expected for the existing use of the building. However the residents concerns have been taken into account and are fully assessed in the application report and conditions are proposed to limit the environmental impacts. The period for accepting representations was extended at the request of residents, and the application is being considered by committee given the volume of public objections, and to give residents a further opportunity to put forward their views. Officers have also been in correspondence with the lead objector and informed him of the committee date.

A number of residents have understandably raised concerns about the number of HGV movements that will be generated by the proposal. These concerns have been amplified by the applicant inadvertently providing some confusing information on the volume of material to be processed and the number of vehicle movements expected. In particular the application form refers to up to 75,000 tonnes of waste being processed. This has led to residents to calculate that it will generate up to 384 HGV movements per week and up to 60 per day. This confusion has arisen because the Environmental Permit Licence is a generic one for up to 75,000 tonnes of waste per year. As stated above the applicant is expecting to process a maximum of 10,000 tonnes of waste per year. The vehicles to be used can carry up to 15 tonnes and the applicant has advised that the normal level of HGV deliveries will be 2 per day (4 movements) for 4/5 days, with a maximum of 4 vehicle deliveries (8 movements) for one day a week. Assuming the vehicles are fully laden this level of vehicle movements equates to 10,500 tonnes of material a

year. As explained above the key point is not the tonnage but how the level of HGV movements compares with what might be expected under the existing consent.

## SUMMARY AND RECOMMENDATION

The application proposal is considered to be supported by development plan policy which seeks to promote industrial/waste transfer uses in industrial areas. However this is predicated on the proposal not causing unacceptable living conditions for residents.

Given the limits on the types of activities to be undertaken on site, because it will be contained within a building, and given the distance to residential properties, it is considered that the operations on the site will not be detrimental to residential amenity. This view is endorsed by the Environmental Protection Service who have scrutinised the likely environmental impacts.

The key issue is whether the HGV movements to the site will worsen residential amenity or traffic and pedestrian safety. The impact of the proposal should be assessed against the likely level of traffic that might reasonably be generated under the existing permission, and not judged against a vacant building that generates no traffic. It is concluded that the number of HGV movements is at the lower end of the spectrum of movements that could be expected for a warehouse and distribution unit. Given this, and the controls that can be secured through the planning permission it is concluded that the proposal will not worsen residential amenity or harm traffic or pedestrian safety.

It is therefore recommended that planning permission be granted, subject to the proposed conditions.

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Case Number	12/03177/FUL (Formerly PP-02219984)
Application Type	Full Planning Application
Proposal	Demolition of storage building and erection of two dwellinghouses including construction of temporary access road (As amended 23/11/12)
Location	Fern Glen Farm Hathersage Road Sheffield S17 3AB
Date Received	12/10/2012
Team	SOUTH
Applicant/Agent	DLP Planning Ltd
Recommendation	Refuse

For the following reason(s):

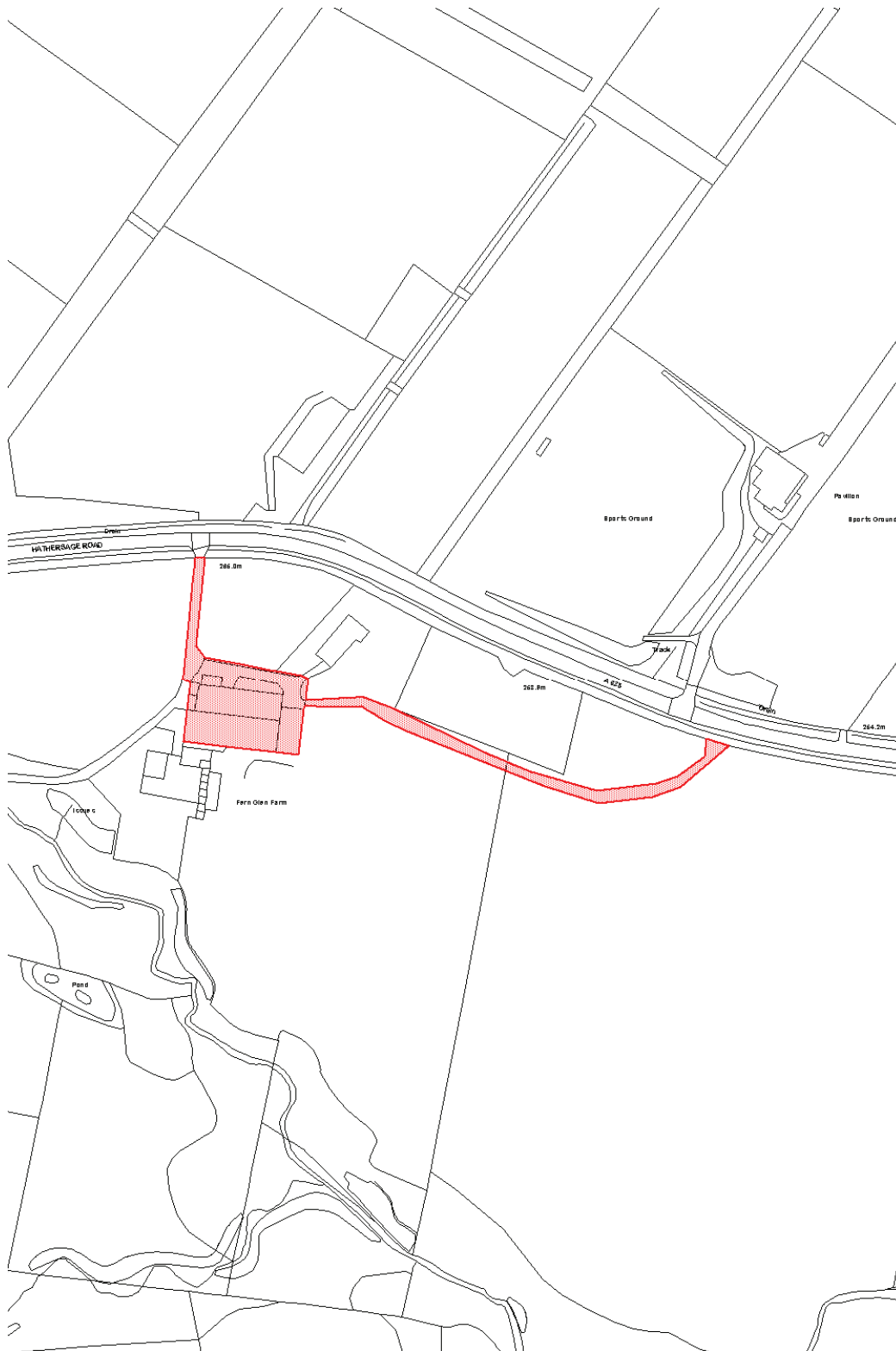
- 1 The Local Planning Authority considers that the proposed development by reason of the scale, form, massing, siting and external layout of the two dwellinghouses is out of keeping with the farmstead character of the site and would be injurious to the visual amenities of the rural Green Belt and an Area of High Landscape Value. This would be contrary to Policies BE5(a), GE4 and GE8 of the adopted Unitary Development Plan and Policy CS74 of the Sheffield Development Framework Core Strategy.

Attention is drawn to the following directives:

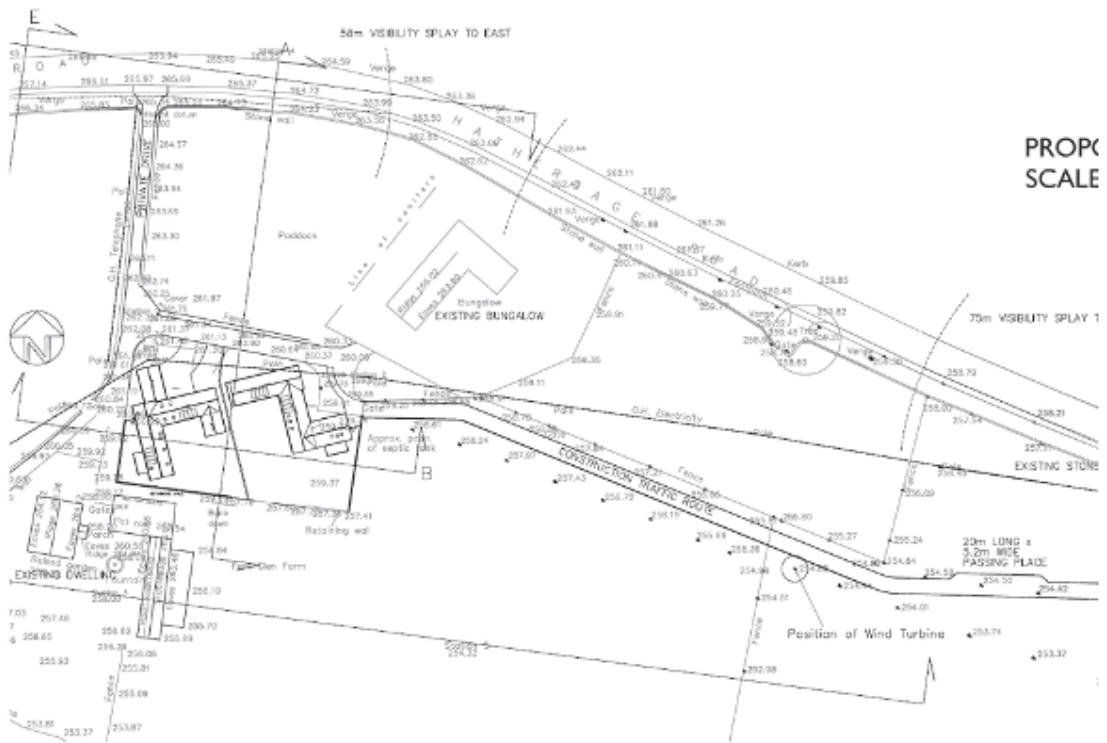
1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with a planning application, it has not been possible to reach an agreed solution in this case.



# Site Location



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## INTRODUCTION

Members will recall that this application was deferred at the Committee meeting on 17 December 2012. The deferral was in order to allow the applicant to prepare visual representations of the development in the context of the application site and other farmstead developments in the Green Belt. The additional details had not been submitted at the time of preparation of the report and, depending on the content, may require further assessment.

The remainder of the report and the recommendation remains unchanged from the previous report.

## LOCATION AND PROPOSAL

The application relates to a larger former agricultural barn at Fern Glen Farm within the Green Belt. The site is less than 1km from the boundary with the Peak District National Park. Fern Glen Farm consists of a traditional stone farmhouse, stabling and various stores, together with the former barn and several fields. Access is taken from a shared driveway from Hathersage Road. The driveway is straight and approximately 60m long. It also serves Fern Glen Bungalow and Fern Glen House. Fern Glen Bungalow was built in the late 1970s for agricultural occupancy in connection with Fern Glen Farm. It is located close to the boundary with Hathersage Road and has a large garden with dense conifer hedge screening to the north and west boundaries. Fern Glen House is an older and much larger property in a secluded wooded setting some 150m to the west of Fern Glen Farm.

The barn is set approximately 4.5m below the level of Hathersage Road and is approximately 45m x 31m with two modest lean-to stores. The overall footprint is 1375m<sup>2</sup>. It has black painted corrugated walls, 3 pitched corrugated roofs and a blockwork plinth that varies in height to take account of the falling site levels. To the east side of the barn is a fenced hard surfaced external storage area. It is located between the bungalow and the farm house and is clearly visible from Hathersage Road. The driveway to the farm house runs directly past the west elevation of the barn. A further driveway runs past the north elevation to give access to the bungalow and to the adjoining field.

The application proposes the demolition of the barn and the erection of two large dwellinghouses. The dwellinghouses are two storeys high with additional accommodation at basement level and have a combined footprint of approximately 520m<sup>2</sup>. They are individually designed and intended to appear as traditional rural buildings. A temporary access road for construction traffic is also proposed. The access road is proposed to cross the applicant's fields from Hathersage Road at a point approximately 270m east of the existing driveway. It will join the end of the driveway to the bungalow and will be approximately 220m long and 3.7m wide with a vehicle passing place. The construction access is required by the applicant to prevent disruption caused by contractors vehicles and plant using the existing driveway.

As a proposal for the erection of new dwellings in the Green Belt, the application represents a Departure from the provisions of the adopted Unitary Development Plan. The Departure has been advertised accordingly.

## RELEVANT PLANNING HISTORY

Formal pre-application advice was given in respect of the development of this site (ref 12/01819/PREAPP). This is explained in the Assessment section below.

A Certificate of Lawful Use was granted for the use of the existing building for limited storage purposes in August 2011 (ref 11/01503/LU1). The building was originally erected for agricultural use. Evidence submitted with the application showed that the building had been used for various forms of non-agriculture storage for a period of at least 20 years. Insufficient evidence was provided to substantiate any lawful use as a builder's yard and the Certificate is therefore confined to the building only.

Fern Glen Bungalow was granted outline planning permission in 1977 (ref 77/5372P). The reserved matters were approved in 1978 (ref 78/3382P) and subsequently amended in 1980 (ref 80/1141P). The permissions were subject to the bungalow being occupied in connection with agriculture. An extension to the bungalow was granted planning permission in 1995 (ref 95/00098/FUL).

A Certificate of Lawful Use was granted for the use of Fern Glen Bungalow (formerly within the curtilage of Fern Glen Farm) as a dwelling with no restrictions on occupancy in 2003 (ref 03/03042/LU1).

Planning permissions were granted for works to the farm house in 1990 and 1991. These were stone cladding, a porch and conservatory (ref 90/02412/FUL) and two dormer windows (ref 91/00533/FUL).

Planning permission was granted for a 15m high wind turbine in 2007 (ref 06/00640/FUL). Re-siting of the turbine was granted in 2010 (08/02797/FUL). The permission has not yet been implemented and expires on 6 January 2013.

## SUMMARY OF REPRESENTATIONS

Dore Village Society has objected to the proposals:

- inappropriate to build new dwellings in green belt with no 'very special circumstances' to justify development (refers to National Planning Policy Framework)
- green belt not subject to review in this location and current use is not an untenable anomaly where change would not undermine purpose or objectives of green belt (refers to Core Strategy Policy CS71)
- will not maintain openness, distinctive character and quality of the countryside and proposals are not infilling a substantially developed road frontage (refers to Draft City Policies and Sites Policy G6)

## PLANNING ASSESSMENT

## Policy

The site lies within the adopted Green Belt and an Area of High Landscape Value (AHLV) as defined in the Unitary Development Plan (UDP). The Green Belt designation is retained in the Sheffield Development Framework (SDF) Draft Proposals Map. There are no AHLV's in the Draft Proposals Map.

The most relevant UDP and SDF Core Strategy Policies are:

BE5 (Building Design and Siting)  
GE1 (Development in the Green Belt)  
GE3 (New Building in the Green Belt)  
GE4 (Development and the Green Belt Environment)  
GE5 (Housing Development in the Green Belt)  
GE8 (Areas of High Landscape Value and the Peak National Park)  
H15 (Design of New Housing Developments)  
CS22 (Scale of the Requirement for New Housing)  
CS23 (Locations for New Housing)  
CS24 (Maximising the Use of Previously Developed Land for New Housing)  
CS26 (Efficient Use of Housing Land and Accessibility)  
CS31 (Housing in the South West Area)  
CS63 (Responses to Climate Change)  
CS64 (Climate Change, Resources and Sustainable Design of Developments)  
CS67 (Flood Risk Management)  
CS74 (Design Principles)

Under the National Planning Policy Framework (NPPF) relevant policies in emerging plans may also be given weight, though the level of weight to be attached to the policies depends on the stage of preparation, the extent to which there are unresolved objections to the relevant policies and consistency of the relevant policies to the NPPF.

The SDF Draft City Policies and Sites document Policies G6 (Countryside Character) and G10 (Design Quality) are relevant to this proposal. However, several formal objections to elements of these policies have been received through the consultation process. These objections are not yet resolved and could have implications for the proposed development. Therefore only limited weight should be given to Policies G6 and G10 relative to these proposals at this stage of the adoption process.

## Principle of Proposed Development

The NPPF sets out the purpose of Green Belts as being:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and

- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- UDP Policy GE1 remains broadly consistent with the NPPF policy.

Unless required to support agriculture or other acceptable uses, the erection of new dwellings in the Green Belt is contrary to Policies GE3 (New Building in the Green Belt) and GE5 (Housing Development in the Green Belt) of the UDP. It is also contrary to Policy G6 (Countryside Character) of the SDF Draft City Policies and Sites document.

Non-compliance with Policies GE3 and GE5 would previously have been sufficient to justify refusal of the application without any further consideration. However, the NPPF takes precedence over the earlier UDP policies and must be given significant weight. The NPPF reiterates previous national planning guidance in stating that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” It goes on to state that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”

The final exception listed above is relevant to this proposal.

The existing storage building was originally built for agricultural purposes and was therefore consistent with all relevant green belt policies. The replacement of the agricultural building with new dwellings would be ‘inappropriate development.’ However, due to the unauthorised and undetected use of the building over some 20 years or so, the building now has a lawful use for specified commercial storage purposes (ref 11/01503/LU1). The lawful use has effectively taken the building out of agricultural use and consequently into the definition of ‘previously developed sites’.

It is doubtful that the Government intended the NPPF to permit the replacement of former agricultural buildings with otherwise ‘inappropriate’ buildings. However, the wording of the NPPF provides a technical loop-hole that potentially allows such development that would not previously have been permitted. It should be noted that the Glossary to the NPPF defines ‘previously developed land’ and the

definition "...excludes land that is or has been occupied by agricultural or forestry buildings;...". It may be possible to argue that the site is not 'previously developed' due to the fact that it has been occupied by agricultural buildings in the past. However, it is more likely that the definition is intended to relate to the current use of the site or the last use, if vacant.

Given the policy position in the NPPF there is a case, in principle, for the replacement of the existing building with a different form of development. The development is contrary to Policies GE3 and GE5 but the NPPF is up to date and must be given substantially more weight.

### Housing Supply and Density

The proposals will make a small contribution to alleviating the current acknowledged shortfall in the 5 year requirement of deliverable housing sites as required by Policy CS22. The development would also make a small contribution to economic growth through investment in the construction of the dwellings. The addition of two dwellings to the overall quantum of need would be very small and the dwellings would be outside the preferred urban locations as specified in Policy CS23. However, the technically brownfield location is consistent with Policy CS24 which gives priority to previously developed sites for new housing development.

The density equates to approximately 10 units per hectare. This is well below the 30–40 dwellings per hectare required to make efficient use of land as specified in Policy CS26. However, the few dwellings in this part of the Green Belt (namely Fern Glen Farm, Fern Glen Bungalow and Fern Glen House) represent a very low density (less than 1.5 units per hectare). To develop at a greater density than proposed would be even more out of keeping with the rural environment in this location and would be contrary to Policy CS31 which seeks to safeguard and enhance the character of the south-west area of the City.

### Design

UDP Policy GE4 requires the scale and character of any development in the green belt to be in keeping with the area and, wherever possible, to conserve and enhance the landscape and natural environment. Policy GE8 requires development to protect, and wherever appropriate, enhance, the appearance and character of the Area of High Landscape Value and Peak National Park. Core Strategy Policy CS74 requires high quality development that would respect and enhance the distinctive features and heritage of the City including the buildings and settlement forms associated with the City's rural setting. UDP Policy BE5 requires new buildings to be co-ordinated and to complement the scale, form and architectural style of surrounding buildings.

Pre-application advice was provided in respect of this site. Having acknowledged the loop-hole regarding this type of development in the NPPF, it was suggested that new development should be designed to give the impression of a single converted stone barn or range of buildings with a tightly drawn curtilage and served by the existing shared driveway.

The submitted Design and Access Statement shows that the proposals have considered a number of farmstead developments in the Dore area and in the Green Belt at Norton. The proposals include various features taken from the individual designs of these developments. The proposed dwellings also include a number of additional features including attached garages and accommodation at lower ground floor level with associated light wells. The result is two relatively complex individual buildings with irregular footprints and an array of different opening treatments and roof pitches. This is at odds with the simple form of traditional farm buildings within the area which almost exclusively comprise a single building, or range of attached buildings, in 'L' or 'U' shaped form with regular roof pitches and gable ends.

The site is in a very open and prominent location when viewed from Hathersage Road. The two attached double garages will be clearly visible and their built form and function will be at odds with the traditional farm buildings that the development is attempting to portray. The expanse of driveways in front of the garages adds to the domestic appearance of the development and the overall impression of suburbanisation. The two buildings will be close together but clearly separated which, again, is contrary to the character of local farmstead development.

The siting and orientation of the dwellings is such that the buildings have very little relationship with the original farm house. The majority of traditional barns are either attached to the farm house or are grouped around the farmyard immediately adjacent the farm house. The proposed private garden areas and their boundary treatments create a sense of enclosure that, again, would be out of character with a traditional farmstead development.

The overall impression of the development will be more akin to a small village hamlet than a former farm complex. By contrast, the existing storage building does relate to the farm layout and gives the appearance of an agricultural unit. Whilst large and prominent, the storage building is of agricultural character and the overall appearance is more convincing in terms of defining the character of this part of the rural environment.

Positive points are the natural stone and slate construction and timber opening treatments (amended from upvc windows). The significant reduction in built form comparative to the existing building is given little weight given the agricultural character of the existing building which was not an 'inappropriate' form of development when in agricultural use. Regardless of this, the enclosed private rear garden areas, which will inevitably be laid to lawn/borders, will increase the impression of suburban/village hamlet development.

Overall, the buildings do not adequately respond to the farmstead character of the site or the scale and form of traditional rural farm buildings. The proposals fail to complement surrounding buildings and settlement forms and fail to preserve or enhance the character and appearance of the Green Belt and Area of High Landscape Value. The proposals are therefore contrary to Policies BE5(a), GE4, GE8 and CS74.

Sustainability



The site is not in a particularly sustainable location being outside the urban area and almost 1.5km from the nearest shops (Dore Local Centre). The existing driveway to the site is unlit and this section of Hathersage Road is also unlit. It can therefore be reasonably concluded that occupiers of the dwellings would be most likely to be reliant on the use of a car for most activities.

It is acknowledged that there is scope for the dwellings to be constructed using sustainable techniques and a high degree of energy efficiency could be achieved. Surface water run off would also be significantly reduced as a consequence of the smaller built footprint.

In view of the above, the proposals are capable of complying with Policies CS63, CS64 and CS67.

### Residential Amenity

The proposals would undoubtedly provide a high level of residential amenity for the occupiers and there would be no adverse impact on the adjoining properties at the Bungalow and the Farm. The proposals therefore comply with Policy H15.

### Highway Issues

The existing driveway currently serves 3 properties. It is hard surfaced and approximately 4m wide with good visibility. The drive widens considerably between the spur to the Bungalow and the spur to the Farm. It is suitable to serve the two additional properties and there is ample scope for widening over the initial approx 50m if required. At least 4 parking spaces will be provided to serve each dwelling.

Despite the suitability of the existing driveway, the applicant has included proposals for a separate construction access route in the application. This is said to be required in order to minimise disruption to the 3 existing dwellings during construction. The route is proposed to be constructed in crushed limestone with a width of 3.7m (amended from 5.5m) and a passing place. The access route is taken from an existing redundant vehicular crossing approximately 15m east of the access to the Sheffield Tigers rugby club on the opposite side of Hathersage Road. Behind the vehicular crossing is a footway and a wide natural verge. At the back of the verge is a dry stone wall which includes infilling of a former gateway. The proposal is to access the site through the former (walled) gateway. Minor widening of the original opening will be required. The route will cross two fields and will skirt around the edge of the southern boundary to the Bungalow. Stock fencing is proposed to the sides of the construction route to maintain enclosure to the fields which are currently used for grazing sheep. No grading works are proposed.

It is difficult to appreciate the need for the construction access given that the existing driveway is some 40-50m from the Bungalow and the Farm and some 180m from Fern Glen House. The existing driveway is a less circuitous route and fully hard surfaced. Nevertheless, the construction of a temporary means of access is difficult to resist. A condition requiring removal of the access and

reinstatement of the land to grass is imperative if planning permission is granted. The agent has been made aware that any subsequent proposal to retain the access is not expected to be viewed favourably due to its impact on the green belt and AHLV.

Overall, the proposals are acceptable in terms of car parking provision and highway safety.

#### SUMMARY AND RECOMMENDATION

The application is to replace a large former agricultural barn complex with two large dwellinghouses in the Green Belt and an Area of High Landscape Value. The barn has been used for limited commercial storage purposes over the last 20 years or so and now has a 'lawful' use which effectively gives the site 'brownfield' (previously developed) status.

New dwellings are not normally permitted in green belt locations but the Government's NPPF permits the redevelopment of previously developed sites. Had the barn remained in agricultural use, the site would be regarded as 'greenfield' and not eligible for redevelopment.

The principle of some form of redevelopment is therefore acceptable in accordance with policy in the NPPF. The proposed development remains contrary to green belt policies in the UDP but the NPPF must take precedent. Notwithstanding this, the siting and design of the buildings and the external layouts do not adequately respond to the traditional farmstead character of the site or the scale and form of traditional rural farm buildings. The proposals fail to complement surrounding buildings and settlement forms and fail to preserve or enhance the character and appearance of the Green Belt and Area of High Landscape Value. The proposals are therefore contrary to UDP Policies BE5(a), GE4 and GE8 and Core Strategy Policy CS74.

It is recommended that planning permission is refused.

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Case Number 12/03172/LBC

Application Type Listed Building Consent Application

Proposal Addition of 4 rooms in existing roofspace and alteration to arrangement of rooflights

Location Crookes Valley Methodist Church  
Crookesmoor Road  
Sheffield  
S6 3FQ

Date Received 12/10/2012

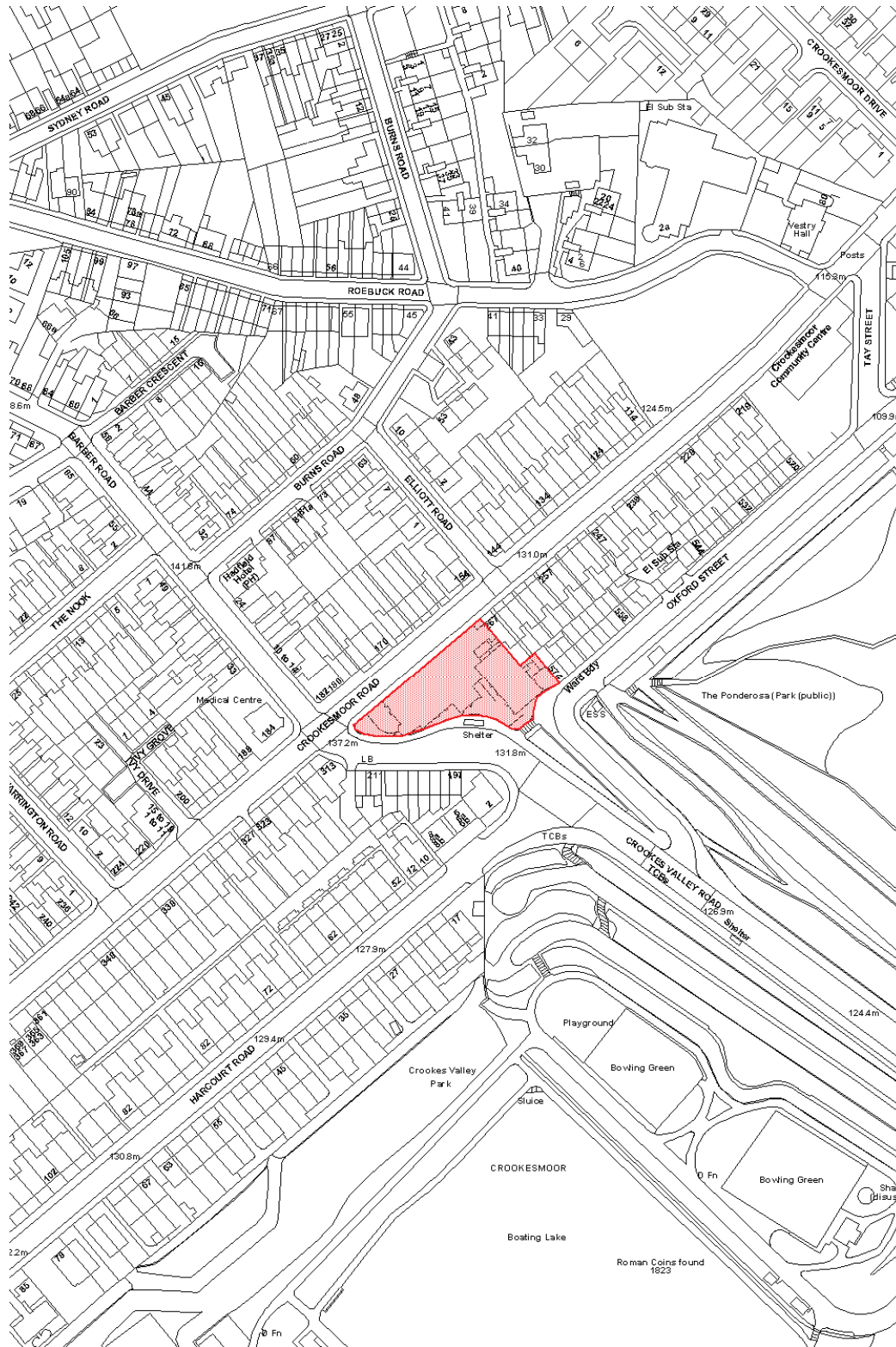
Team SOUTH

Applicant/Agent Watts Planning

Recommendation To Report

Subject to:

# Site Location



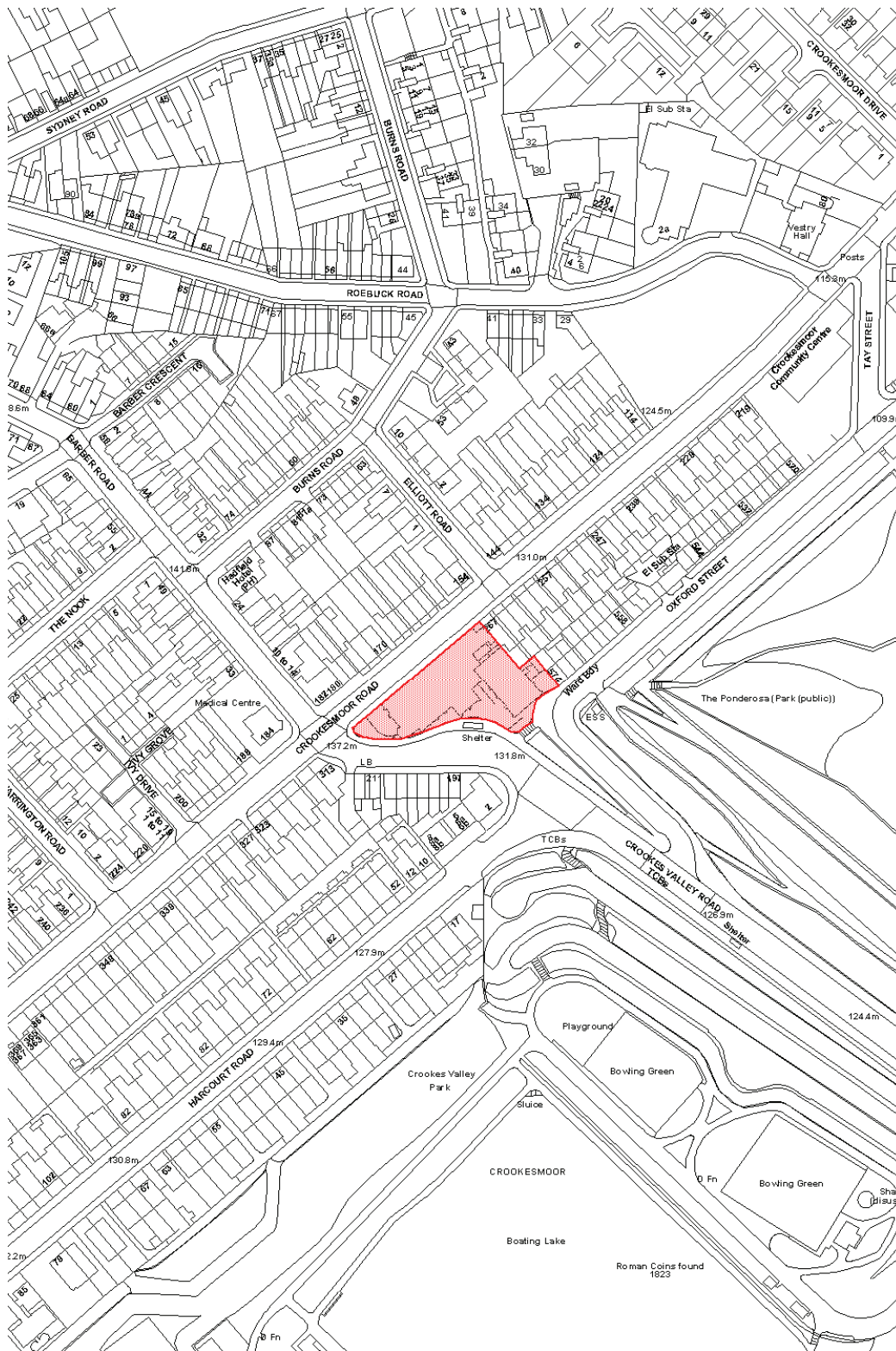
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For officer's report, please see 12/03078/FUL.

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Case Number	12/03078/FUL
Application Type	Full Planning Application
Proposal	Addition of 4 rooms in existing roofspace and alteration to arrangement of rooflights (Application under Section 73 to vary condition 2 (approved plans) of planning permission no. 11/04038/FUL (conversion of former church building to form 19 student cluster flats))
Location	Crookes Valley Methodist Church Crookesmoor Road Sheffield S6 3FQ
Date Received	03/10/2012
Team	SOUTH
Applicant/Agent	Watts Planning
Recommendation	To Report
Subject to:	

# Site Location



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## BACKGROUND, PROPOSAL AND LOCATION

This is a Section 73 application to vary the approved plans of a recently approved conversion scheme for a Grade II Listed Building in a Housing Policy Area. The previously approved scheme (reference 11/04038/FUL) allowed the building to be converted to form 19 cluster flats capable of accommodating 98 bed-sit spaces. This proposal (reference 12/03078/FUL), is still seeking to convert the building to form 19 cluster flats but, now includes an additional 4 bed-sit spaces within the roofspace, thereby increasing the overall bed-sit number from 98 to 102. In addition to the additional 4 bed-sits, this proposal also seeks to add a further 12 conservation-style roof-lights across the various roofs of the whole building.

This report covers both the full planning application (12/03078/FUL) and the Listed Building Consent application (12/03172/LBC).

The application relates to the former Crookes Valley Methodist Church which is prominently located at the corner of Crookesmoor Road and Crookes Valley Road. The Grade II Listed Building was built in 1880 and comprised of a church and an adjoining school. The building is currently vacant but had previously housed a training project for which the interior was significantly altered in the early 1980s. The former church building has remained empty for many years despite previous permissions for development and as a result, the building has suffered from extensive vandalism, occupation by squatters and, several illegal rave parties. The impact of such abuse and unauthorised use has caused considerable damage to the building.

The building itself is built in a gothic revival style of coursed square stone with ashlar dressings and steep pitched slate roofs. It is built on a sloping site and as a consequence, there are basement rooms below the former church building and a Sunday-school building at the lower level to the east. The fenestration details comprise a range of interesting windows, gabled buttresses, turrets, plinths and string courses. The site is partly surrounded by a stone wall with some railings. The site plot ratio of built structure relative to open space is in the high 90% region and consequently, there is little scope of providing any substantial on-site amenity space or parking provision.

The surrounding area is primarily residential in nature with dwellings adjoining on Crookesmoor Road and, at the lower level on Oxford Street. There are a number of shop units on the opposite side of Crookes Valley Road and on nearby Barber Road. In close proximity to the site are Crookes Valley Park and numerous University-owned buildings. The site is situated close to good bus and tram routes and is within close walking distance of the City Centre.

The originally approved scheme sought to convert the former church building to form 19 student cluster flats (with each flat ranging in size between 3 and 7 bed-sit spaces) spread over 7 levels within the 2 building structures.

This current proposal seeks to amend the scheme slightly such that the building will be converted to form 19 student flats (with each flat ranging in size between 3 and 8 bed-sit spaces) spread over 7 levels within the 2 building structures.



The additional 4 bed-sit rooms will be located within the roof-space of the former Sunday-school building which occupies the lower position of the two buildings. The additional 4 bed-sit rooms will form cluster flat number 3 and will have 8 bed-sit rooms in total.

The proposed amendments will also see a further 12 roof-lights being incorporated into the scheme, spread over the various roof slopes of the both buildings i.e. approximately 3 additional roof-lights added to each of the 4 main roof-slopes.

The additional 4 bed-sits and the additional 12 roof-lights are therefore the only difference between this scheme and the previously approved scheme. In all other respects the proposal is the same as was previously approved under planning application 11/04038/FUL.

#### RELEVANT PLANNING HISTORY

Previous and relevant planning applications relating to the site include:-

- 03/04295/FUL – This was an application for alterations to and conversion of former church building to form 18 cluster flats providing 89 bedspaces. This application was approved subject to a legal agreement in December 2006.
- 03/04301/LBC – This was the Listed Building Consent application for the above-mentioned proposal to form 18 cluster flats providing 89 bedspaces. This application was conditionally approved in December 2004.
- 07/03584/FUL – This was an application for alterations to and conversion of former church building to form 53 one-bedroom and 5 two-bedroom student flats (63 bedspaces). This application was approved subject to a legal agreement in January 2009.
- 07/03583/LBC – This was the Listed Building Consent application for the above-mentioned proposal to form 58 student flats. This application was conditionally approved in October 2008.
- 11/04038/FUL – This was an application for the demolition of the rear porch, removal of an external fire escape staircase and the conversion of the former church building to form 19 student cluster flats with associated cycle-storage and landscaping works. This application was conditionally approved (subject to the terms of a Section 106 legal agreement) on the 10th of May 2012.
- 11/04041/LBC – This was the Listed Building Consent application for the above-mentioned proposal to demolish the rear porch, remove an external fire escape staircase and convert the former church building to form 19 student cluster flats with associated cycle-storage and landscaping works. This application was conditionally approved on the 15th of May 2012.

#### SUMMARY OF REPRESENTATIONS

This proposal has resulted in a total of 16 representations being received; this includes a representation sent on behalf of the Broomhill Green Party and a further 15 representations sent from 10 separate nearby households (9 on Harcourt Road and 1 on Burns Road). All of the representations received are in objection to the proposal. The representations have been summarised and the comments made are shown below:-

The Broomhill Green Party has made the following comments:-

- “The Broomhill Green Party objected to the original application on the grounds of it being inappropriate to a listed building, too high density and contravening Core Strategy Policy CS41 which seeks to promote mixed and balanced communities. We also object to this attempt to shoehorn in more residents to maximise profits and chip away at the rooflight configuration to further erode the character of the listed building.”

The comments raised by local residents are summarised below:-

- The scheme should be refused because the amendments being proposed merely seek to re-instate most of the bed-spaces that had been previously removed under application 11/04038/FUL - which saw the number of bed-spaces being reduced from 105 to 98. The increased numbers being accommodated will exacerbate matters and lead to damage to the Grade II Listed Building and harm for the surrounding community.
- The submission of this application is yet another attempt to delay the process and extend the life of the planning consent for the site without any real intention to develop the site. And, the longer the delay in developing the site, the more the building will deteriorate.
- There are concerns that the developer is now struggling to get the funding to carry out the development, and if that is the case the developer should be asked to consider a less financially ambitious conversion scheme that will have greater social benefit and community support.
- Local residents have also requested that before this application is even considered, that the applicant confirm in writing a commitment by the developer to secure the building from intruders, repair any holes in the roof and, clear all the rubbish and litter around the church building.
- The proposed development would pose a significant threat to the balance of the community, there is already a high concentration of students in the neighbourhood and this new proposal would be in direct contravention of Policy CS41.
- The site already has no provision for off-street car parking and therefore, the addition of 4 more bed-sit spaces will exacerbate the on-street parking problems currently experienced by existing residents.

- The increase of rooflights from the approved 11 to 23 will seriously affect the character of the Listed Building.
- Several of the pre-commencement planning conditions (imposed on the previously approved scheme) have not as yet been met, particularly the conditions relating to sustainability and renewable energy, those conditions required details to be submitted and those conditions should be met before this application is determined.
- The proposed additional rooms will add to the overall number of cramped rooms in the development and will therefore provide a poor living environment for the intended future occupants.
- The proposal will lead to an increase in wheelie bins which, might add to the clutter of wheelie bins on bin collection days.
- There are concerns that the proposal will lead to further disamenity and general nuisance for those existing residents living in the area in terms of late night noise, increased litter, traffic congestion, bins not being taken off the roads etc.

## RESPONSE TO REPRESENTATIONS

The revised layout of the proposed scheme (with 102 bed-sit spaces) is still less than the 105 bed-sit spaces that the applicant had originally applied for in December 2011. The proposed 4 new bed-sit spaces are to be located within the roofspace where there are already other bed-sit spaces and therefore, no new extensions are being proposed to accommodate the additional rooms which will be accessed from corridor links that have already previously been approved. Furthermore, the size and positions of the lounge and kitchen areas to the cluster flats are not being compromised to accommodate the additional 4 bed-sit spaces.

It is acknowledged that the proposal is contrary to Policy CS41 (which seeks to create mixed communities). However the building is a highly prominent Listed Building that has previously been approved as a car-free residential development aimed at students. The building is ideally suited for student accommodation because of its close proximity to the University and public transport links, the building does not lend itself as suitable family accommodation due to its lack of on-site amenity space and lack of on-site car parking provision. Whilst there is an increase in number of bed-sit spaces from 98 to 102, it would be difficult to argue what the demonstrable harm would actually be as a result of the 4 additional bed-sit spaces, particularly given the high number of bed-spaces already previously approved.

As outlined with the previously approved scheme, whilst there is virtually no on-site car parking provision (other than two disabled person car parking bays) there is some capacity for on-street car parking on Oxford Street. The applicant is also seeking to promote the site as a car-free development. The site is also located in a very sustainable location close to good public transport links and within easy

walking distance of the City Centre. There is also good provision for secure cycle parking on site to encourage the use of a further alternative mode of transport.

If granted, this would not extend the life of the permission. The developer would still have to implement the scheme within 3 years of the original grant of planning permission, i.e. by the 10th of May 2015.

## OTHER CONSULTEE RESPONSES

### English Heritage

English Heritage did not consider that this proposal fell within the criteria of application types for when they (English Heritage) need to be consulted and as such English Heritage had no comments to make on this proposal.

## PLANNING ASSESSMENT

### Relevant Planning Policies

The application site is located within a Housing Policy Area as defined in the Sheffield Unitary Development Plan. The property is also a Grade II Listed Building.

The National Planning Policy Framework (NPPF) sets out the Government's requirements for the planning system, planning policies and the decision-making process.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The most relevant planning policy from the NPPF which relates to this development is expressed at paragraphs 14 and 17.

Paragraph 14 stipulates that at the heart of the NPPF there is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. The paragraph goes on to say that, in terms of decision-taking, this means:-

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting planning permission 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 the Framework indicate that development should be restricted.

Paragraph 17 goes on to identify some of the core planning principles that should be used to underpin plan-making and decision-taking, and some of these include:-

- a need to take account of the different roles and character of different areas;
- a need to secure good quality designs and good standards of amenity for all existing and future occupants of land and buildings;
- a need to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- a need to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings.

Given that this is a Section 73 application to vary a condition (relating to the approved plans) to enable 4 additional bed-spaces to be accommodated within the development and, 12 additional rooflights, Members are being asked to consider the implications of these amendments only. The arguments relating to Policy CS41 (the need to create mixed communities) and Policy CS24 (density levels) have already been addressed by the granting of the previously approved scheme (reference 11/04038/FUL). This current proposal is still seeking to create the same number of cluster flats (19) as were previously approved and therefore, the density and mixed-community arguments/issues are not considered to be relevant in this instance.

Policy H5 and Policy H14 of the Sheffield Unitary Development Plan deal with “Flats, Bed-sits and Shared Housing” and “Conditions on development in Housing Areas”; and therefore, because there is a small alteration to the layout of the accommodation which will result in an additional 4 bed-sit spaces being provided (and a very slight increase in the future number of residents), there is a need to consider the proposal against Policies H5 and H14. These policies echo similar principles in that new developments or changes of use should be well designed, not lead to nuisance or harm for existing local residents, provide a reasonable quality of accommodation for the future residents and, provide appropriate levels of off-street parking without detriment to highway safety.

Furthermore, Policy BE5 requires good design and the use of good quality materials to be incorporated into all new developments, and where possible the layouts of schemes should seek to encourage conservation of energy and natural resources. Whilst the amended scheme will now result in an increase in rooflights from 11 to 23 (12 additional rooflights in total), it needs to be noted that the additional rooflights will be spread across 4 of the main roof slopes of the building (i.e. only 3 additional windows on each of the 4 main roof slopes). Officers are satisfied that this even spread of rooflights across the whole of the building will have a limited impact on the character of the Listed Building. Officers would of course seek to ensure that “conservation style” rooflights are used. Through the use of planning conditions, high-quality materials in appropriate styles will be used on the conversion scheme, and overall therefore, officers are satisfied that the proposal accords with Policy BE5.

Policy BE19 of the development plan relates to “Development affecting Listed Buildings” and states, amongst other things, that proposals for alterations will be expected to preserve the character and appearance of the Listed Building. It also states that the original use of a Listed Building will be preferred but other uses will be considered where they would enable the future of the building to be secured. As previously mentioned, this application site is a stand-alone Grade II Listed Building of prominent and significant character. This proposal will lead to refurbishment of the building which will secure some improvements to the external appearance of the building and help to secure the long-term stewardship and future of the building (which, in recent years has been the subject of vandalism and unauthorised activity which subsequently has had a detrimental impact for local residents). On balance, officers are satisfied that the alterations being proposed will have a minimal impact on the overall character of the building and, will at the same time, help to secure the long term future of the building. It is also noted that some of the new additional rooflight windows will improve the outlook to rooms that previously had limited outlook and therefore, there will be some improvement for some of the future occupants of the development.

Policy H16 of the Sheffield Unitary Development Plan deals with “Open Space in New Housing Developments”. This policy seeks to ensure that for new developments, there would be sufficient open space to meet the local needs of people living there. An Open Space assessment has been carried out and that is covered elsewhere in the report (see below).

#### Affordable Housing Issues

Policy CS40 of the Sheffield Core Strategy deals with “Affordable Housing”. This policy aims to secure the equivalent to 30 – 40% affordable housing in large developments where it is practical and financially viable. The applicant had previously successfully argued that a full contribution would render the scheme unviable, this view was verified by the District Valuation Office.

Under the previously approved scheme (11/04038/FUL), the District Valuation Office had completed an independent assessment to test the viability argument. In that case (11/04038/FUL) the District Valuation Office concluded (based on the submitted information) that the development could not support an affordable housing contribution.

Given that this current proposal (as now amended) will see a further 4 additional bed-sit spaces, this change has the potential for increasing the value of the development and therefore affecting the viability outcome that had previously been reached. The District Valuation Office has been asked to assess the revisions to the scheme to see if this has any impact on the affordable housing viability argument. This matter is still being considered by the District Valuation Office and the findings will be reported as a supplementary planning report in time for the Planning Board on the 14th of January. If there still is a requirement for an affordable housing contribution to be made, it would need to be secured through a Section 106 Legal Agreement.

## Impact on Residential Amenity

The application site is located to the edge of the City Centre within a residential area that also has a significant student population. The site is also located within close walking distance to University buildings and facilities which does to an extent place it close to where it needs to be. However, in an attempt to create a better tenure mix in the high student populated areas the University of Sheffield has, in recent years, developed a student residence strategy whereby many properties owned by the University on residential streets have been sold with restrictive covenants thereby preventing the future use of the properties for students or as houses in multiple-occupation. This has made some headway in redressing the tenure mix of the area. There is still a strong student presence in the area and this proposal will add to the student numbers.

The issues associated with student accommodation have been highlighted in some of the representations received i.e. late night noise, increased litter, wheelie bins not being cleared from footpaths and to some extent increased car parking problems on-street. This proposal still includes a 24-hour concierge presence which will manage the site and deal with some of the problems mentioned above should they arise. The provision of a concierge will also provide a point of contact for local residents to contact if any problems occur. Officers do feel that purpose built student accommodation with management structures in place such as this (with a 24-hour concierge presence) are effective in dealing with some of the issues mentioned above.

The accommodation being provided is of adequate size and that there are reasonable outlooks from the main habitable rooms. There has been an increase in the number of rooflights (some of which will now give an improved outlook for rooms which have already previously been approved).

The building has for many years now been the subject of vandalism and illegal rave parties which have in the past caused noise and disruption for local residents. This is now an opportunity to secure a planning approval for the site to create an opportunity for the site to be suitably developed and thereby removing the opportunities for such illegal activities to take place.

The proposal still incorporates small pockets of amenity space which will be further enhanced by way of hard and soft landscaping. These amenity spaces will create useful meeting places to help stimulate a sense of community, the amenity spaces will also make good use of the topography of the site to take advantage of long distance views and vistas without impinging on the privacy of nearby residents. In addition, Crookes Valley Park is within 50 metres of the development, offering a high quality local amenity space on the doorstep.

The Grade II Listed Building represents a prominent and significant presence in the locality and at the heart of the Crookesmoor Road area, this proposal represents an opportunity for the building (which is a building at risk) to be refurbished to a high specification and brought back into meaningful use.

Officers are satisfied that the proposed increase in number of bed-sit rooms from 98 to 102 and, the increased number of rooflights are still unlikely to lead to any adverse impact on local residents.

### Highway Issues

Whilst the site has very little designated provision for off-street car parking which is far from ideal (i.e. having only 2 disabled person parking bays), the site is still considered to be within a highly sustainable edge of centre location and, within very close walking distance to regular public transport links (bus and tram). Officers are also still mindful of the fact that three previous planning schemes for student accommodation at the site have now been granted on the principle of the development being car-free developments. The main issue is therefore whether or not the increase in the number of student beds (from 98 as previously approved to 102) is likely to result in parking demand that will ultimately be detrimental to highway safety.

The site is well located for access to the University by alternative modes of transport to the private car. The main area of University is approximately 800 metres on foot from the site, that distance is considered to be an acceptable walking distance.

The site does not fall within the Crookesmoor Resident's Parking Scheme; however, there are a significant number of unrestricted bays on Oxford Street that could be used by residents of the development. Officers are able to clarify that residents of the development would not be able to park in any of the parking bays which require a resident's permit.

Officers accept that the lack of on site parking is not ideal, however, bearing in mind the location of the site, the indication that the proposal would be a relatively low vehicle generator and the fact that previous planning consents have established the acceptability of a car free development on the site, officers do not consider a refusal of the current application on highway grounds to be appropriate (considering the increase in the number of bed spaces will only be 4). It would still be appropriate to impose a planning condition requiring a detailed Travel Plan to be submitted for approval.

### Listed Building Issues

As previously mentioned, the Building is Grade II Listed and stands in a prominent and imposing location. With the exception of a small roof extension and the insertion of several new window openings (predominantly on the north-east elevation adjacent to 267 Crookesmoor Road), the building will for all intents and purposes remain intact with very few external alterations. The original proposal included the removal of a prominent and unsightly fire escape from the south-west elevation of the building and also the removal of a flat-roof porch extension from within the central courtyard, both these existing features are seen to be harmful to the Listed Building and the removal of them is welcome. The proposed increase in rooflights will be spread across the 4 main roof slopes and therefore, these physical changes will not appear visually prominent.



The applicant has also agreed to repair and re-instate ornate boundary railings to the original style and character to create an enclosure to the site that will be access-controlled. Again this is seen as a welcome improvement to the building.

The Church building has several feature windows and in an attempt to maintain the integrity of the key windows (the two rose windows and the main large window fronting Crookes Valley Road), the original proposals either set back the internal floor or removed the floor level behind the windows. This will ensure that the windows appear as whole windows that aren't bisected at the rear with new floors. This is a welcomed component of the scheme that will ensure the best of the feature windows retain their full integrity and character. The changes being proposed (to add 4 new bed-sit spaces will not affect any of these feature windows.

The need for rooflights is a consequence of the intensive conversion scheme proposed; however they have been kept to a minimum and will be conservation style, flush to the plane of the roof slope, ensuring minimal visual impact.

The introduction of the 4 new bed-sit rooms will not see any new floors being created (as they were already shown as part of the previously approved scheme) but it will see the introduction of several new vertical partition walls being formed to separate the new rooms. The original planning approval incorporated appropriate planning conditions to ensure that the original features such as the exposed timber trusses remain exposed and cannot be removed or altered without first obtaining written approval. The timber trusses are considered to be attractive original features and it is important that they remain as exposed features.

It is still considered necessary (through the use of planning conditions) to ensure that full and further details are submitted for approval for matters such as external materials, rainwater goods and pipes, details of new or replacement windows and doors, hard and soft landscaping, railings, internal works and details of a methodology for any repairs to be carried out at the site.

### Sustainability

The proposed development represents efficient and effective re-use of a previously developed brownfield site in a highly accessible edge of city urban location. The proposed flats are specifically being designed for students as a car-free development due to its close proximity to university sites and facilities, and the close proximity to the city centre and good public transport links.

The proposed scheme is being designed to ensure the best and maximum energy efficiency possible given that it is a conversion scheme. This will include:- roof voids being insulated to ceiling level; where applicable, secondary and double-glazed windows (with argon-filled units) to minimise heat loss, and enhanced thermal efficiency of external walls, roofs and floors; new insulation to be added and enhanced glass specifications used; installation of energy efficient heating and ventilation systems; dual flush wc systems, flow reducing aerated taps throughout and energy efficient lighting;

rainwater harvesting where possible; local building materials will be sourced; use of porous paving and/or hard-landscaping areas to be free draining or to soakaways; appropriate sized waste storage areas will be provided to allow for recycling; secure cycle storage for approximately 100 cycles; a detailed travel plan and; an aim to ensure that the construction works meets with Code level 3 for sustainable homes.

Officers are fully satisfied that the proposed sustainability measures mentioned above are sufficient to satisfy the aims of Policy CS64 although the building being listed has served as a constraint.

### Open Space

Since the development proposal is for more than 5 residential units, it has been assessed against the criteria set out in UDP Policy H16, and the Supplementary Planning Guidance "Open Space Provision in New Housing Development".

An open space assessment was carried out as part of the originally approved scheme and, in light of the changes now being proposed it has been necessary to re-assess the scheme. Officers can confirm that the changes being proposed to the scheme will not affect the contribution previously identified on the originally approved scheme for open space provision (£20,646.35), as the number of flats has not changed.

As such, a contribution will still be required for the provision or improvement of recreation space in the catchment area in accordance with Policy H16 of the Unitary Development Plan and the Councils Supplementary Planning Guidance on Open Space Provision in New Housing Developments.

The applicant will therefore still need to enter into a Section 106 agreement to pay a financial contribution of £20,646.35 for the enhancement and improvement of open space within the area.

### SUMMARY AND RECOMMENDATION

This is a Section 73 application to vary a planning condition (relating to the approved plans) for a previously approved development for alterations and conversion of an existing prominent Grade II Listed Building within a Housing Policy Area to form 19 cluster flats aimed at students. The changes being proposed will result in an increase of bed-sit spaces from 98 to 102 and, there will be an increase in the number of rooflights (which will increase from 11 to 23). The previously approved scheme (reference 11/04038/FUL) was conditionally approved subject to a legal agreement, in May 2012.

As mentioned above, the key issues are the impacts of the proposed increase in bed-spaces from 98 to 102 and, the additional 12 rooflights, upon the character of the Listed Building, and on the residential character of the area.

The building as a whole has previously been identified locally by the City Council as being a "Listed Building at Risk" and therefore any proposal similar to this that

will involve sympathetic refurbishment to the fabric of the building and secure the long-term stewardship of the building is considered very welcome. The development is unable to provide adequate on-site car parking provision but, there is some capacity for on-street car parking in the area and, the site is located in a very sustainable location close to the edge of the City Centre and also close to good public transport links (Supertram and frequent bus routes).

The key policy issues and arguments relating to the need to create mixed communities (Policy CS41), parking/traffic impact and, scale of the development have previously been accepted, so in reality therefore, this proposal is to measure and assess the real impact of the changes being proposed i.e. 12 additional rooflights and 4 additional bedsit spaces.

Officers feel that the changes being proposed by this application are unlikely to harm the character of the building or harm the living conditions of nearby residents.

The matter of affordable housing is still outstanding but is expected to be resolved and subsequently reported to the Planning Board with a formal recommendation on this Planning and Listed Building Consent application.

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Case Number 12/03042/FUL (Formerly PP-02216701)

Application Type Full Planning Application

Proposal Erection of 64 residential units comprising 44 dwellinghouses and 20 apartments with associated access, car parking and landscaping and 3 business units (Use Class B1)

Location Land At Infield Lane, Britannia Road And Catcliffe Road  
Sheffield  
S9 4PE

Date Received 02/10/2012

Team CITY CENTRE AND EAST

Applicant/Agent Miss Laura Fitzgerald

Recommendation GRA GC subject to Legal Agreement

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:

Site Layout Plan Ref: 1776/04/N dated 20 December 2012  
Street Context Plan Ref: 1776/05/B 2 October 2012  
House Type B Plan Ref: 1776/21/D dated 13 December 2012  
House Type D Plan Ref: 1776/23/D dated 2 October 2012  
House Type E Plan Ref: 1776/24/E dated 13 December 2012  
House Type F Plan Ref: 1776/25/F dated 2 October 2012  
House Type H Plan Ref: 1776/27/D dated 2 October 2012  
House Type K Plan Ref: 1776/29/D dated 2 October 2012  
House Type L Plan Ref: 1776/30/D dated 2 October 2012  
Apartment Block Plans .....(tbc)  
Garage Details Ref: 1776/33/A dated 2 October 2012  
Business/Light Industrial Units Plan Ref: 1776/34/B dated 13 December 2012  
Boundary Treatment Plan Ref: 1776/06/B dated 20 December 2012

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwellinghouses shall be constructed without prior planning permission being obtained from the Local Planning Authority.

In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage.

- 4 Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the three business/light industrial units shall be used solely for the use hereby permitted (B1 Business/Light Industrial) and shall not be used for any other purpose within any other use class.

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

- 5 The dwellings and business/light industrial units hereby approved shall not be used unless the associated 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.

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

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

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

- 7 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 highway safety and the amenities of the locality.

- 8 The dwellings shall not be used unless the sight lines, as indicated on the approved plans, have been provided. When such sight lines have been provided, thereafter the sight lines shall be retained and no obstruction to the sight lines shall be allowed within the sight lines above a height of 1 metre.

In the interests of the safety of road users.

- 9 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 the dwellings are brought into use.

Highway Improvements:

Catcliffe Road / Senior Road junction works associated with radius improvements and waiting restrictions.

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.

- 10 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.

- 11 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.

- 12 Prior to any works commencing on site a full structural survey of the section of the Carbrook Watercourse beneath existing or prospectively adoptable highway shall be undertaken. Any necessary works (which expression shall include a complete relay) shall be agreed with the Local Planning Authority and implemented prior to the development commencing on site.

In the interests of the safety of road users.

- 13 Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report 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.

- 14 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.

- 15 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.

- 16 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.

- 17 The residential accommodation hereby permitted shall not be occupied unless a scheme of sound attenuation works has been installed. Such scheme of works shall:

a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq 15 minutes 30 dB (2300 to 0700)

Living Rooms LAeq 15 minutes 40 dB (0700 to 2300)

c) Include a system of alternative acoustically treated ventilation to habitable rooms as required.

Before the scheme of sound attenuation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority. Once in place it shall thereafter be retained.

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

18 Before the use of the development is commenced, a Validation Test of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Test shall:

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

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

19 Before development commences full details of an acoustic screen fence, which shall be located on the western boundary parallel to Plot 64, shall have been submitted to and approved in writing by the Local Planning Authority. This fence shall be in place before any of Plots 57 to 64 are occupied and shall be retained and maintained thereafter.

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

20 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 business/light industrial units 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.

- 21 The business/light industrial units shall only operate between the hours of 0730 and 2100 on any day.

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

- 22 No deliveries to the business/light industrial units shall be carried out between the hours of 2100 to 0800 Monday to Saturday and 2100 to 0900 Sundays and Public Holidays.

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

- 23 No movement, sorting or removal of waste bottles, materials or other articles, nor movement of skips or bins shall be carried on outside the business/light industrial units within the site of the development between the hours of 2100 and 0800 Monday to Saturday or between 2100 and 0900 on Sundays and Public Holidays.

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

- 24 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 development commences.

In the interests of the visual amenities of the locality.

- 25 The approved landscape works shall be implemented prior to the development 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 5 year period shall be replaced unless otherwise approved by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 26 Before development commences further details of the following shall have been submitted to and approved in writing by the Local Planning Authority:

1. The new area of open space to the east of the site leading to High Hazels Park, which should include a protected pedestrian route.

2. The upgraded area of existing open space to the west of the site which runs parallel to Greenland Road.

These details shall include a landscape management plan, which shall include long term design objectives, management responsibilities and maintenance schedules for these landscaped areas. These areas shall have been provided/upgraded before first occupation, or within an alternative timeframe to be agreed in writing with the Local Planning Authority. Once the works have been carried out the landscape management plan shall be implemented at all times thereafter.

In the interests of the amenities of the locality and occupiers of the proposed dwellings.

- 27 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 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 Before development commences full details of how the residential element of the development will provide a minimum of 10% of its predicted energy needs from decentralised and/or renewable or low carbon energy sources shall have been submitted to and approved in writing by the Local Planning Authority.

The agreed details shall have been implemented in full working order before the relevant section of the development is occupied, unless an alternative timeframe is agreed in writing by the Local Planning Authority, if it is the latter then the revised timeframe shall be adhered to.

Thereafter the agreed equipment, connection and/or measures 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.

- 29 The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system 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.

- 30 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.

- 31 No development shall take place within 6 metres either side of the culverted watercourse (Carr Brook), which crosses the site.

To avoid damage to the culvert and to allow access for maintenance.

- 32 Surface water draining from areas of hardstanding associated with the business/light industrial units shall be passed through a trapped gully or series of trapped gullies, prior to being discharged into any watercourse, soakaway or surface water sewer. The gully/gullies shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the business/light industrial units and shall thereafter be retained and maintained. Clear roof water shall not pass through the gully/gullies.

To reduce the risk of pollution to the water environment.

- 33 All downpipes carrying rain water from areas of roof associated with the business/light industrial units shall be sealed at ground-level prior to the occupation of these units. The sealed construction shall thereafter be retained throughout the lifetime of the development.

To prevent the contamination of clean surface water run-off.

- 34 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.

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

Windows (including bay windows)  
Window reveals  
Doors  
Eaves and verges  
Brickwork detailing  
Balconies  
Entrance canopies  
Porches  
Roof  
Ridge & valleys  
Rainwater goods  
Garage Doors

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

In order to ensure an appropriate quality of development.

- 36 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.

- 37 Before the corresponding unit is occupied the boundary treatments associated with that unit shall be in place. Those boundary treatments shall be retained in place thereafter.

In order to ensure an appropriate quality of development.

- 38 Unless otherwise agreed in writing by the Local Planning Authority the railings and fences across the site shall be powder coated black.

In order to ensure an appropriate quality of development.

- 39 Before development commences full details of the new/upgraded steps leading from Britannia Road to Greenland Road shall have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall have been implemented prior to first occupation or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 40 Before development commences an updated ecology survey shall be carried out to identify the presence of protected species on the site and the findings shall have been approved in writing by the Local Planning Authority.

This survey should include mitigation measures to manage any impact on such species and the development shall be carried out in accordance with these measures thereafter.

In the interests of biodiversity.

- 41 Before development commences details of four bat boxes and four bird boxes to be incorporated within the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

In the interests of biodiversity.

- 42 The first and second floor rear facing windows on the central section of the elevation of the large apartment block facing west towards Plot 57 shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of these windows shall at any time be glazed with clear glass without the prior approval of the Local Planning Authority.

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

- 43 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development 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.

- 44 Before development is commenced, full details including floor plans, demonstrating that a minimum of 25% of the residential units meet Mobility Housing standards (as set out in the Sheffield City Council Supplementary Planning Guidance 'Mobility Housing'), shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

In order to ensure that the development incorporates an appropriate proportion of accommodation that is easily adaptable for use by disabled persons.

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:

BE1 - Townscape Design

BE5 - Building Design and Siting  
BE12 - Public Art  
BE15 - Trees and Woodland  
CF5 - Community Benefits  
GE4 - Development and the Green Belt Environment  
GE11 - Nature Conservation and Development  
GE24 - Noise Pollution  
H7 - Mobility Housing  
H10 - Development in Housing Areas  
H14 - Conditions on Development in Housing Areas  
H16 - Open Space in New Housing Developments  
IB5 - Development in General Industry Areas  
IB9 - Conditions on Development in Industry and Business Areas  
S7 - Development in District and Local Shopping Centres  
S10 - Conditions on Development in Shopping Areas  
CS24 - Maximising the Use of Previously Developed Land for New Housing  
CS26 - Efficient Use of Housing Land and Accessibility  
CS40 - Affordable Housing  
CS41 - Creating Mixed Communities  
CS47 - Safeguarding of Open Space  
CS63 - Responses to Climate Change  
CS64 - Climate Change, Resources and Sustainable Design of Development  
CS65 - Renewable Energy and Carbon Reduction  
Policy CS74: Design Principles.

The site is split between several land use designations and the provision of both the housing and light industrial buildings accords with the majority of the relevant land use policies. The exception to this is residential development in the section of the site within the General Industry Area. However, the above assessment concludes that the loss of a small section of industrial land to the residential element of the scheme can be tolerated so long as suitable living conditions can be provided.

The proposed scheme demonstrates a high level of design quality, which compliments the surrounding character, whilst responding to the difficult constraints of the site. The scheme also incorporates welcome hard and soft landscaping proposals, which will assist in creating a strong sense of place.

The scheme proposes a suitable amount of parking provision, particularly as the scheme is located in a sustainable location close to public transport links. The highway improvements proposed will ensure the surrounding road network has the capacity to deal with increased traffic.

The scheme has excellent energy conservation credentials, which is necessary to assist in the creation of a sustainable community.

The orientation and layout of the properties is such that future residents will be able to benefit from satisfactory living conditions. Furthermore, suitable mitigation

measures, such as physical buffers, will be in place to mitigate any possible noise nuisance from traffic or surrounding commercial uses.

The applicant will be providing a contribution towards the creation and improvement of open space and towards the provision of primary and secondary education in the locality of the site. The District Valuers Office has confirmed that it would be financially unviable for a contribution to affordable housing to be made in this case.

The Local Planning Authority have 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](http://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. As the proposed development will involve the closing/diversion of a highway(s) you are advised to contact the Principal Engineer of Highway Information and Orders, Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH, as soon as possible.
2. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

3. 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

4. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council  
2-10 Carbrook Hall Road  
Sheffield  
S9 2DB

For the attention of Mr P Vickers

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

5. 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.
6. 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](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Engineers in their document "Guidance Notes for the Reduction of Light Pollution". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available from the Institute of Lighting Engineers, telephone number (01788) 576492 and fax number (01788) 540145.
8. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours,

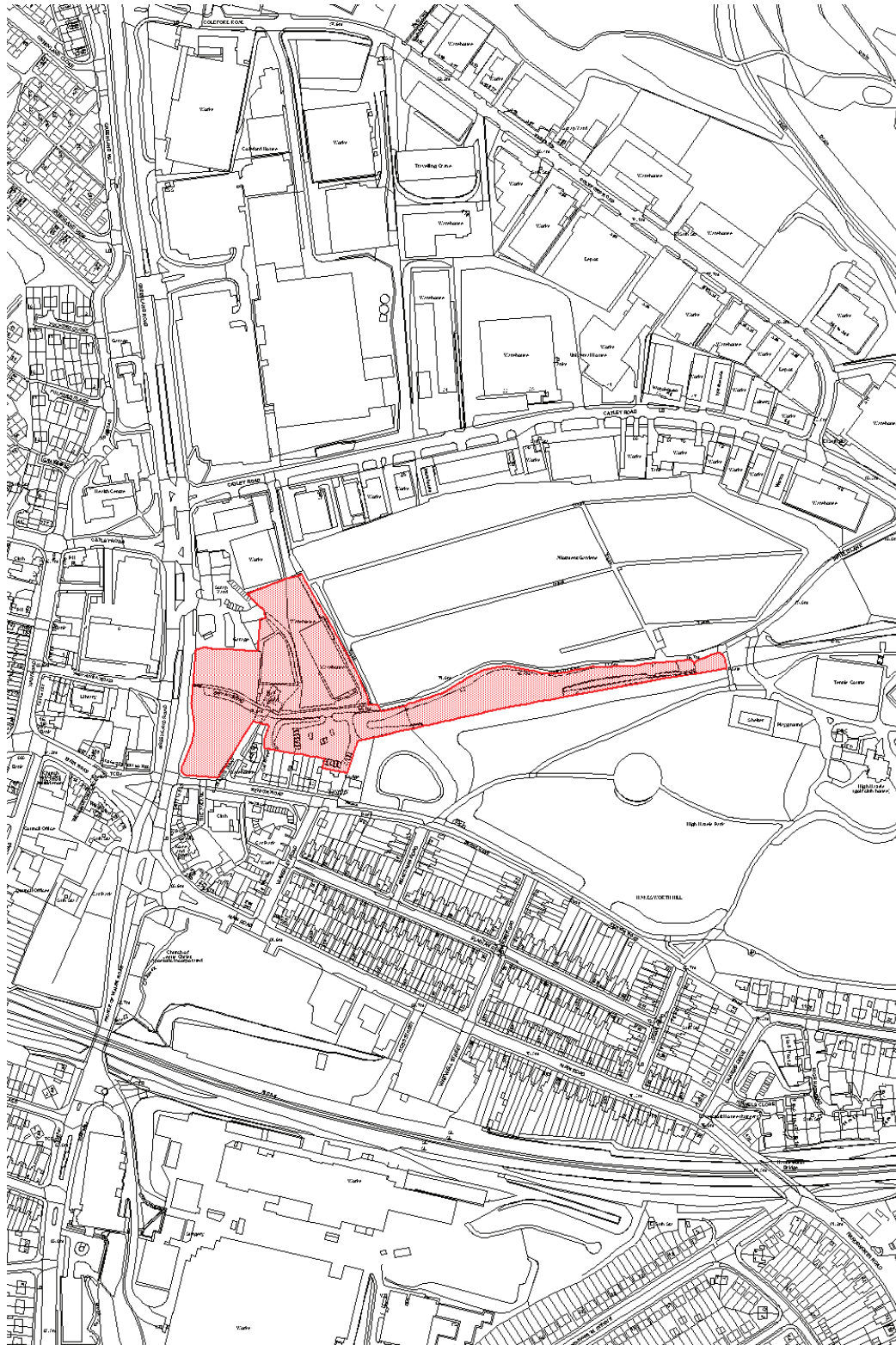


i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel - 0114 2734651.

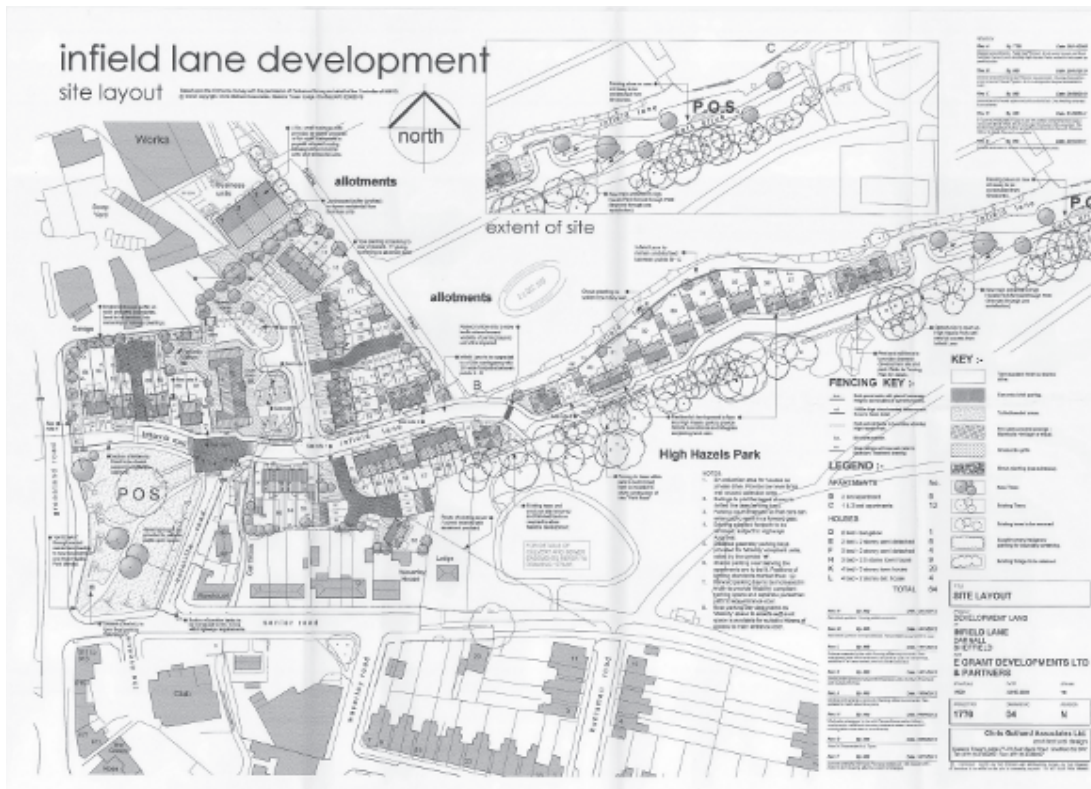
9. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
10. Plant and equipment shall be designed to ensure noise levels do not exceed 10dBA (LA90) below background noise levels when measured at the site boundary.
11. 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](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://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.

# Site Location



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## LOCATION AND PROPOSAL

This application relates to a section of largely cleared land in the Darnall area of the city. The land is split into several distinct elements and four land use designations as defined by the adopted Sheffield Unitary Development Plan (UDP), these are as follows:

- A large section to the west of the site is set within a Local Shopping Centre. This area is characterised by open grassland, although in part it did until recently house the Britannia Public House.
- The central southern section of the site is set within a Housing Area. This area is currently cleared but overgrown.
- The central northern section of the site is set within a General Industry Area with Special Industries. This area is currently occupied by a large industrial unit.
- The eastern section of the site is set within an Open Space Area, but is principally occupied by a series of smallholdings, some of which have been recently cleared.

High Hazels Park, which is Greenbelt Land, bounds the designated Open Space land to the south and a series of allotments bound this land to the north. Greenland Road runs parallel to the west of the site.

The applicant is proposing to redevelop the site in order to provide 64 new residential units and 3 business units. The residential element of the proposal would be split between 44 dwellinghouses and 22 apartments. Aside from a single bungalow, the dwellinghouses provide a mixture of two and three storey units offering a choice of terrace, detached and semi detached. The majority of the apartments will be located within a three storey block set to the west of the site.

The properties will have fairly traditional detailing and will all provide pitched roofs. The principle material will be brick, but there are also elements of render across the scheme. The residential section of the proposal would also introduce associated infrastructure, which includes new roads and the creation of a new small section of open space to the east of the site. The main vehicle access into the residential units will be taken from Catcliffe Road.

The three terraced business units will be isolated from the residential units and are to be accessed via Catley Road to the north. These units are proposed to be used for light industrial purposes only (Use Class B1) and provide double height spaces with pitched roofs. They will principally be constructed in profiled metal cladding.

#### RELEVANT PLANNING HISTORY

None.

#### SUMMARY OF REPRESENTATIONS

There have been three representations submitted in relation to the proposal.

The first representation raises issues in respect of land ownership, which have been checked and addressed accordingly by the applicant.

The second representation is from a resident on Senior Road who objects to the scale of the three storey properties on the site. This representation states that these properties would overpower the existing two storey properties on Senior Road. Concern is also expressed in respect of the only vehicle access points being from Senior Road and Infield Lane, as these roads already suffer from congestion.

The third representative is from a resident on Catcliffe Road who expresses disappointment that the only access is from Catcliffe Road. This road is extremely bad in the winter with cars getting stuck. This road is also the subject of traffic congestion at times.

#### PLANNING ASSESSMENT

##### National Planning Policy Framework

The recently published National Planning Policy Framework (NPPF) has replaced a significant proportion of the previous national policy framework and 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. The following assessment will have due regard to these overarching principles.

#### Land Use

##### - Brownfield Land

Several sections of the site fall within the definition of previously developed brownfield land and the following policies are relevant to that.

The NPPF encourages the reuse of land that has been previously developed (brownfield land).

Policy CS24: Maximising the Use of Previously Developed Land for New Housing within the adopted Sheffield Development Framework Core Strategy (CS) states that 88% of new housing should be developed on brownfield sites.

The principle of this residential development on this previously developed brownfield land is therefore considered to be in accordance with the above land use policies.

##### - Greenfield Land

Policy CS24: Maximising the Use of Previously Developed Land for New Housing within the CS states that no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. CS24 goes on to state that housing on greenfield sites will only be developed in certain circumstances, including sustainably located larger sites within or adjoining urban areas, so long as annual monitoring shows that there is less than a five years supply of deliverable sites.

Completions of properties have not reached the stated 12% and the site is located adjacent to the centre of Darnal and adjacent to Greenland Road, which is clearly urban in character. In addition there is not currently a five years supply of deliverable sites.

Based on the above the development on the greenfield sections of the site is considered to be acceptable in relation to Policy CS24.

##### - Housing Land

Policy H10: Development in Housing Areas within the UDP lists a number of uses that are regarded as preferred, acceptable and unacceptable in such areas.

Housing is listed as the preferred use and the development is therefore supported by Policy H10.

##### - General Industrial Land

Policy IB5: Development in General Industry Areas within the UDP lists a number of uses that are regarded as preferred, acceptable and unacceptable in such areas.

Policy IB9: Conditions on Development in Industry and Business Areas within the UDP states that new development should not lead to a concentration of uses which would prejudice the dominance of industry and business in the area.

Residential development is listed as unacceptable in such areas and the scheme has been advertised as a departure from the adopted plan for this reason. However, as the development is replacing an existing outdated and underused warehouse with new business units, the loss of a small section of industrial land to the residential element of the scheme can be tolerated in relation to Policy IB5.

The preferred uses will remain dominant in the area, which is in accordance with Policy IB9.

#### Local Shopping Area

Policy S7: Development in District and Local Shopping Centres within the UDP lists a number of uses that are regarded as preferred, acceptable and unacceptable in such areas.

Policy S10: Conditions on Development in Shopping Areas within the UDP states that in such areas new development should not lead to a concentration of uses which would prejudice the dominance of preferred uses in the area.

Housing is listed as an acceptable use in Policy S7 and, as the site does not currently provide any retail uses, there is no issue with dominance. Further to this the emerging Sheffield Development Framework City Policies and Sites document proposes to take this land out of the Local Shopping Centre boundary.

The proposed development of this designated shopping land is therefore considered to be acceptable.

#### Open Space Land

Policy CS47: Safeguarding of Open Space within the CS sets out several criteria that must be met for the development of open space to be considered acceptable. It states that development of open space will be permitted where:

- It would not result in a quantitative shortage of either informal or formal open space in the local area.
- It would not result in the loss of open space that is of high quality or of heritage, landscape or ecological value.
- People in the local area would not be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area.

- It would not cause or increase a break in the city's Green Network.
- The site is identified as surplus for its current open space function and it could not fulfil other unsatisfied open space needs.

CS47 goes on to state that it may be appropriate that part of an open space is developed if it secures improvements to the quality of remaining open space.

The designated open space land that would be lost to the development consists of an area alongside the existing allotments at Infield lane. This area has been used over the years primarily as smallholdings and in recent times has been mostly neglected and underused, with some plots having been used for storage and some for keeping animals.

The space is of very poor quality is subject to fly tipping and antisocial behaviour and is not considered to be of any recreational value. The Open Space Assessment for the site has indicated that there is adequate informal open space in the area, which includes High Hazels Park to the immediate south, and the area is not ideally placed to meet formal recreational needs.

To make up for the loss of this area the applicant has agreed to the enhancement of the open area at Britannia Road and the enhancement of a further area to the far eastern end of the site where the development will merge with High Hazels Park. This second area will provide an enhanced access into the park.

In addition to the above this section of the site is not considered to have any notable heritage, landscape or ecological value.

The proposal is therefore considered to comply with Policy CS47.

#### Density of Development

Policy CS26: Efficient Use of Housing Land and Accessibility within the CS requires appropriate housing densities to ensure the efficient use of land. As this site is within an urban area, near a District Centre and in the proximity of a high frequency bus route the recommended density is between 50 to 80 units per hectare.

The scheme will provide 36 dwellings per hectare, which is below the target set out within Policy CS26. However, the policy allows densities outside of these ranges where the development achieves good design, which reflects the character of an area.

It will be demonstrated within the design section of this assessment that the scheme is regarded as being of a high quality design, which reflects the character of the area and accounts for the constraints of the site. As such the proposal is considered to be in accordance with Policy CS26.

#### Creating Mixed Communities

Policy CS41: Creating Mixed Communities within the CS encourages the creation of mixed communities and states that they should be promoted by developing housing to meet a range of needs, including a mix of prices, sizes, types and tenures.

The proposed scheme supports the objectives of CS41 as it provides a wide range of housing types and sizes.

#### Affordable Housing

Policy CS40: Affordable Housing states that developers of all new housing schemes will be required to contribute towards the provision of affordable housing where this is practical and financially viable. The target within CS40 is between 30 & 40% of the units.

The scheme has been assessed by the District Valuers Office, who has confirmed that it would be financially unviable for a contribution to affordable housing to be made in this case. Whilst this is regrettable, this approach accords with national and local policy.

The scheme is therefore considered to be in accordance with Policy CS40.

#### Landscaping & Ecology

Policy GE11: Nature Conservation and Development within the UDP states that the natural environment should be protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation.

Policy BE15: Trees and Woodland within the UDP states that trees and woodland will be encouraged and protected by:

- Planting, managing and establishing trees and woodland.
- Requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

As part of delivering the scheme several existing trees will be removed and it is considered that these are predominantly of a poor quality. Some trees of a reasonable quality will be lost along the park boundary in order for the new road to be accommodated. This is not seen as a notable issue as the thinning of this tree line will allow a better interaction between the new houses and the park. It is also noteworthy that there will be a number of new trees delivered as part of the scheme and existing open spaces will be upgraded.

The applicant has undertaken a scoping report in relation to endangered species and the Ecology Section have confirmed that suitable mitigation measures have been proposed as relevant.



The proposal is therefore considered to accord with the above landscaping and ecology policies.

## Design

The NPPF states that development should always seek to secure high quality design.

Policy CS74: Design Principles within the CS states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive feature of the city.

Policy BE1: Townscape Design within the UDP states that a high quality townscape will be promoted with a positive approach to conservation and a high standard of new design.

Policy BE5: Building Design and Siting within the UDP states that good design and the use of good quality materials will be expected in all new buildings.

Policy H14: Conditions on Development in Housing Areas within the UDP states that new development should be well designed and in scale and character with neighbouring buildings.

Policy IB9: Conditions on Development in Industry and Business Areas within the UDP states that new development should be well designed and be of a scale and nature appropriate to the site.

Policy S10: Conditions on Development in Shopping Areas within the UDP states that new development should be well designed and of a scale and nature appropriate to the site.

## - Layout

The applicant has had to work with a number of constraints across the site, which has impacted on the layout. The most notable of these is the sewer and culvert that run through the central section of the site. These features, along with their associated easements, have resulted in a larger than preferred expanse of road and landscaping, but this has proved unavoidable.

The buildings have been sited logically across the development with plots being orientated to create enclosed streets where appropriate with other units addressing open spaces. Plots 28-41 offer a good example of this having been orientated to have a frontage onto the park.

## Scale and Massing

The scale of buildings across the site has been broken down into two distinct elements. With the exception of plots 57-64, the properties to the west of the site are three storeys in height. The principle reason for this is in order to reduce the enclosure ratio given the width of easement that was required.

The properties facing the park have been reduced in scale to two storeys in order to better reflect this less urban setting, which is also Green Belt.

The overall massing of the units has been carefully considered to ensure that the roofscape steps with the topography, which is welcomed. The architects have employed a number of features, particularly on the apartment block, in order to reduce the potential bulk of buildings. This has included the introduction of gable features and balconies.

#### - Detail

As discussed above the architects have created two distinctive character areas in response to the constraints of the site. The differing approaches are however tied together through the use of a unified materials and approaches to urban realm design such as boundary treatments.

These materials and features will be used in different ways throughout the development to allow for a unity across the varying character areas, whilst also creating distinctiveness and visual interest.

The principle materials used (brick and slate) will tie in with properties in the wider area, which is welcomed.

In light of the above, the scheme is considered to comply with the above design policies.

#### - Industrial Units

The industrial units will not be overly visible from many vantage points and will be of a limited scale. The materials used are in keeping with this type of use and the design principles are therefore supported.

In light of the above, the scheme is considered to comply with the highlighted design policies.

#### Impact on Greenbelt

Policy GE4: Development and the Green Belt Environment within the UDP states that the scale and character of any development that would be conspicuous from the Green Belt should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment.

Green Belt land, which takes the form of High Hazels Park, is set to the immediate south of the current small holdings and the proposed dwellings will be visible from a number of vantage points. The proposed dwellings will be screened to a degree by the existing trees on this boundary and are considered to have been designed sympathetically to the setting. For example they are set at two storeys in height, in order for prominence to be reduced.

The scheme will be making sympathetic improvements to the landscape through the introduction of new and improved areas of open space at either end of the site.

The proposed scheme is therefore considered to accord with the requirements of Policy GE4.

#### Amenity

Policy GE24: Noise Pollution within the UDP requires that development should not create noise levels causing a nuisance, and sensitive uses and noisy uses should not be located close together.

Policy H14: Conditions on Development in Housing Areas within the UDP states that new development should not deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

Policy IB9: Conditions on Development in Industry and Business Areas within the UDP states that new development or change of use applications should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

Policy S10: Conditions on Development in Shopping Areas within the UDP states that new development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

The applicant has provided a noise assessment that has demonstrated that with suitable mitigation measures, which includes the use of higher than normal glazing specifications in places, noise between the new residential units and other possible noise nuisances (road traffic and the commercial units to the north) will be suitably mitigated. Suitable conditions will be imposed to ensure this is the case.

The new business units will be limited to light industrial (Use Class B1) to ensure they do not create noise nuisance to the new residents. Indeed these units and new tree planting on boundaries will provide a buffer from surrounding sources of noise.

The internal environment offered to future residents by the proposed residential units is considered to be of a high quality. The accommodation offers good sized living spaces, to which the habitable rooms all have sources of natural light and ventilation and an adequate outlook.

The layout of the estate is such that suitable distance has been provided to ensure the amenity of future residents and existing surrounding residents will be satisfactory in respect of privacy, dominance and shadowing. The only notable exception to this is plot 57, which is set closer to the apartment block than would have been ideal. This is principally as a consequence of the easement that limits the position of the apartments. Whilst not ideal, no habitable rooms will face onto the garden (it is a communal corridor) and the unit will be set a reasonable distance away from a large section of this garden space.

The majority of the future units will be provided with adequate private amenity space. The exception to this will be the Type B properties, which are the two storey apartment units. These house types will have small amenity areas, but this can be tolerated given the ease of access to the adjacent park.

Suitable conditions will be imposed to ensure ground contamination is dealt with as part of the redevelopment.

The proposal is therefore considered to comply with the relevant amenity policies.

## Highways

Policy H14: Conditions on Development in Housing Areas within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

Policy IB9: Conditions on Development in Industry and Business Areas within the UDP states that new development or change of use applications should be adequately served by transport facilities and provide safe access to the highway network and appropriate off street parking.

Policy S10: Conditions on Development in Shopping Areas within the UDP states that new development should be adequately served by transport facilities and provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

The scheme is considered to provide a suitable level of car parking to meet the needs of future residents and the proposed business units given the close proximity to excellent public transport, which includes a high frequency bus route.

The scheme will offer safe access to the highway networks and provide a safe pedestrian environment.

As part of delivering the project various highway improvements are to be incorporated, which includes the widening of the Catcliffe Road and Senior Road junction and the provision of an enhanced vehicle access point to High Hazels Park. It is considered that these improvements will ensure that the surrounding highway network will have the capacity to deal with the additional vehicle numbers.

The scheme is therefore considered to be in compliance with the above highway policies.

## Sustainability

Policy CS63: Responses to Climate Change within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.

- Giving preference to development on previously developed land where this is sustainably located.

- Adopting sustainable drainage systems.

Policy CS64: Climate Change, Resources and Sustainable Design of Development within the CS sets out a suite of requirements in order for all new development to be designed to reduce emissions. In practice, to satisfy the main body of the policy residential developments should achieve Code Level 3 within the Code for Sustainable Homes.

Policy CS65: Renewable Energy and Carbon Reduction requires new residential developments to achieve a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

The energy conservation credentials of the scheme are considered to be excellent. The developer has agreed to provide 10% of the dwellings energy through renewable sources and meet Code Level 3 within the Code for Sustainable Homes.

The development also includes other sustainability measures including using porous surfacing materials in places, reducing surface water run-off and providing spaces for cycle parking. The sustainability credentials are further increased owing to the sustainable urban location.

The proposal is considered to meet the requirements set out within Policies CS63, CS64 & CS65.

#### Public Art

Policy BE12: Public Art within the UDP encourages public art as an integral part of the design of major developments and a condition will be attached to ensure public art is incorporated into the scheme.

The proposal is therefore considered to be in accordance with Policy BE12.

#### Access

Policy H7: Mobility Housing within the UDP requires 25% of new residential units to be mobility compliant or easily adaptable and the applicant has agreed to meet the 25% quota.

The proposal is therefore considered to meet the requirements of Policy H7.

#### Archaeology

The scheme has been assessed by the South Yorkshire Archaeology Service who have confirmed that there is nothing of potential interest on the site.

## S106 Requirements

### - Education

Policy CF5: Community Benefits within the UDP states that planning obligations will be sought where they would enhance development proposals, provided that they are necessary, relevant and directly related to the development.

It is recognised that new housing developments may create new demand on existing community facilities, including schools and, as a result of population growth, schools are already at capacity. There is also expected to be a shortfall in the supply of school places in the wider area. On this basis, the School Organisation Team considers that a claim is justifiable for Section 106 contributions against all dwellings over one bedroom in the development for both primary provision, at £2,548 per dwelling, and secondary provision, at £2,743 per dwelling. The final education contribution would therefore be £306,878.

Circular 05/05: Planning Obligations introduced tests to ensure that the requirement for a financial contribution linked to approving development was justifiable. The main tests the Circular introduced were:

1. The contribution is relevant to planning.
2. The contribution is essential for consent to be granted.
3. The contribution is proportionate to the scale of the development.

The contribution is to be made in line with the requirements of Policy CF5, as outlined above. It is essential for a contribution towards Education within the locality to ensure an acceptable service can be provided for future occupiers of the proposed development. The contribution has been worked out on the basis of the number and size of units and thus is proportionate to the scale of the development. It is therefore considered that the tests set out in Circular 05/05 have been met.

### - Open Space

Policy H16: Open Space in New Housing Developments within the UDP requires the developer to make a contribution to the improvement or creation of recreation space in the locality, in line with details set out in the Supplementary Planning Guidance on Open Space Provision in New Housing Development.

The financial contribution for this site amounts to £92,174.70 based upon the fact that the area has an under-provision of formal open space and, although there is adequate informal open space, it requires upgrading. This contribution would be used to enhance or create open space within the catchment area of the site following consultation with the Community Assembly.

In relation to Circular 05/05: Planning Obligations the contribution is to be made in line with the requirements of Policy H16, as outlined above. It is essential for a contribution towards Open Space within the locality to ensure an improved environment for occupiers of the proposed development. The contribution has been worked out on the basis of the number and size of units and thus is

proportionate to the scale of the development. It is therefore considered that the tests set out in Circular 05/05 have been met.

## RESPONSE TO REPRESENTATIONS

Issues raised in the representation have been addressed in the above assessment.

## SUMMARY AND RECOMMENDATION

The site is split between several land use designations and the provision of both the housing and light industrial buildings accords with the majority of the relevant land use policies. The exception to this is residential development in the section of the site within the General Industry Area. However, the above assessment concludes that the loss of a small section of industrial land to the residential element of the scheme can be tolerated so long as suitable living conditions can be provided.

The proposed scheme demonstrates a high level of design quality, which compliments the surrounding character, whilst responding to the difficult constraints of the site. The scheme also incorporates welcome hard and soft landscaping proposals, which will assist in creating a strong sense of place.

The scheme proposes a suitable amount of parking provision, particularly as the scheme is located in a sustainable location close to public transport links. The highway improvements proposed will ensure the surrounding road network has the capacity to deal with increased traffic.

The scheme has excellent energy conservation credentials, which is necessary to assist in the creation of a sustainable community.

The orientation and layout of the properties is such that future residents will be able to benefit from satisfactory living conditions. Furthermore, suitable mitigation measures, such as physical buffers, will be in place to mitigate any possible noise nuisance from traffic or surrounding commercial uses.

The applicant will be providing a contribution towards the creation and improvement of open space and towards the provision of primary and secondary education in the locality of the site. The District Valuers Office has confirmed that it would be financially unviable for a contribution to affordable housing to be made in this case.

The application is recommend for conditional approval subject to a planning obligation under Section 106 with the following Heads of Terms:

### Heads of Terms

1. The owner shall pay to the Council on or before the commencement of the development the sum of £92,174.70 to be used for the provision and improvement of open space in the locality of the site.

2. The owner shall pay to the Council on or before the commencement of the development the sum of £306,878 for the provision of primary and secondary education in the locality of the site.

In the event that a satisfactory S106 planning obligation covering the Heads of Terms set out in the preceding paragraph is not concluded before 25 January 2012 (in order to meet the Government's target time for the determination of the application), it is recommended that the application be refused for the failure to make adequate provision in this regard.





## SHEFFIELD CITY COUNCIL City Centre, South & East Planning & Highways Committee

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**Report of:** Director of Development Services

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**Date:** 14 January 2013

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**Subject:** Enforcement Report

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**Author of Report:** Khalid Mahmood

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**Summary:** Unauthorised creation of a hard standing surface at the front of 326 Granville Road, S2

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**Reasons for Recommendations:**

The owner is not making any attempt to resolve this issue and it is now considered that the matter should be reported for further enforcement action.

**Recommendations:**

That authority be given to the Director of Development Services or the Head of Planning to take all necessary steps including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised hard standing at the front of 326 Granville Road, S2. The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

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**Background Papers:**

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**Category of Report:** OPEN

## DEVELOPMENT SERVICES

### REPORT TO CITY CENTRE SOUTH & EAST PLANNING AND HIGHWAYS COMMITTEE

14 JANUARY 2013

## ENFORCEMENT REPORT

### UNAUTHORISED CREATION OF A HARDSTANDING SURFACE AT THE FRONT OF 326 GRANVILLE ROAD, S2.

#### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Committee Members of a breach of planning control and to make representations on any further action required.

#### 2. BACKGROUND AND BREACH

- 2.1 326 Granville Road is a two storey mid terrace property located near the junction with City Road. The site lies within a Housing Area as designated within the Sheffield Unitary Development Plan.
- 2.2 A complaint was received in August 2010 about the creation of a drive and a hard standing at the front of the property. A site visit was carried out and it was noticed that a small wall with a hedge had been removed and a concrete based hard standing had been created which was more than 5 square metres. No dropped kerb had been created and Officers have not witnessed any vehicles parked on the hard standing.
- 2.3 Several letters have been sent to the owner of the property and telephone conversations have taken place in trying to resolve this issue. The owner has removed a small part of the hard standing near to the pavement to create a porous area to allow water to run-off into it. However, this permeable area is not sufficient to stop water run off onto the highway.
- 2.4 Further letters have been sent to the owner suggesting that a drain or gully is created at the bottom of the hard standing to allow water to run-off into a permeable or porous area, so that water can be soaked into the ground and not onto the highway. The owner has ignored any requests to do this and it is now considered that the matter should be reported for further action.

3. ASSESSMENT OF BREACH OF CONTROL
- 3.1 Under Class F of the Town and Country Planning (General Permitted Development) Order 2008 any area of ground covered by a hard standing surface such as concrete, which would exceed 5 square metres, would require planning permission, unless the hard surface is made from a porous materials or provisions have been made to direct run-off water from the hard surface to a permeable or porous surface within the curtilage of the dwellinghouse.
- 3.2 Sheffield Development Framework Core Strategy Policy CS67 – Flood Risk Management requires that all developments significantly limit surface water run-off and the use of Sustainable Drainage Systems or sustainable drainage techniques an all sites where feasible and practical.
- 3.3 Unitary Development Plan Policy BE5 ‘Building Design and Siting’ states that new development should complement the scale, form, and architectural style of surrounding buildings.
- 3.4 Unitary Development Plan Policy H14 ‘Condition on Development in Housing Areas’ states that developments should be well designed and in scale and character with the neighbouring buildings.
- 3.5 The removal of the wall and hedge does not require planning permission but in this case the majority of properties on this part of the road are all of a similar character with a small wall with a hedge. The removal of the hedge and the wall and the creation of the concrete based hard standing is out of keeping with the character of this area.
- 3.6 The frequency of flood events is increasing and every effort must be made to eliminate attenuate surface water run-off as this exacerbates the problem. This is why it is important to tackle this breach of planning control.
- 3.7 The photographs below shows the hard standing and the small permeable area which is considered not be sufficient to stop water run-off onto the highway and the change of character of the property by the removal of the wall and hedge.



4. REPRESENTATIONS

- 4.1 A verbal representation was received regarding the creation of a hard standing and drive and the use of the hard standing for the parking of vehicles.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from the recommendations of this report.

6. EQUAL OPPORTUNITY IMPLICATIONS

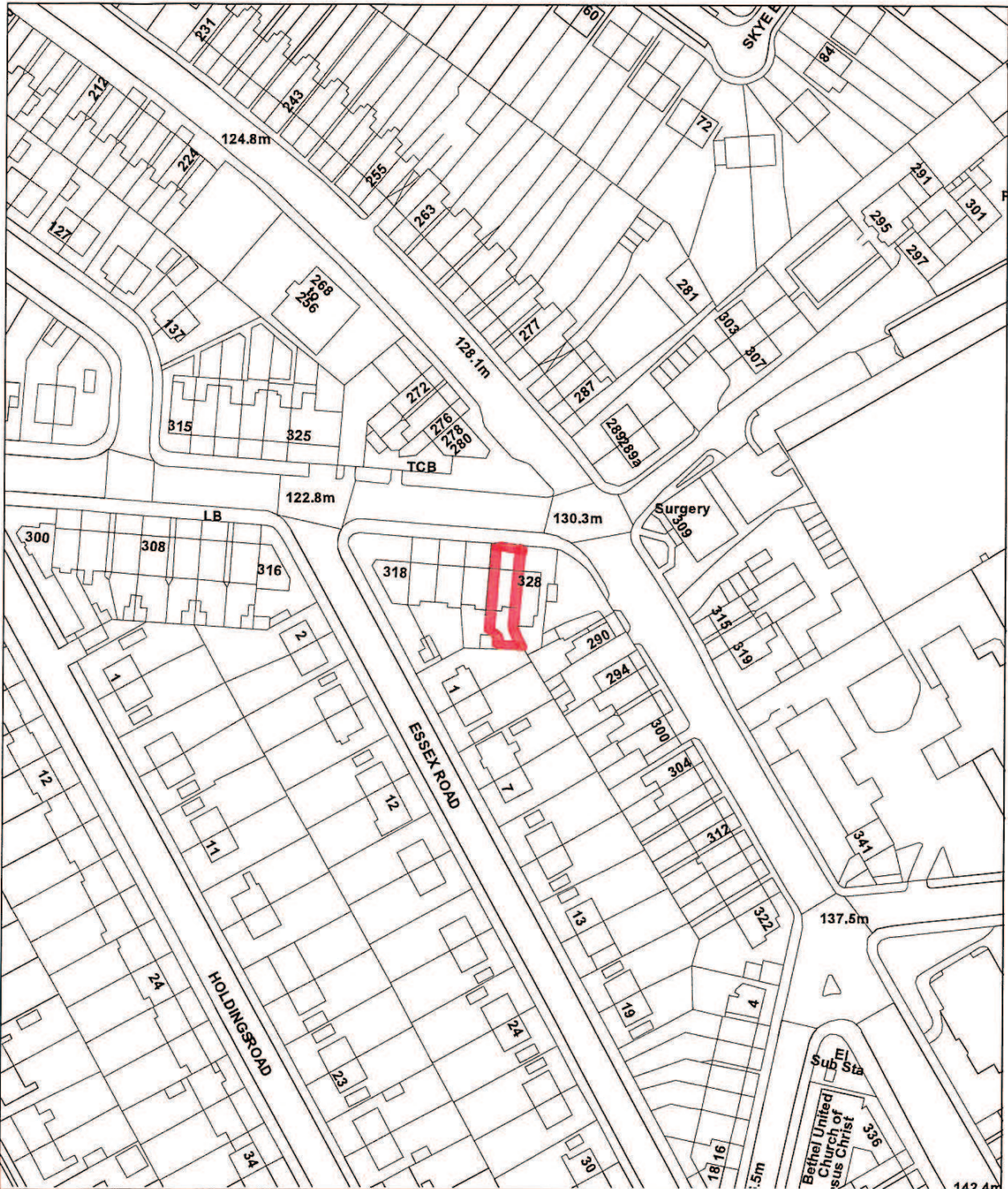
- 6.1 There are no equal opportunities implications arising from the recommendations of this report

7. RECOMMENDATIONS

- 7.1 That authority be given to the Director of Development Services or the Head of Planning to take all necessary steps including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised hard standing at the front of 326 Granville Road, S2. The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Dave Caulfield  
Head of Planning


2 January 2013




  
 Sheffield City Council
   
 Development Services,
   
 Sheffield City Council,
   
 Howden House,
   
 1 Union Street,
   
 SHEFFIELD
   
 S1 2SH

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Scale : 1:1250



Date: 01 October 2010



## SHEFFIELD CITY COUNCIL City Centre, South & East Planning & Highways Committee

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**Report of:** Director of Development Services

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**Date:** 14 January 2013

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**Subject:** Enforcement Report

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**Author of Report:** Khalid Mahmood

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**Summary:** Unauthorised use of premises for the storage and hire of skips at 40 Woolley Wood Road, Sheffield, S5 and if necessary to take further action at 44 Woolley Wood Road Sheffield, S5 and 11 Holywell Road, Sheffield, S4

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**Reasons for Recommendations:**

The owner is not making any attempt to resolve this issue and it is now considered that the matter should be reported for further enforcement action.

**Recommendations:**

That authority be given to the Director of Development Services or Head of Planning to take all necessary steps, including enforcement action, service of a stop notice and the institution of legal proceedings, if necessary, to secure the cessation of the use of the premises for the storage of skips and skip hire and the removal of skips and skip loaders from 40 Woolley Wood Road.

To delegate to the Director of Development Services or the Head of Planning power to authorise the taking of all necessary steps, including enforcement action, service of a stop notice and the institution of legal proceedings, if necessary, to secure the cessation of the use of the premises for skip hire and the removal of skips and skip loaders from 44 Woolley Wood Road or 11 Hollywell Road in the event that evidence of a breach of planning control relating to the running of such a skip hire business from either premises comes into the possession of the Council.

The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

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**Background Papers:**

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**Category of Report:** OPEN

14 JANUARY 2013

## **ENFORCEMENT REPORT**

UNAUTHORISED USE OF PREMISES FOR THE STORAGE AND HIRE OF SKIPS AT 40 WOOLLEY WOOD ROAD, SHEFFIELD, S5 AND IF NECESSARY TO TAKE FURTHER ACTION AT 44 WOOLLEY WOOD ROAD SHEFFIELD, S5 AND 11 HOLYWELL ROAD, SHEFFIELD, S4.

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Committee Members of a breach of planning control and to make recommendations on any further action required.

### 2. BACKGROUND AND BREACH

- 2.1 40 Woolley Wood Road is a two storey semi-detached property located within a residential area. The site lies within a Housing Area as designated in the Sheffield Unitary Plan.
- 2.2 Previously enforcement action has been taken against the property for the breaking and dismantling of equipment including vehicles and for the storage of scrap metal, pallets and associated machinery and also for the unauthorised use of the highway in the vicinity of 30 to 72 Woolley Wood Road for the open storage of scrap metal on vehicles and for the purpose of storage of commercial vehicles and trailers.
- 2.3 A recent complaint has been received regarding the use of 40 Woolley Wood Road for the storage of skips and use of the premises as a skip hire business. An Officer visited the site and noticed a number of skips stored at the property and a skip loader outside the premises. Skip hire uses do not fall within any use class and are considered to be sui generis use.
- 2.4 Several requests have been made asking the owner/occupier to stop this use and remove the skips and the skip loader. Assurances have been given by the occupier that the skips would be removed, however, to date the skips and skip loader have not been removed.
- 2.5 It is considered expedient that this matter is reported directly for enforcement action because of the extensive nature of the problems and the fact that the owner/occupier has been un-cooperative in the past with these properties and in many cases the Council has had to take enforcement action against the owner to resolve these issues.



- 2.6 At the time of writing this report there has been no evidence of a breach of planning control in relation to either 44 Woolley Wood Road or 11 Holywell Road. The concern is that the service of an enforcement notice at 40 Woolley Wood Road may result in the displacement of activity from that site to the other two sites as has occurred in the past.
- 2.7 44 Woolley Wood Road has previously also been the subject of enforcement action against the property for the storage of scrap metal, pallets and the parking of commercial vehicles, trailers and parking of vehicles associated with the scrap metal business.
- 2.8 11 Holywell Road is the formal place of business of the owner/occupier of the business and has not previously been the subject of planning enforcement action as it has permission for a B8 – Storage or Distribution use but it has been the subject of previous complaints. The formation of a skip hire business would however require planning permission as this is a sui generis activity which falls outside the Use Class.

### 3. ASSESSMENT OF BREACH OF CONTROL

- 3.1 40 Woolley Wood Road is located within a Housing Area as designated in the Sheffield Unitary Development Plan.
- 3.2 Skip hire businesses are normally defined as sui generis use. The use of the premises for the storage of skip falls under Use Class B8 – Storage or Distribution. It is Officer's firm opinion that if a retrospective planning permission for the open storage of skips or for the use of the premises for skip hire was submitted it would not be granted at this location.
- 3.3 It is considered that the storage and hire of skips is an inappropriate use of land within this Housing Area. The loading and unloading of skips from the back of skip loaders could be a source of excessive noise and disturbance for the living conditions of the neighbouring residents and the storage could also harm the appearance and character of the area. The loading and unloading of the skips onto the back of the skip loader would also mean that the skip loader has to be parked across the highway blocking the footpath and the highway this raises serious concerns about safety of pedestrian and other road users in this residential area.
- 3.4 Unitary Development Plan Policy H10 states that the use of land for open storage purposes in housing areas is unacceptable because such uses harm living conditions for people living nearby. They also attract frequent use of heavy vehicles in housing areas and are liable to cause noise nuisance.

- 3.5 Unitary Development Plan Policy H14 'Conditions on Development in Housing Areas' states that for non housing uses, they should not lead to air pollution, noise, smell, excessive traffic levels or other nuisance, or risk to health and safety for people living nearby.
- 3.6 The Photographs below show the property in question and clearly demonstrates the use is unacceptable and inappropriate in this residential area.



#### 4. REPRESENTATIONS

- 4.1 A number of complaints have been received from other agencies regarding the use of the premises as a skip hire business.

#### 5. ASSESSMENT OF ENFORCEMENT OPTIONS

- 5.1 The service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 enables the Local Planning Authority to issue Enforcement Notices where there has been breach of planning control. In this case the notice would require the removal of the unauthorised skips, skip loaders and to stop using the site for the storage of skips and for skip hire. There is a right of appeal to the Planning Inspectorate against the service of an Enforcement Notice. However it is considered that the Council would be able to successfully defend any such appeal.

- 5.2 A more severe course of action would be to issue a Stop Notice in conjunction with an Enforcement Notice. The Stop Notice would take effect within 3 days following the date of service and an offence would be committed for any failure to comply with the Stop Notice. In this case the Stop Notice would require the cessation of the use of the property for skip hire. A successful appeal against a Stop Notice can lead to costs award against the Council for any losses incurred because work has stopped, but only if there was found to be no breach of planning control. In this case the risk is considered to be non-existent.

- 5.3 Given the past displacement of activity caused by the service of Enforcement Notices and Stop Notices on 40 Woolley Road, it may be appropriate to delegate to the Head of Planning power to authorise the issue of enforcement proceedings as above at paragraph 5.1 and 5.2 against the owner/occupier of the skip hire business for any breach of planning control arising from the use of either 44 Woolley Wood Road or 11 Holywell Road as a skip hire business, rather than delay further enforcement through a further report back to the Area Committee.

#### 6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications arising from the recommendations of this report

#### 7. EQUAL OPPORTUNITY IMPLICATIONS

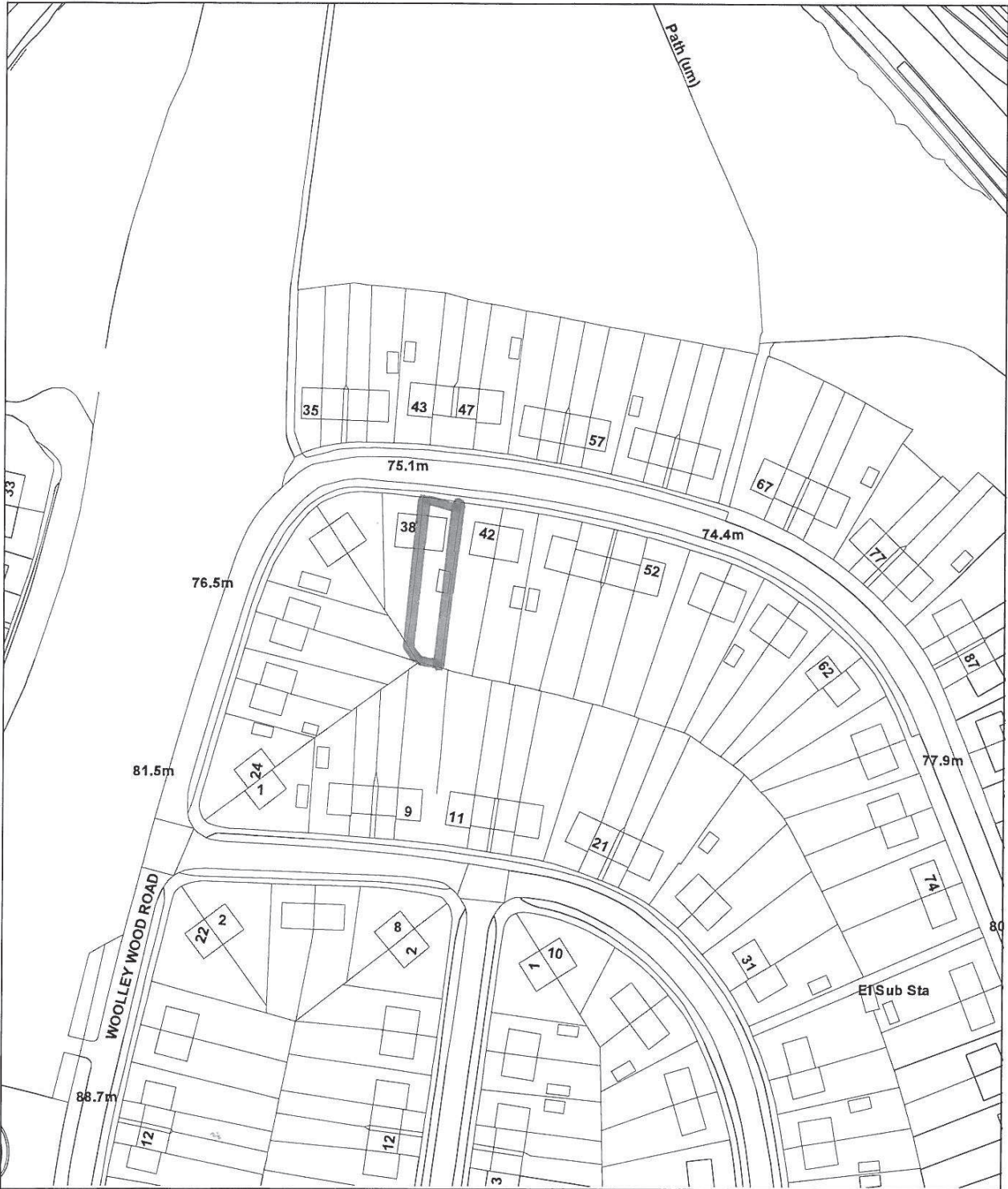
- 7.1 There are no equal opportunities implications arising from the recommendations of this report.

## 8. RECOMMENDATIONS

- 8.1 That authority be given to the Director of Development Services or Head of Planning to take all necessary steps, including enforcement action, service of a stop notice and the institution of legal proceedings, if necessary, to secure the cessation of the use of the premises for the storage of skips and skip hire and the removal of skips, skip loaders from 40 Woolley Wood Road.
- 8.2 To delegate to the Director of Development Services or the Head of Planning power to authorise the taking of all necessary steps, including enforcement action, service of a stop notice and the institution of legal proceedings, if necessary, to secure the cessation of the use of the premises for skip hire and the removal of skips, skip loaders from 44 Woolley Wood Road or 11 Hollywell Road in the event that evidence of a breach of planning control relating to the running of such a skip hire business from either premises comes into the possession of the Council.
- 8.3 The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

D Caulfield  
Head of Planning

2 January 2013

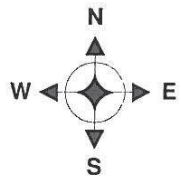


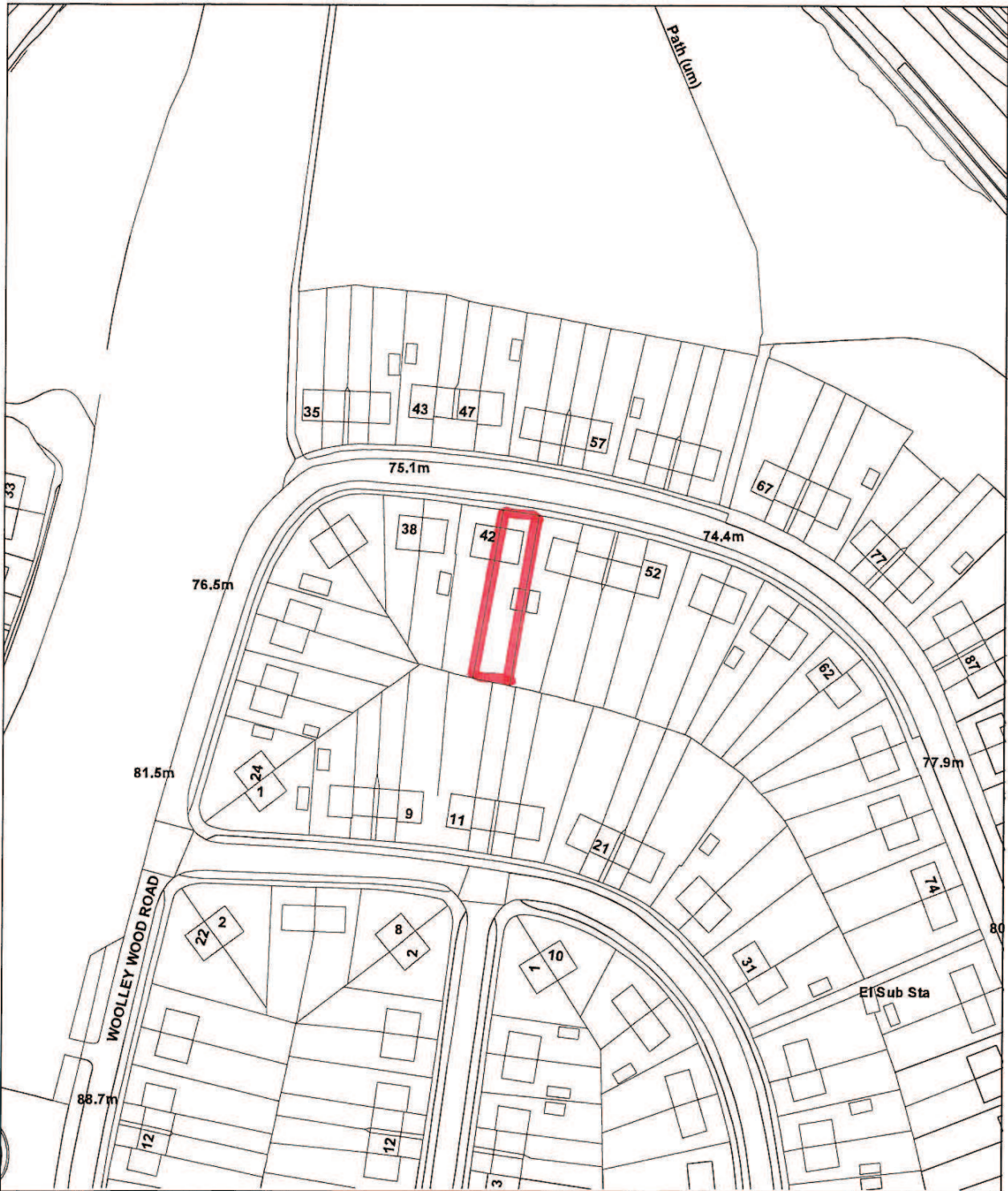
Development Services,  
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Date 27 December 2012

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## SHEFFIELD CITY COUNCIL City Centre, South & East Planning & Highways

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**Report of:** Director of Development Services

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**Date:** 14 January 2013

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Author of Report:** Sue McGrail 0114 2734404

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**Summary:**

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO CITY CENTRE,  
SOUTH & EAST PLANNING &  
HIGHWAYS COMMITTEE  
14 January 2013

### 1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

### 2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the Delegated decision of the City Council for the construction of a front dormer window to dwellinghouse at 2 Meersbrook Avenue (Case No 12/02020/FUL)

(ii) An appeal has been submitted against the decision of the Council at its meeting of the 5<sup>th</sup> November 2012 to refuse consent for the demolition of buildings on Plots 4 & 5, the erection of a retail unit including garden centre, a car dealership, a drive-thru coffee shop and associated car parking on Plot 5 at land and buildings at Meadowhall Way, Meadowhall Drive, Vulcan Road and Weedon Street (Case No 12/01017/FUL)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the decision of the Council to refuse planning consent under delegated powers for an extension and alterations to stores, car port and boundary walls at 37 Crescent Road (Case No 12/01808/FUL) has been dismissed

#### Officer Comment:-

The Inspector considered the main issues to be the effect of the proposals on the character and appearance of the Nether Edge Conservation Area; and the impact upon the occupiers of 54 Steade Road, which faced the rear of the site.

He considered that the 1.8m gates, at 4m wide, incorporated into the boundary treatment were of a scale inappropriate to their context, and that the site demanded something 'more modest and restrained', and were in conflict

with Policy BE16 of the Unitary Development Plan.

He noted that the Steade Road dwellings were already affected by existing outbuildings, and that the appeal site sits at a higher level to properties at the rear, and for this reason the new building would appear as a two storey structure, falling considerably short of the Council's 12m separation guideline, at 7.5m.

He acknowledged the fact that the neighbour at 54 Steade Road offered strong support for the scheme but agreed with the Council that the sense of enclosure created would be unacceptable, and result in significant loss of afternoon sun in conflict with UDP policy H14.

He therefore dismissed the appeal.

(ii) An appeal against the decision of the Council at the Committee meeting of 2<sup>nd</sup> July 2012 to refuse advertisement consent for a non-illuminated hoarding at 280 Ecclesall Road (Case No 12/01431/ADV) has been dismissed

Officer Comment:-

The Inspector considered the main issue to be the impact on the visual amenities of the locality, and noted the busy commercial context of the Ecclesall Road District Shopping Centre.

He referred to Circular 03/2007 which suggests the scale of buildings in predominantly commercial areas may be sufficiently large to accommodate larger poster displays, but that the display should not be over dominant, and should be in scale with the building.

He noted the building was a modest end terraced property, and considered the high level siting and the set back nature of the adjacent buildings meant the prominence of the hoarding was increased, and is prominent in views from approximately 100m distant.

He felt the hoarding was not in scale with its host building and appears unduly prominent, in conflict with the aims of Policy BE13 of the Unitary Development Plan and paragraph 67 of the National Planning Policy Framework, and dismissed the appeal.

(iii) An appeal against a Discontinuance Notice, served in respect of unauthorised use of the site for the display of advertisements at 337A Glossop Road has been dismissed, and the notice upheld.

Officer Comment:-

The main issue for the Inspector was whether the continued use of the flank wall for the display of advertisements with deemed consent would be substantially injurious to visual amenity.

She noted the significant contribution the brick terrace of properties made to the character of the Hanover Conservation Area, and the presence of the grade 2 listed terrace adjacent to the site, separated by the flank wall of the appeal site. She considered the flank wall to be an interesting feature and one which formed the setting for the listed terrace.

She considered the use of the flank wall for advertising to be harmful to the setting of the listed building, and failed to preserve the character and appearance of the conservation area. She agreed with the Council that the significantly harmful impact of the use of the flank wall for advertising was 'substantially injurious to visual amenity', and dismissed the appeal.

The discontinuance notice was therefore upheld, with the timescale for removal of the advertisements set at 10<sup>th</sup> January 2013.

#### 4.0 APPEALS DECISIONS - ALLOWED

An appeal against the refusal of planning permission at the Committee meeting of 23<sup>rd</sup> July 2012 for the erection of 3 dwellinghouses at 31 Brickhouse Lane (Case No 12/00289/FUL) has been allowed.

Officer Comment:-

This appeal followed Members decision to refuse permission contrary to the officer recommendation to grant planning permission.

The Inspector considered the main issues to be the effect of the proposal on the character of the area, and its impact upon highway safety, with particular regard to car parking.

She considered that the modest size, simple design of the dwellings, use of stone and render, and their position on the site was reflective of local character, and that the dwellings would integrate the scheme into the street scene. She also felt the density levels of the scheme were appropriate, and did not consider the loss of the open green frontage to the street to be significant, and overall found no conflict with policies H14 of the Unitary Development Plan or CS74 of the Core Strategy. In addition she considered the scheme aligned with the core principle of the National Planning Policy Framework to ensure high quality design.

In terms of parking and highway safety, the inspector noted that each property had one parking space, and considered that any on street parking likely to be generated by the development would be minimal, and would not materially add to any existing on street parking. She noted that Brickhouse Lane and Newfield Lane had capacity for additional vehicles, and did not feel that the slight underprovision of parking, relative to the Council's guidelines, would cause harm. She therefore concluded the scheme complied with policy H14.

On other matters, in response to residents concerns, she noted a lack of evidence of impact on wildlife and ecological value on the site, and considered the scheme to be too small to impact on local schools, doctors and shops.

She therefore allowed the appeal.

## 5.0 RECOMMENDATIONS

That the report be noted

David Caulfield  
Head of Planning

14 January 2013

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