

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

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**Monday 18 March 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 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  
18 MARCH 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 25 February 2013.
- 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. Record of Planning Appeal Submissions and Decisions**  
Report of the Director of Development Services.
- 9. Date of Next Meeting**  
The next meeting of the Committee will be held on 8 April 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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# Agenda Item 5

## SHEFFIELD CITY COUNCIL

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

#### Meeting held 25 February 2013

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

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#### **1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Janice Sidebottom and Councillor Penny Baker attended the meeting as the duly appointed substitute.

#### **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**

4.1 Councillor Ibrar Hussain declared an interest as a Licenced Hackney Carriage holder concerning an application for planning permission in respect of the demolition of existing buildings and erection of a three/four storey building (including cinema at third floor level) for use within Classes A1 (Shops), A2 (Financial and Professional Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), A5 (Hot Food Takeaways) and D2 (Assembly and Leisure), associated infrastructure and ancillary facilities at Block 1, The Moor, comprising land and buildings at 16 to 18, 28 to 54 The Moor, 25 to 33 Charter Square, 15 Charter Row, Rockingham Gate and the multi storey car park, Rockingham Way (Case No. 12/03759/FUL), but did speak and vote thereon.

#### **4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of the Committee held on 4 February 2013 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 any arrangements for a site visit on Friday 15 March 2013, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

**6. TREE PRESERVATION ORDER 808/389 - LAND AT THE SITE OF PSALTER LANE CAMPUS, PSALTER LANE.**

- 6.1 That no objections having been received, the Tree Preservation Order made on 5 November 2012, in respect of trees on land at the site of Psalter Lane Campus, Psalter Lane, 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 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) having noted an amendment to the application description in respect of the substitution of “one off-street parking space” for “two off-street parking spaces” as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of a detached 4 x bedroom dwellinghouse with one off-street parking space and associated amenity space at land to the rear of Rustlings Road Medical Centre, 105 Rustlings Road (Case No. 13/00074/FUL) be granted, conditionally;

(c) following the officer’s further on-site assessment and a request that Members’ give consideration to authorising enforcement action, in addition to the recommendation to refuse planning permission, as detailed in a supplementary report circulated at the meeting, an application for planning permission for a change of use from an existing drinking establishment (Class A4) to a lap dancing venue (Sui Generis) at Steel House at 53 to 59 West Street (Case No. 12/03972/FUL) be refused and (i) authority be given to the Head of Development Services or Head of Planning to take all appropriate steps including, if necessary, enforcement action and the institution of legal proceedings to secure the cessation of the use of 53 to 59 West Street as a nightclub and/or lap dancing venue and (ii) 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;

(d) having noted missing text in the report now submitted under the heading “Amenity Issues” (Page 47) in respect of the dormer window, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the retention of the front and rear dormer windows to a dwellinghouse at 22 Barber Place (Case No. 12/03914/FUL) be refused and authority be given to the Head of Development Services or Head of Planning to take all appropriate steps including, if necessary, enforcement action and the institution of legal proceedings, to secure the removal of the front dormer window at 22 Barber Place;

(e) in connection with the decision to refuse an application for planning permission for the retention of replacement windows to a dwellinghouse at 75 Machon Bank Road (Case No. 12/03797/FUL), authority be given to the Head of Development Services or Head of Planning to take all appropriate steps including, if necessary, enforcement action and the institution of legal proceedings, to secure the removal of the unauthorised uVPC windows at 75 Machon Bank Road;

(f) an application for planning permission for the demolition of existing buildings and erection of a three/four storey building (including cinema at the third floor level) for use within Classes A1 (Shops), A2 (Financial and Professional Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), A5 (Hot Food Takeaways) and D2 (Assembly and Leisure), associated infrastructure and ancillary facilities at Block 1, The Moor, comprising land and buildings at 16 to 18, 28 to 54 The Moor, 25 to 33 Charter Square, 15 Charter Row, Rockingham Gate and the multi storey car park, Rockingham Way (Case No. 12/03759/FUL) be granted, conditionally, subject to (i) the completion of a Legal Agreement and (ii) an amendment to Condition 2 by the addition of Highway Closure Plan Ref D722/401C, as detailed in a supplementary report circulated at the meeting;

(g) an application for planning permission for use of the ground floor as a restaurant/café (Class A3) including the erection of a new shop front and a rear extraction flue at 294 Ecclesall Road (Case No. 12/03516/FUL) be granted, conditionally, subject to (i) Condition 6 being amended by the addition of the word "be" prior to the word "used" and (ii) Condition 14 being deleted, as detailed in a supplementary report circulated at the meeting;

(h) in connection with the decision to refuse an application for planning permission for the erection of a conservatory to the side of a dwellinghouse at 104 Stafford Road (Case No. 12/02946/FUL), authority be given to the Head of Development Services or Head of Planning to take all appropriate steps including, if necessary, enforcement action and the institution of legal proceedings, to secure the removal of the conservatory at 104 Stafford Road within 3 months from the date of this meeting; and

(i) following a decision of this Committee at its meeting held on 17 December 2012, to grant an application for listed building consent, subject to clearance by the Secretary of State, in respect of 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 19,725 sq m of educational floor space, plus landscaping and servicing at the site of the Jessop Hospital for Women, Leavy Greave Road (Case No. 12/02874/LBC), it had come to the Director of Development Service's attention that not all consultation with the national amenity bodies had been completed in accordance with Government circular 09/2005 and, in view of this matter, the Director of Development Services submitted a report which detailed the outcome of consultation with the outstanding organisations that had since been undertaken, which considered that no new issues had been raised and, therefore, having considered the outstanding consultation responses in respect of the proposed development, the Committee reaffirms the decision it

made on 17 December 2012, to grant listed building consent for the aforementioned application Case No. 12/02874/LBC, subject to clearance by the Secretary of State.

**8. ENFORCEMENT OF PLANNING CONTROL: LAND AT THE REAR OF 262 TO 266 BELLHOUSE ROAD**

8.1 The Director of Development Services submitted a report on his investigation into a complaint received in respect of a breach of planning control concerning the unauthorised use of land as a scrapyard at the rear of 262 to 266 Bellhouse Road. The report stated that the site had previously been used as an unauthorised scrap and vehicle repair yard which, under the threat of enforcement action, had stopped and the site cleared. Unfortunately, the use of the land for the storing of scrap vehicles had commenced again.

8.2 It was viewed that the use of the land as a scrapyard was an inappropriate use in an Housing Area and as such was considered to be contrary to Policy H10 and H14 of the Unitary Development Plan

8.3 RESOLVED: That (a) authority be given to the Head of Development Services or Head of Planning to take all appropriate steps in respect of the land at the rear at 262 to 266 Bellhouse Road, including:-

(i) enforcement action, the service of a Stop Notice and the institution of legal proceedings, if necessary, to secure the cessation of the use of the land as a scrap yard and the removal of all the damaged/scrap vehicles and all machinery and equipment associated with the scrap yard business; and

(ii) the service of a Section 215 Notice and the institution of legal proceedings, if necessary, to secure the removal of all the other waste materials currently stored on the site, such materials include, but are not limited to, plastic containers, building rubble, bricks, wooden pallets, trailers and household waste; 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.

**9. ENFORCEMENT OF PLANNING CONTROL: 17 & 19 WOSTENHOLM ROAD**

9.1 The Director of Development Services submitted a report on his investigation into a complaint received in respect of a breach of planning control concerning the unauthorised side extension at 17 and 19 Wostenholm Road. The report stated that it was the intention of the owner to create extra living space between the two properties at the first floor level and also a large porch across the front entrance which would encompass both bay windows. It was further stated that the owner had not complied with a request from a planning officer to remedy the breach of

control.

9.2 It was viewed that the unauthorised development was contrary to Policies BE5, H14 and BE16 of the Unitary Development Plan and CS74 of the Development Framework.

9.3 RESOLVED: That (a) authority be given to the Head of Development Services or Head of Planning to take all appropriate steps including, if necessary, enforcement action and the institution of legal proceedings, to secure the removal of the side extension between 17 and 19 Wostenholm 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: 8 CHANDOS STREET**

10.1 The Director of Development Services submitted a report on his investigation into a breach of planning control concerning the unauthorised removal of a chimney stack at the front of 8 Chandos Street. The report explained that the property was located in the Broomhill Conservation Area and was subject to an Article 4(2) Direction which removed Permitted Development rights. It was stated that, whilst a retrospective planning application had been submitted for alterations to the roof and the replacement windows to the front of the property, the owner had agreed with officers to replace the chimney stack. Unfortunately, this work had not been carried out and a response had not been made to a Notice served under Section 330 of the Town and Country Planning Act, which had requested further information regarding ownership of the property.

10.2 It was viewed that the breach of planning control failed to preserve or enhance the character of the Broomhill Conservation Area and, as such, was considered contrary to Policies BE15, 16, 17 of the Unitary Development Plan.

10.3 RESOLVED: That (a) authority be given to the Head of Development Services or Head of Planning to:-

- (i) take all appropriate steps including, if necessary, enforcement action and the institution of legal proceedings, to secure the reinstatement of the brick built chimney stack substantially similar to what existed previously at 8 Chandos Street; and
- (ii) institute legal proceedings against the recipient of the Section 330 Notice served by the City Council on 7 August, 2012 for failing to reply; 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. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY**

- 11.1 The Committee received and noted a report of the Director of Development Services providing a quarterly update of progress on the work being undertaken by the enforcement team in the City Centre, South and East area.

**12. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE CITY CENTRE AND EAST AREA**

- 12.1 The Committee noted (a) a report of the Director of Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the City Centre and East area and (b) further information provided by the Director of Development Services to Members' questions in respect of enforcement matters

**13. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE SOUTH AREA**

- 13.1 The Committee noted (a) a report of the Director of Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the South area and (b) further information provided by the Director of Development Services to Members' questions in respect of enforcement matters.

**14. OUTSTANDING DEBTS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990**

- 14.1 Further to Members consideration of two reports submitted to this Committee at its meetings held on 6 and 20 December, 2010 by the Director of Development Services concerning the recovery of outstanding debts arising from Section 106 Legal Agreements under the Town and Country Planning Act 1990, the Director of Development Services submitted a report explaining that, in respect of two Section 106 Agreements concerning a development at the site of Loadhog Limited, Fourth Weir Works at 99 Carbrook Street, Planning Application Case No. 03/00752/FUL) and at the site of Hope Works, 17 to 39 Mowbray Street, Planning Application Case No. 05/04371/FUL, the Council's attempts to recover the sums of £40,000 and £75,030.35, respectively, had been exhausted.
- 14.2 Details concerning the two Agreements were outlined and reasons were given as to why no further action was proposed in respect of recovering the debts.
- 14.3 It was stated that a complete review of Section 106 Agreement procedures had now taken place and revised processes had been adopted in an attempt to prevent similar cases arising in the future.
- 14.4 **Resolved:** That (a) the writing-off of outstanding Section 106 Agreement debts in relation to Planning Application Case Nos. 03/00752/FUL in respect of the sum of £40,000 and 05/04371/FUL in respect of the sum of £75,030.35, be endorsed;

and

(b) the Director of Finance be advised of the aforementioned decision accordingly.

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

15.1 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.

**16. DATE OF NEXT MEETING**

16.1 It was noted that the next meeting of the Committee will be held on Monday, 18 March 2013, at 2.00 pm at the Town Hall.

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**SHEFFIELD CITY COUNCIL**  
**City Centre South and East Planning and Highways**  
**Committee**

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**Report of:** Director of Development Services

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**Date:** 18/03/2013

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

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**Author of Report:** Lucy Bond and Chris Heeley 2734218

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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.
13/00285/FUL	Dore And Totley Tennis Club 48 Devonshire Road Sheffield S17 3NW	18
13/00249/FUL (Formerly PP-02426594)	102A And 102B Harcourt Road Sheffield S10 1DJ	30
13/00177/FUL (Formerly PP-02416714)	The Meersbrook Garage 1 - 7 Meersbrook Road Sheffield S8 9HU	42
13/00170/ADV (Formerly PP-02387858)	1 Crookes Road Sheffield S10 5BA	53
12/03953/FUL (Formerly PP-02327141)	Site Of Castle Centre North Site Granville Road Sheffield S2 2RL	59





SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the City Centre, South and East Planning and Highways Committee  
Date Of Meeting: 18/03/2013

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	13/00285/FUL
Application Type	Full Planning Application
Proposal	Installation of external lighting to three tennis courts (Resubmission of planning application no. 12/00767/FUL)
Location	Dore And Totley Tennis Club 48 Devonshire Road Sheffield S17 3NW
Date Received	25/01/2013
Team	South
Applicant/Agent	Mr Nigel Monaghan
Recommendation	Refuse

For the following reason(s):

1 The Local Planning Authority consider that the proposed floodlight columns, by reason of their height and proximity to residential curtilage would be out of character with the residential character of the locality, injurious to the visual amenity of the locality and overbearing on neighbouring residential curtilage. They would therefore be contrary to Policy H14 of the Unitary Development Plan and CS74 of the Sheffield Core Strategy.

2 The Local Planning Authority consider that the proposed development would be detrimental to the amenities of the locality and to the living conditions of nearby residents owing to the additional general disturbance which would be generated by the extended hours of use at the club. The proposal is therefore contrary to Policy H14 of the Unitary Development Plan.

3 The Local Planning Authority consider that the proposed development would result in an unacceptable degree of light spillage and glare to occupiers of neighbouring residential property. In this respect the proposal is contrary to Paragraph 125 of the National Planning Policy Framework, and Policy H14 of the Unitary Development Plan.

Attention is drawn to the following directives:

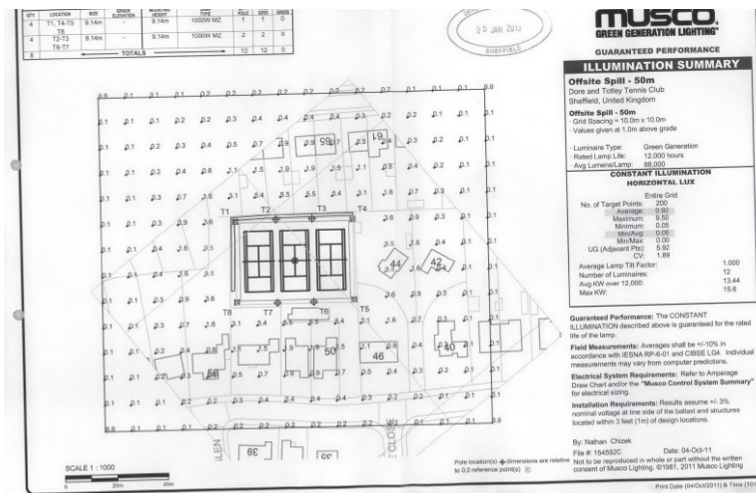
1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with a planning application, this application does not take account of the reasons for refusal on an identical scheme submitted previously and so an agreed solution has not been sought on this occasion.

# Site Location



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## LOCATION AND PROPOSAL

The application relates to three single tennis courts at the Dore and Totley Tennis Club, accessed from Devonshire Road, and occupying an area bounded on all sides by residential property.

The site falls within an allocated Housing Area as identified in the adopted Sheffield Unitary Development Plan.

The courts to which the application relates are bounded to the north and west by the rear gardens of properties fronting Abbeydale Park Rise, and to the south and west by the rear gardens of houses fronting Devonshire Road.

The sole building on site is a single storey clubhouse located adjacent the rear garden of Nos. 50 and 52 Devonshire Road.

The courts are not currently lit.

Permission is sought to erect 8 No. 9 metre columns with 1 to 2 luminaires (floodlights) per pole. The columns would be erected with four along the south west edge of the court and the balance along the north east edge.

Each individual luminaire is rated at 1000W

#### RELEVANT PLANNING HISTORY

Planning permission was granted in 2001 (01/10071/OUT) for the erection of the tennis pavilion and construction of three tennis courts.

Condition 9 of that permission followed by the relevant reason stated:

No floodlights or other means of illuminating the tennis courts shall be installed.

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

The justification for the imposition of this condition given in the report to Committee was as follows:

There is no intention to install floodlights at the present time....Such an application would be assessed against relevant policies designed to protect levels of residential amenity. It is considered unlikely that floodlighting would be appropriate in this small area surrounded by residential property.

Permission was granted in 2003 (03/03619/REM) for the reserved matters for the above outline application.

Permission was granted in 2004 (04/02976/REM) for the reserved matters relating to the erection of a single storey clubhouse.

Planning permission was refused in exercise of delegated powers in 2012 (12/00767/FUL) for an application identical to the current submission.

The reasons for refusal were as follows:

1. The Local Planning Authority consider that the proposed floodlight columns, by reason of their height and proximity to residential curtilage would be out of character with the residential character of the locality, injurious to the visual amenity of the locality and overbearing on neighbouring residential

curtilage. They would therefore be contrary to Policy H14 of the Unitary Development Plan and CS74 of the Sheffield Core Strategy.

2. The Local Planning Authority consider that the proposed development would be detrimental to the amenities of the locality and to the living conditions of nearby residents owing to the additional general disturbance which would be generated by the extended hours of use at the club. The proposal is therefore contrary to Policy H14 of the Unitary Development Plan.
3. The Local Planning Authority consider that proposed development would result in an unacceptable degree of light spillage and glare to occupiers of neighbouring residential property. In this respects the proposal is contrary to Policy H14 of the Unitary Development Plan.

### SUMMARY OF REPRESENTATIONS

38 individual letters of representation have been received following neighbour notification including objections from:

Cllrs Colin Ross, Joe Otten and Keith Hill who object on the grounds of:

loss of amenity to local residents due to light and noise and that the columns will be too close to residential property, obtrusive and overbearing.

Dore Village Society objects on the grounds of:

- The lighting damaging privacy and amenity of local residents
- Visual intrusion of the lighting columns themselves
- The disamenity that will arise from extended hours of play and associated vehicular movements.

A petition with 74 signatories has been received though 32 of the signatories correspond to individual objections.

Additional issues raised by other objectors:

- An extension of playing hours would extend the period during which noise generated by the coming and going of club members disturbs local residents.
- The extension of playing hours would further extend the operating hours of the clubhouse since its use is linked to the hours during which the courts can be played upon.
- The increase in vehicular traffic would increase vehicular and pedestrian conflict on surrounding roads.
- The addition of columns and lights would adversely affect the residential character of the area.

- A similar application was refused in 2004
- The proposal would exacerbate on street car parking problems.
- The proposal is contrary to the Core Strategy and the National Planning Policy Framework.
- The light would adversely impact on the local bat and bird population.
- The proposal would contribute to overall city light pollution.

Other matters raised that are not material

- There is inadequate off street car parking
- Why has no bat survey been conducted?
- The floodlights would use a lot of energy and won't help the environment
- Planners should impose stricter conditions on current operations
- This could be the first step towards amore intrusive commercial enterprise.
- The application is a waste of public money
- The footings for the columns could cause land slippage.
- The development could impact on house values
- Players on court use foul and abusive language.

## PLANNING ASSESSMENT

### Policy Issues

#### National Planning Policy Framework

Para 125 states:

'...planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

Core Strategy Policy CS74 states:

High quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, it's districts and neighbourhoods including:

c. the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form...

The site lies within an allocated Housing Area and within Nether Edge Conservation Area as defined in the Sheffield Unitary Development Plan. Relevant policies are therefore:

Policy H14 'Conditions on development in Housing Areas' states that in Housing Areas, new development or change of use will be permitted provided that it would

not lead to air pollution, noise, smell, excessive traffic levels or other nuisance, or risk to health and safety for people living nearby.

### Physical Presence of Lighting Columns

The immediate locality is characterised by a suburban pattern of residential development with detached and semi-detached houses set in reasonably sized mature gardens. The courts themselves represent a somewhat anomalous appearance in this setting with their high boundary fence. However, the boundary fence rises to a height of approximately 4 metres and has a 'permeable' visual aspect. As such it does not dominate the immediate locale.

The proposed lighting columns would rise to a height of 9 metres and have a diameter of approximately 270 mm. Columns 1 to 4 and 7 and 8 would be located in very close proximity to the rear garden spaces of residential property and it is considered that these would be out of character with the prevailing grain of development and overbearing towards neighbouring residential curtilages.

This is considered contrary to Policy H14 of the Unitary Development Plan and CS74 of the Core Strategy.

### Residential Amenity Issues

#### Lighting

The tennis courts are located in a Housing Area and surrounded on all sides by residential properties. As such the level of artificial lighting in the evening and night time hours is commensurate with this type of use with internal/external domestic lighting and street lighting the sole contributors to night time illumination. Hence, whilst the locality could not be described as a 'dark' area akin to rural or semi rural areas the 'ambient' light levels in evidence are relatively low in the evening/night time hours. The floodlights will therefore introduce an entirely different type of light source both in terms of scale and magnitude.

A lux contour plan has been submitted by the Applicants agent indicating that a lighting level of 9.5 lux will occur at the nearest residential property. (No. 44 Devonshire Road). However, this property has been extended to the rear and now features main aspect windows within 5 metres of the boundary, the extensions not being indicated on the illumination survey diagram. It is therefore considered that luminance levels at this property will exceed 10 lux. The Institution of Lighting Engineers 'Guidance Notes for the Reduction of Obtrusive Light', recommends a level of lighting not exceeding 10 Lux, for this type of area.

The conclusion in this instance must be that the ILE's guidelines will be breached with regard to direct light spill onto adjacent residential property.

The illuminance diagram indicates that light levels at other nearby residential properties will achieve the levels required by ILE guidelines with regard to direct lighting.

However, whilst this document indicates that the great majority of neighbouring properties will not suffer adversely from direct lighting spill all of the properties that share boundaries with the courts (and many beyond) will experience the glow of the courts from main aspect windows in their rear elevations, where currently they experience only low level light sources from other dwellings.

It is considered that both in terms of direct light spill to No.44 Devonshire Road and the general change in character to this residential area that would arise as a result of floodlighting the proposal is unacceptable with regard to Policies H14 and CS74.

#### Intensification of Use

During the Summer months (without floodlighting) play on all courts would be possible until approximately 22:00 hours. Currently play is more considerably more limited in the Autumn and Winter. The relaxation of the current condition on the floodlights would enable a more extensive use of the courts in question up until 22:00 hours during these months.

It would also extend the potential hours of use of the pavilion since the hours of operation condition relating to this building is tied to the hours of use of the tennis courts.

As a result of such an extension of playing hours any disturbance caused by noise generated not only on the courts themselves but also from the coming and going of club members/visitors/guests would also be extended.

Since the clubs activities at the site date back a considerable time before the refurbishment of the courts (and the erection of the pavilion) it is accepted that the later evening play and associated activity during the Summer months is a given and that the planning system cannot offer any greater protection to local residents in regard of disturbance during these periods.

However, the Autumn and Winter months do currently offer residents some respite from later evening playing, giving them opportunity to enjoy the benefits of their external amenity space without the intrusive effects of activity at the club.

In addition, any intensification of vehicular movement on Devonshire Road would impact on wider residential amenity in terms of noise and disturbance generated by car engine noise/car doors banging/in car stereos etc.

It is therefore considered that the introduction of floodlights and consequent extension of hours would have a deleterious effect on the amenity of occupants of neighbouring residential property and the wider locality and the proposal would therefore be contrary to Policy H14 of the Unitary Development plan.

#### Lighting and the Wider Environment

Whilst the localized effects of the proposal have already been considered it can be appreciated that the employment of efficient modern luminaires will limit the light pollution when considered on a city-wide scale. The purpose of such luminaires is

to focus light towards the courts and while there will be some reflective element from the court surface into the night sky. It is not considered that this factor would represent a robust reason for refusal.

#### Highways Issues

There are a limited number of courts on the site and this would have a self limiting effect on the numbers able to play at any one time.

Anecdotal evidence suggests that on street parking does occur, and is an inconvenience to local residents, but strictly in terms of highway safety the situation in the Winter months would be no greater than that occurring at other times of the year.

#### Landscape issues

There is no reason to believe that the erection of column T4 will result in the loss of the tree adjacent its position on the eastern boundary of the site

#### Sport in the community

The National Planning Policy Framework at Paragraph 73 states:

Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

Unitary Development Plan policy LR2 states:

New leisure uses and facilities, and improvements to existing ones, will be promoted, particularly where they would:

- (a) be in areas with few facilities or in areas of known poverty; and
- (b) be small-scale local facilities;
- (c) be easily accessible by public transport

The introduction of floodlit courts will undoubtedly enable the club to expand its activities into the evening hours during the Autumn and Winter months. This would facilitate additional capacity for club members to play and may encourage greater membership since, for those that work full time, the evening hours will be the only time that they can fit sport into their working day.

All these activities can play a part in providing an expanded community facility offering active sporting opportunity to those in the locality.

In this regard the proposal is considered to satisfy the aims promoted by paragraph 73 of the NPPF and Policy LR2 of the Unitary Development Plan.



## Other matters

The majority of matters raised in objection letters have been dealt with in the main body of this report.

## Bats

The potential impact of the floodlighting on the local bat population has been raised by an objector. Bat vision works best in dim light. This vision can be interrupted by greater luminance, thus causing disruption in natural patterns of movement and foraging. However, pipistrelle bats (the most likely breed to be foraging near the site) are known to swarm around lighting that emits in the blue/white spectrum as this attracts insects. Research suggests that hoods which restrict light emission below the horizontal plane reduces potential impacts on bat activity. Hence, whilst it cannot be denied that some effect may arise from the introduction of artificial lighting at the site it is not considered that this is easily quantifiable. Given the recommendation in this report no further research has been undertaken and it is not considered that a robust reason for refusal can be based on potential foraging disruption.

There is no indication that bats or birds roost within the curtilage of the club itself

Whilst planning seeks to ensure sustainable solutions for developments the use of energy itself is not a reason for refusal.

Imposing stricter planning conditions on the existing development retrospectively would be ultra vires (unlawful).

Conjecture regarding the Applicants future plans for the courts/club cannot be considered and the application can only be considered on the merits of the application on hand.

The application has been submitted in exercise of the 'free go' allowed by Paragraph 83 of Government Circular 04/2008 and the Council as Local Planning Authority has a duty to consider it, regardless of cost.

Issues relating to ground stability would be a matter for building regulations.

On court behaviour and impact on house values are not material planning considerations.

## RECOMMENDATION

This is an application seeking to introduce floodlighting into a wholly residential area with low levels of existing night time illumination.

It is considered that the floodlights will cause both direct light intrusion towards neighbouring properties and alter the evening/night time character of the immediate locality.



It is also felt that the additional activity engendered by an additional hours of play on the courts and activity within the clubhouse along with associated vehicular movements, is likely to represent a significant impact on residential amenity.

It is not felt that these considerations are outweighed by the extension of available playing hours, and the potential to expand sporting/healthy activity within the community.

It is therefore considered that the proposed development is contrary to the intentions of the National Planning Policy Framework, Policy CS74 of the Sheffield Core Strategy and with UDP Policy H14. The application is recommended for refusal.

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Case Number 13/00249/FUL (Formerly PP-02426594)

Application Type Full Planning Application

Proposal Alterations to 2 self-contained flats to form 3 self-contained flats

Location 102A And 102B  
Harcourt Road  
Sheffield S10 1DJ

Date Received 25/01/2013

Team South

Applicant/Agent Cero Architecture

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 Number:  
05-0712-SK7.1C

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Before construction works commence full details of the proposed external materials to be used in the construction of the front elevation to Unit 1 shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

In the interests of the visual amenities of the locality.

- 4 Prior to the occupation of the proposed residential units details of proposed noise insulation measures to protect adjoining occupiers shall have been submitted to and approved in writing by the Local Planning Authority. The

approved measures shall be implemented prior to occupation of the residential units and thereafter maintained permanently in that state.

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

- 5 None of the approved units of accommodation shall be occupied, unless the measures outlined in the Sustainability Statement section of the submitted Design and Access Statement have been fully implemented. The indicated measures shall be retained and maintained for the lifetime of the development, unless otherwise agreed 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.

- 6 Prior to the occupation of the units of accommodation hereby approved details of the mirror panels, as shown on the approved drawings, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the units of accommodation, and permanently retained in their approved form.

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

- 7 Before the development hereby permitted is occupied arrangements shall be agreed with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, only two parking permits shall be issued to occupants of the property relating to any controlled parking zone which may be in force in the city at any time.

In order to define the permission.

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:

H5 - Flats, Bed-sitters and Shared Housing  
H14 - Conditions on Development in Housing Areas  
CS64 - Climate Change, Resources and Sustainable Design of Developments  
CS65 - Renewable Energy and Carbon Reduction

Overall it is considered that the development complies with the relevant policies and proposals in the development plan, and would not give rise to any unacceptable consequences to the environment, community or other public interests of acknowledged importance.

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

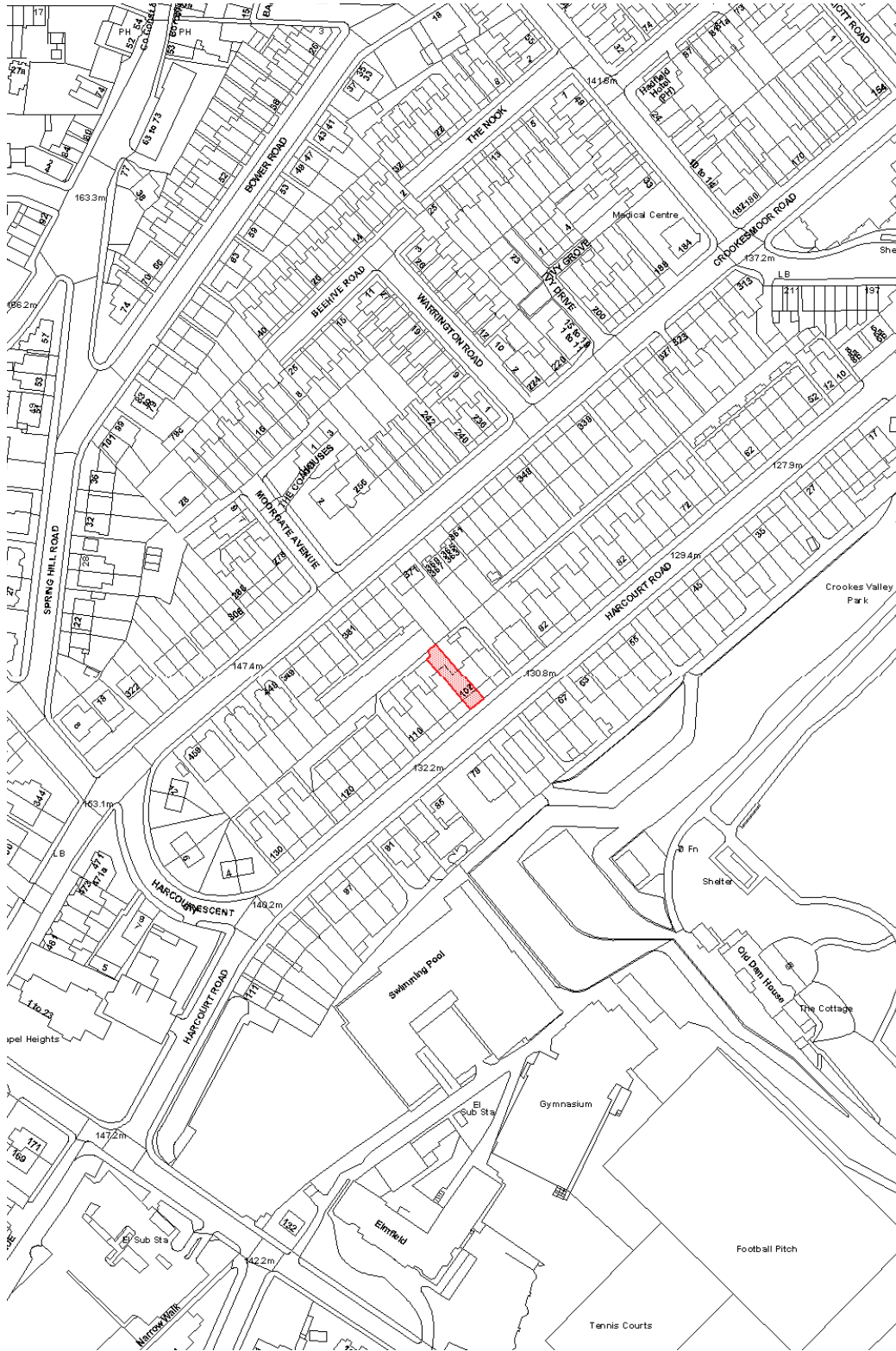
This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at [www.sheffield.gov.uk/planningonline](http://www.sheffield.gov.uk/planningonline) or by calling the planning officer, contact details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

Attention is drawn to the following directives:

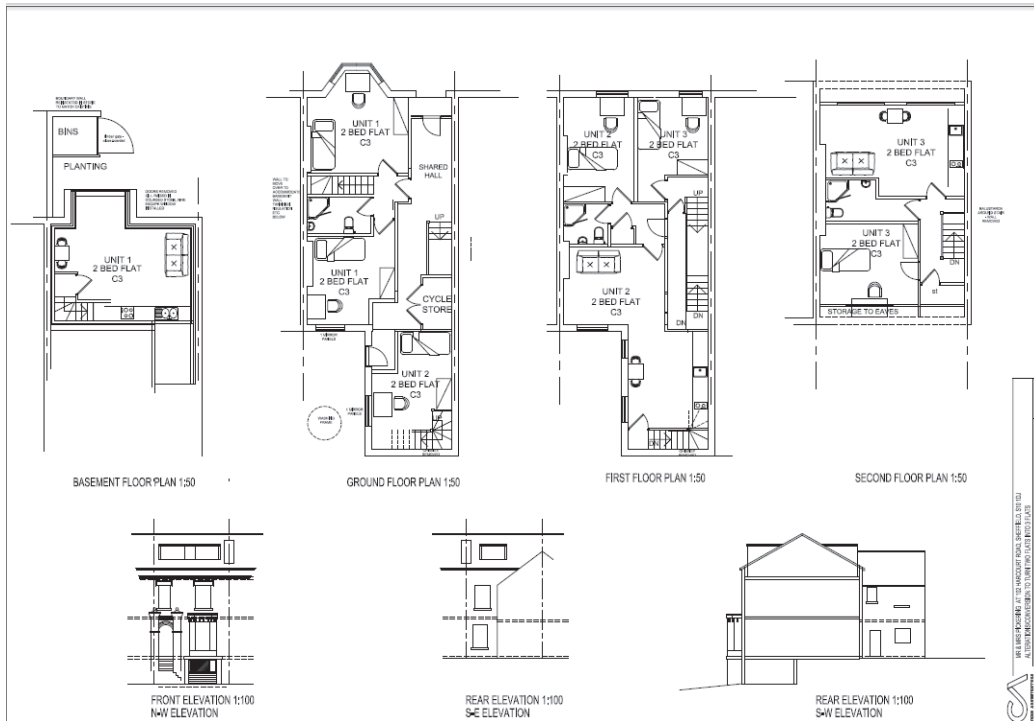
1. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority 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

The application site is located to the north of Harcourt Road, and is allocated as being within a Housing Area under the adopted Unitary Development Plan. It is a mid terraced dwellinghouse.

The premises previously accommodated two self contained flats. The lower flat included 2 bedrooms, providing accommodation for a total of 2 occupants, and the upper flat included 3 bedrooms and was occupied by a family.

The application seeks approval for alterations to the building, to allow it to be converted into three x Class C3 flats. The 3 flats would each include 2 bedrooms. The proposal would also involve some alteration to the front elevation, at the basement level.

Members will recall that at the Planning Committee meeting dated 5th November 2012 an application seeking consent for the conversion of the property into a House in Multiple Occupation for 8 residents, plus a separate 1 bedroomed flat was refused planning permission.

Subsequently an application to allow conversion of the property to provide six x Class C3 flats, including four x 1 bedroomed flats / studio apartments and two x 2 bedroomed flats was refused at the Planning Committee dated 19th December 2012.

The reasons for refusal relating to each of these applications are given below.

The second of these two refusals is currently the subject of a planning appeal, and remains undetermined.

## RELEVANT PLANNING HISTORY

Planning permission was granted for the formation of two self contained flats in 1976.

12/02793/FUL; Use of building as a House In multiple Occupation for 8 occupants, and replacement of basement level door with fire escape window on front elevation to provide a 1 person studio unit (Use Class C3). Refused on 6th November 2012

The reason for refusal was as follows:

The Local Planning Authority consider that the proposed development would be detrimental to the aim of creating a mixed community within the vicinity of the application site, further undermining its character as a C3 residential area owing to the increased proportion of shared housing within the area, and to the amenities of the locality and to the living conditions of adjoining residents owing to the noise and general disturbance which would be generated. The proposal is therefore contrary to Policies H5(a) of the Adopted Unitary Development Plan and Policy CS41 of the Sheffield Development Framework Core Strategy.

12/03456/FUL; Alterations to door and window openings and use of building as 6 flats (Class C3). Refused – 19th December 2012.

The reason for refusal was as follows:

The Local Planning Authority consider that owing to the intensive subdivision of the property, creating six separate small flats, and the existing concentration of flats, bed-sitters and shared housing within the area, the proposal would represent an over development of the site to the detriment of the character of the neighbourhood, and would exacerbate the existing concentration of such uses and their consequential impact upon existing residents in terms of nuisance, living conditions and on street parking demands. As such the proposal is contrary to Policies H5 and H14 of the Unitary Development Plan for Sheffield.

## SUMMARY OF REPRESENTATIONS

Following neighbour notification, a total of 8 written representations have been received, from 6 different addresses. The comments made can be summarised as follows:

- Whilst scheme represents an improvement on previous refusal, it is still not acceptable.
- Property should remain as two flats, and be developed to a higher standard attractive to longer term residents.
- Flats should have separate utility meters/bills and council tax bills and tenants should be recruited separately rather than as a single group.

- Existing student houses and HMOs lead to difficulties surrounding noise, and problems with parking, noise and litter.
- Harcourt Road Watch's 2003 survey reveal that student houses include higher occupancy levels than non-student housing. Average occupancy of owner occupied houses was 3 people, non-student rented properties was 4.1 people and student houses 6.6 people. Council's HMO figures reveal this figure has now increased to 6.95 students per house. Changing the use to a student rental property would significantly increase the occupancy and further imbalance ratio of students to permanent residences.
- A condition preventing student occupation should be imposed, as no increase in number of students in area should be allowed.
- Given reference to rooms being double rooms a condition shall be applied preventing the flats being occupied by 3 or more persons and becoming a HMO.
- Proposed flats would lead to increase in rubbish and to on-street parking.
- Welcomed that flats would be limited to occupancy by 6 persons maximum and that they would be marketed to a range of people
- Layout does not lend itself to family or elderly person / long term occupancy, and appears to represent student occupation (i.e. single beds, desks and flats split across 2 floors).
- Reference to double rooms would result in occupation by 12 persons.
- Access to rear garden for all flats means that layout involves a split floor arrangement. Use of garden by ground floor flat only would prevent this, or the ground floor off-shot area could be used a communal laundry area. Flats could then be over a single floor and not be split-level.
- Existing population is a mix of students, hostel dwellers and a small proportion of families. Numbers of family homes have increased due to introduction of Core Strategy Policy CS41, and CS41 should not be ignored or circumvented by re-badging development as flats to avoid being a HMO.
- Some statements in the Design and Access Statement are not correct, i.e. most of the houses on Harcourt Road are not HMOs for students or social housing and now less than half are student homes, nobody living on Harcourt Road can remember Num.102 being occupied as a HMO, the previous 2 flats could not have been occupied by a total of 12 persons, the upgrading of the property could be carried out if the premises were to remain as 2 flats, and reference to the flats being uninhabitable is queried as they were occupied until applicants purchased it.
- Subsidence at property is potentially due to the owners commencing work before planning permission was granted. Houses on north side of road are built on solid rock so subsidence would be very unlikely to affect the house.
- Developer doesn't understand local community, or implications of introducing more transient population. Community development has progressed.

Three of the representations state that they are neutral to the application if a condition preventing student occupation and use as HMOs is added.



## PLANNING ASSESSMENT

The application to change the use of the 2 existing Class C3 flats to 3 Class C3 units is required to be assessed against the provisions of Policies H5 and H14 of the Adopted Unitary Development Plan.

Policy H5 covers 'Flats, Bed-Sitters and Shared Housing', and states that planning permission will be granted for the multiple sharing of houses if; (a) a concentration of these uses would not cause serious nuisance to existing residents, (b) living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours and (c) there would be appropriate off-street car parking for the needs of the people living there.

Policy H14 states, amongst other things, that applications for changes of use should not result in the site being over-developed and should provide appropriate off-street parking.

## CONCENTRATION ISSUES

Policy H5 (a) of the UDP states that flats, bed-sitters and shared housing will be allowed where an existing concentration of these uses would not cause serious nuisance to existing residents.

The property in its most recent form was occupied as two self-contained flats. Therefore, the application seeks consent to create one additional flat, which would be C3 use class, and occupied by no more than 2 unrelated persons, or families or by an owner and up to 2 unrelated persons (as lodgers). The flats would be occupied as separate households, and would not be able to be let to a single group. The proposed layout does not propose any communal area within its layout, and only the hall area would be shared.

The vicinity surrounding the application site includes a significant number of addresses which are occupied as shared housing and flats. Figures given within neighbouring representations refer to 37 out of 89 of the terraced houses along the street as being in student occupation. In addition, there are a significant number of properties converted into self-contained flats.

The proposal for a single additional C3 flat would not be considered to have a detrimental impact upon the character of the neighbourhood, or to have harmful impacts upon the amenities of neighbouring residents due to noise, living conditions or on-street parking implications.

The additional persons that would reside within the address would not be considered to result in an over-development within the address, or an excessive provision of accommodation. It is not considered that the proposal would harm the character of the locality. The three flats would be associated with a degree of coming and going, involving the residents and their friends/colleagues also. This would include both pedestrian and vehicle movement. It is not considered that the movements associated to the proposed 3 flats would represent a demonstrable increase in comparison to the existing 2 flats.

The three flats would not be considered to lead to the potential for excessive noise to be generated within the premises, to a significantly greater degree than would have been possible in relation to the previously existing two flats.

The residency of Num's 100 and 104 are also relevant in this respect, as they are occupied as two flats and a student dwelling / HMO respectively. These adjoining properties would not be as susceptible to detrimental impacts arising from the proposed scheme as single, family dwellinghouses. This is as a result of the bedrooms in these 2 flats not being laid out conventionally across the upper floors, but will instead be dispersed through the unit.

The plans show a shared bin store area at the property frontage, which would be incorporated within a walled and gated area. The walling would be considered to represent an improvement to the street scene, as it is common for bins to be stored at the street frontage along the road due to limited access to the rear of properties. This bin storage facility would be considered to be capable of housing appropriate bins for the 3 proposed flats, and would prevent detrimental visual impacts upon the amenities of neighbouring occupiers.

The proposal would be considered to not generate outcomes which would harm the character of the locality or result in a demonstrable harmful impact to amenities of existing residents. As a result the scheme is considered to satisfy the requirements of UDP policy H5 (a), and the relevant parts of policy H14.

## AMENITY ISSUES

As commented above, the immediately adjoining properties at Numbers 100 and 104 are occupied as 2 separate flats and a student house respectively. In order to prevent noise transmission through the internal walls it would be necessary to impose a condition upon any consent granted which required the agreement and installation of appropriate sound insulation treatments.

Some sideways overlooking from an existing window in the off-shot at first floor level would potentially occur. The room in question previously served as a kitchen and is proposed to continue to be a kitchen space. As a result the amendment would be considered to have an acceptable impact upon the occupiers of the relevant neighbouring dwelling at Num.100.

There are not considered to be any other potential impacts upon the amenities of adjoining residents. Therefore, the proposed arrangements are considered to have an acceptable impact upon the amenities of neighbouring occupiers, meeting the requirements of UDP policy H5(b).

The three proposed units of accommodation are considered to be provided with an appropriate room layout and rear garden area for the respective flats. Each of the flats feature split-level arrangements. Whilst presenting some limitations to the fluidity of movement around the flats these arrangements are considered to be acceptable and to provide reasonable amenity levels for the prospective residents. This aspect of the design also serves to provide access to the garden space for all

three flats, which is important element of the amenities afforded to occupants of flats in locations similar to this.

Overall, the proposed units of accommodation are considered to be acceptable in relation to the impacts upon amenities of the neighbouring occupiers and potential future residents of the proposed units. On this basis the proposal would be considered to satisfy UDP policy H5 part (b) which covers these aspects.

## DESIGN ISSUES

As mentioned above the only proposed alteration to the property's external appearance is the replacement of the garage type door at the frontage to provide a window to the basement area.

Alterations similar to these were considered as part of the previously refused scheme, and were considered to be acceptable. The formation of a window would involve the use of coursed stone and the provision of a conventional window arrangement. This would not be considered to be out of keeping with the appearance of the premises and would therefore be considered to have an acceptable impact upon the character of the street scene.

Overall, the proposal is considered to be acceptable in design terms, and in regards to its impacts upon the street scene.

## SUSTAINABILITY ISSUES

Policy CS64 of the Sheffield Development Framework Core Strategy deals with 'Climate Change, Resources and Sustainable Design of Developments'. It would require the three flats to achieve high energy efficiency, make best use of solar energy, passive heating/cooling, natural light and ventilation and to use resources sustainably, including minimising water consumption, maximising water recycling, designing buildings to have a variety of possible future uses, minimise waste and promote recycling.

The requirement set out within Policy CS64 for dwellings to achieve Code for Sustainable Homes Level 3 does not apply in this instance due to the scheme not including 5 or more dwellings. The submitted Design and Access Statement refers to the use of high energy efficiency boilers, low-flow spray taps, high rated washing machines and the sourcing of local materials. These measures would be considered to satisfy the requirements of this policy.

As with the broader reaching requirements of CS64, CS65 only applies to schemes for over 5 units and therefore its requirements cannot be applied in this case.

## HIGHWAYS ISSUES

Policy H5 (c) and H14 (d) of the UDP require proposals to be accompanied with appropriate off-street parking. The scheme is in a sustainable location, being near to local amenities and facilities. It is also located within a residents parking permit area. The proposal includes a cycle store area at the ground floor level.

It is considered to be appropriate to ensure that the proposed scheme would not lead to any parking in excess of the level which may reasonably have been expected to arise from the previous use of the property as 2 flats. It would therefore be considered to be appropriate to impose a condition which limited the number of parking permits to ensure that only equivalent amounts of on-street parking may occur.

Any additional vehicle movements outside the hours of operation of the permit scheme would not be considered sufficient to warrant refusal of planning permission.

Based upon this limit the scheme would be considered to be acceptable, and to meet the requirements of policy H5(c) and H14(d), which seeks to prevent on-street parking which would harm highway safety.

## RESPONSE TO REPRESENTATIONS

The comments raised within neighbours' representations have been largely covered as part of the above assessment. In relation to the remaining points the following comments can be made:

- A number of comments suggest that a condition stipulating that the flats should not be let to students should be imposed upon the consent. Whilst the Applicant's Design and Access Statement suggested a similar condition, it would be considered to be unreasonable and unenforceable and therefore the recommendation does not include such a requirement.
- It has been suggested that a condition preventing the units being occupied as HMOs should be imposed. This is not considered to be necessary as any HMO occupation would constitute an unauthorised change of use requiring planning permission.
- It has been suggested that the property should remain as two flats and be upgraded, in order to make them more attractive to longer term residents. Notwithstanding this, the current application is required to be assessed and determined upon its own merits.
- The proposal seeks consent for 3 separate C3 units, however, there would be no power to ensure that each unit had their own utility metres or council tax bills. It would also not be possible to require the tenants to be recruited separately rather than as a single group.
- The Design and Access Statement includes comments regarding the previous condition of the flats and subsidence at the property. These issues do not represent material planning considerations and are not able to be taken into account at this stage.
- Suggestions have been made that the Applicants do not understand the local community. This does not represent a material planning consideration which can be taken into account as part of the assessment.

## SUMMARY AND RECOMMENDATION

The application seeks consent to change the use of the property from 2 x Class C3 flats, to 3 x Class C3 flats. The proposed flats would each include 2 bedrooms.

The proposal to form 3 flats would be considered to avoid exacerbating the impacts associated with the existing concentration of shared housing, flats and bed-sitters within the vicinity to a degree which would harm the character of the neighbourhood or the amenities of local residents. The scheme would be considered to have an acceptable impact upon local highway safety.

Overall, the proposal represents a significant change from the previously refused proposals and would be considered to satisfy the relevant requirements of UDP policy H5 and H14, and therefore the scheme is recommended for conditional approval.

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Case Number	13/00177/FUL (Formerly PP-02416714)
Application Type	Full Planning Application
Proposal	Alterations to car showroom including installation of roller shutters for use as additional bays to repair garage/MOT testing centre, rendering of building and erection of 1.8 metre boundary wall (Retrospective application)
Location	The Meersbrook Garage 1 - 7 Meersbrook Road Sheffield S8 9HU
Date Received	21/01/2013
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Refuse

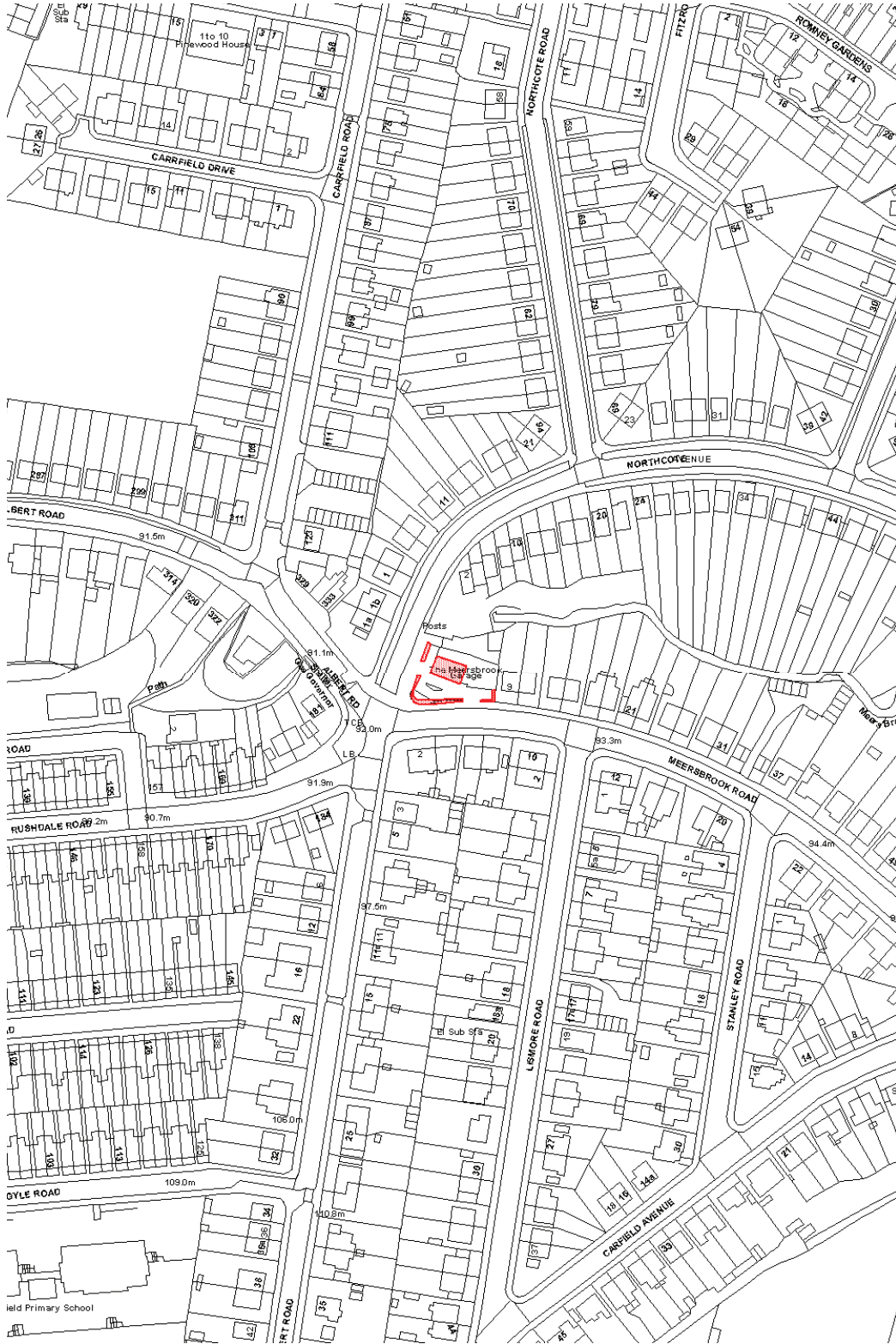
For the following reason(s):

- 1 The Local Planning Authority considers that owing to the increased number of vehicle repair/servicing bays within the building, the proximity of the building to residential property and the restricted dimensions of the site, the proposal represents an over intensification of an existing inappropriate use within a Housing Area that results in noise and disturbance from vehicle repair/servicing activity and excessive and indiscriminate on street (and footway) car parking to the detriment of the living conditions of nearby residents and to highway and pedestrian safety. As such, the proposal is contrary to the aims of policies H10 and H14 of the Unitary Development Plan for Sheffield.

Attention is drawn to the following directives:

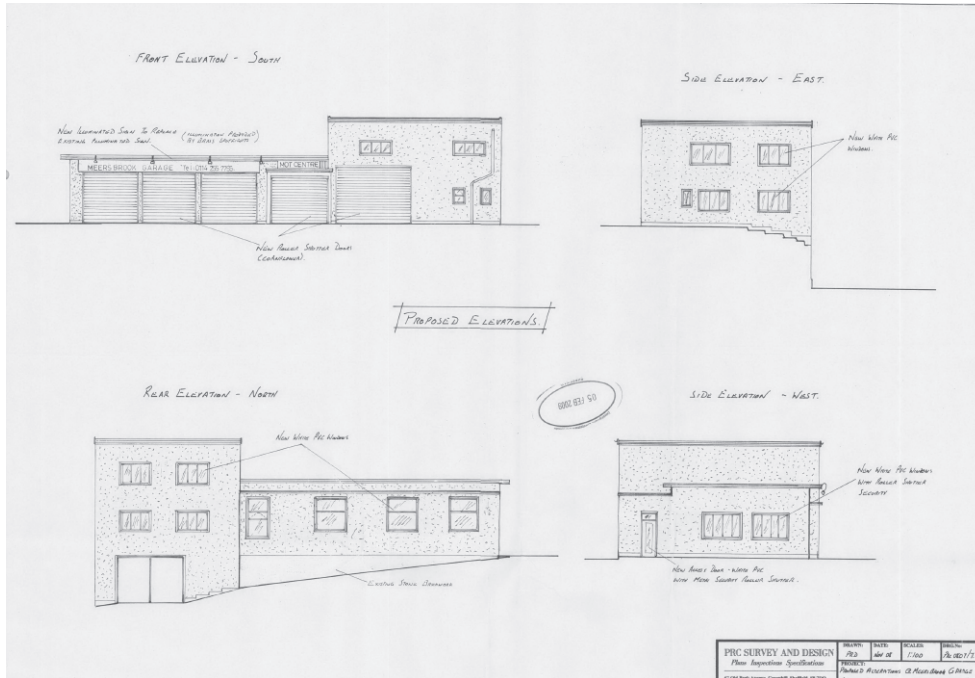
1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with a planning application, it has not been possible to reach an agreed solution in this case.

# Site Location



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## LOCATION AND PROPOSAL

Meersbrook Garage lies at the junction of Northcote Avenue, Meersbrook Road and Albert Road. All surrounding uses are residential and at the rear, to the north, the Meers Brook flows past the site through a culvert. At the front, rear and west side are parking areas. At the main frontage on to Meersbrook Road, the garage is a mix of single and two storeys with a flat roof and at the rear, due to falling levels, there is a basement level reached by a sloping access track. At the front are five access bays, each with a metal, roller shutter door.

This is a retrospective planning application which relates to the former showroom part of the building and the boundary walls only. The use of the remainder of Meersbrook Garage for car repairs, servicing and MOTs and ancillary offices and toilets is established and not included as part of this application.

Planning approval is sought for the change of use from a car showroom to a workshop, alterations to form three additional workshop bays and the erection of a 1.8 metre high boundary wall. The three new bays open out on to the forecourt on the Meersbrook Road side, which is the main frontage and each of these is secured by a grey roller shutter door.

This new retrospective application is very similar to the earlier application ref. 09/00365/FUL, the main differences between the two being the red line boundaries which are not the same and, in this instance, a Noise Survey has been submitted in support of the application. The appearance and use of the building has not changed since the earlier application was submitted in 2009 and it has continued operating without planning consent for the showroom, three new bays and new boundary wall since the refusal of permission in June 2011.



The previous refusal of permission is a material consideration of significant weight for the determination of the application.

## RELEVANT PLANNING HISTORY

09/00365/FUL. Alterations to car showroom for use as additional bays to repair garage/MOT testing centre and erection of 1.8 metre high boundary walls and external lighting (retrospective application) (amended plans dated 07/08/2009) refused on 14.06.2011.

The reason for refusal was:

The Local Planning Authority considers that owing to the increased number of vehicle repair/servicing bays within the building, the proximity of the building to residential property and the restricted dimensions of the site, the proposal represents an over intensification of an existing inappropriate use within a Housing Area that results in noise and disturbance from vehicle repair/servicing activity and excessive and indiscriminate on street (and footway) car parking to the detriment of the living conditions of nearby residents and to highway and pedestrian safety. As such, the proposal is contrary to the aims of Policies H10 and H14 of the Unitary Development Plan for Sheffield.

11/02111/LU1. Application to establish lawful use of building for servicing, repair, maintenance, MOT and other works to vehicles refused on 17.01.2012.

This application related to the showroom area of the building which is on the western side and failed to establish that the balance of probability was in favour of the showroom having been used for the purposes applied for during the previous 10 years.

The subsequent appeal to the Secretary of State against the decision was dismissed on 18 December 2012.

## SUMMARY OF REPRESENTATIONS

Seven letters have been received, five from one neighbour and two from another. Both object to the application and their comments are set out below.

- Over intensification of the original use.
- An enforcement notice has been served and the timetable for this should remain in place.
- The garage has been trading in excess of 4 years without planning consent.
- This application is the same as the previous refusal 09/00365/FUL and nothing has changed at the site.
- The scale and context is not in keeping with the surrounding area.
- The appearance is austere and industrial looking because of the metal roller shutter doors.
- This type of development should be restricted to industrial estates.
- Excessive levels of noise and parking.
- There has been five years of incessant noise which started in 2008.

- The Noise Survey makes no specific mention of:  
Radios being played.  
Mechanics shouting and singing above the noise of the radio.  
Use of a compressor.  
Car alarms going off.  
Engines being revved during MOT tests.  
Use of Jet Washer.  
Motorbikes and car engines being revved.  
Deliveries of cars on low loaders during weekends, Sundays and Bank Holidays and in the middle of the night.
- The Noise Survey is not specific enough about the time of day the survey was carried out and only mentions Tuesday afternoon.
- The Noise Survey says that 4 cars were being worked on. There are 6 ramps so there is 50% extra capacity for working on cars than at the time of the survey so with 6 vehicles being repaired or serviced, there would be more noise. There is also capacity on the forecourt for additional cars to be worked on.
- Sleep is disturbed by night time activity.
- The use adversely affects the daily lives of local people.
- The garage is used at weekends when it is cleaned.
- Local streets are blocked by cars associated with the garage.
- The public highway has been adopted by the garage as their own car park.
- Grass verges have been destroyed or covered in tarmac to suit the requirements of the garage.
- Breakdown lorries with flashing lights deliver vehicles during the day and night.
- Photographs have been provided that show car parking arrangements associated with the garage before and after the unauthorised development and there is a significant increase after the unauthorised development was carried out.
- Excessive and indiscriminate parking on the local streets.
- It is questionable whether the 6 bays are sufficient to cope with the demand at the garage, given the levels of street parking around the site.
- Cars are parked across the footpath.
- The development has resulted in a detrimental impact on highways safety.
- The Council has invested in traffic calming measures to control through traffic in the area and deter use by cars. It is not reasonable in the context of this to allow the intensification of the garage use.
- There is insufficient car parking for staff.
- Increased levels of litter.
- Intrusive and intensive lighting.
- The signs are out of character and excessive in a residential area.
- Large canisters which are about 4 feet high are stored next to the adjoining property and they could be of a flammable material.
- The boundary wall height at 1.8 metres means that it is difficult for car drivers to see people on the footpath.
- The shutters are open when the bays are open and the internal lights are very bright.

- The application is contrary to the National Planning Policy Framework (NPPF) which supports sustainable development but not at the expense of decent living conditions.
- The application is contrary to policies H10 and H14 of the Unitary Development Plan (UDP).

Councillor Tim Rippon has written supporting the points raised by one of the objectors.

## PLANNING ASSESSMENT

### Land Use Policy

The adopted UDP shows that the site is within a housing policy designation. UDP policy H10 deals with development in housing areas and this says that housing is the preferred use.

The NPPF in its Core Planning Principles, paragraph 17 says that sustainable development should be supported and that effective use of previously developed land should be supported. The same paragraph says that in achieving this, a good standard of amenity for all existing and future occupants of buildings should be sought.

The use of the site as a car repair garage and MOT centre falls into the General Industry (B2) classification and this use is listed as being unacceptable in a housing area. In this instance, the garage has been in use at this site for a considerable period of time and the issue is whether the development, which is in place, has intensified the use to such a level that it has become unacceptable because of the detrimental impact on the locality and on the amenities of neighbours.

Members will be aware that retrospective planning permission for a very similar proposal was refused and the full reason for this decision is set out earlier in the report. If this application is to receive officer support, the applicant will need to resolve all issues contained within the reason for refusal.

### Design, External Appearance and Layout

UDP policy H14 requires new development to be well designed and in keeping with the scale and character of the locality.

Core Strategy policy CS74 deals with design and this says that new development should contribute to the creation of attractive and sustainable neighbourhoods.

Prior to the unauthorised alterations to the garage being carried out, Meersbrook Garage was in a dilapidated state with the exterior having a lot of timber cladding in poor condition. At this time, there were two workshops with a car showroom at one side with a body shop and spray booth at the basement level. The boundary wall was also in a state of disrepair.

The building now has a render finish to the exterior and there are five bays, four providing repair and servicing areas and one for MOTs. The available space within the building has remained the same but the repair and servicing element has expanded into the former showroom.

The main change to the appearance of the building is the introduction of the three new openings in the front of the building which have allowed the creation of the additional vehicle bays. When not in use, metal roller shutters seal these which give the building a semi industrial feel.

As part of the unauthorised changes to the site, the wall along the boundary which was in a very poor state of repair has now been rebuilt around the perimeter at a consistent height of 1.8 metres.

The exterior has now lost its dilapidated appearance but its functional appearance reflects the use and it contributes little to the character of the area. However, it is important to note that the design of the building works and the wall was not an issue that was included in the reason for refusal so this can not be raised now because, by implication, the design and external appearance is acceptable.

#### Sustainability

Core Strategy policies CS64 and CS65 deal with sustainable design and carbon reduction. There are no new extensions and the fabric of the building has changed little, apart from the new openings and the replacement of windows. Again, this issue was not included in the reason for refusal.

#### Parking, Access and Transport

UDP policy H14 says that there should be safe access to the highways and adequate off street parking.

Core Strategy policies CS51 and CS53 deal with transport priorities and management and seek to reduce vehicle miles.

The reason for refusal for application 09/00365/FUL made specific reference to the 'over intensification of an existing inappropriate use within a housing area that results in.....excessive and indiscriminate on street (and footway) car parking to the detriment of the living conditions of nearby residents and to highway and pedestrian safety.'

It is the case that there are areas of forecourt within the site that allow for some of the car parking generated by the garage but it also the case that this provision falls well short of what the full parking requirements are. Consequently, cars associated with the garage do park on the roads around the site and there is a short cul-de-sac next to the site which is the blocked end of Northcote Avenue which is frequently used by the garage.

Photographs submitted by neighbours show the parking around the site before and after the unauthorised development and those before this show very little parking in

and around the garage and after the development. Officers during site visits have also witnessed this area being heavily parked.

In the Planning, Design and Access Statement submitted in support of the application, there is mention of access in paragraph 3.13 where there is reference to the three new access points. In paragraph 4.14, parking provision is addressed and it says that there is ample parking on site to accommodate vehicles associated with the additional bays.

The revised car parking guidelines for general Industrial (B2) use have been applied by the applicant which equate to 1 space per 75 sq. metres of space. The former showroom is 85 sq. metres in area so there would be a need for 2 spaces. The site can accommodate 19 cars parked off street so there would, according to guidelines be sufficient parking.

Your officers take the view that it is more appropriate to apply the parking guideline that applies to car repair garages which is 2 to 3 spaces per bay and 1 space for 1 to 3 staff. It is considered that the 19 spaces on site could accommodate this. In practice however, the operations on the site at present give a very different picture, as described above.

The critical issue is the need to address the reason for refusal which says that there is excessive and indiscriminate on street and footpath parking that is detrimental to the living conditions of residents and to highways and pedestrian safety. The applicant has not provided any supporting information or proposals that would resolve this issue. Consequently, that part of the reason for refusal must stand given that the same retrospective development is being assessed in this application as that which was refused.

#### Noise and Disturbance

H14 says that the amenities of local residents should not be harmed by noise or disturbance.

Core Strategy policy CS74 says that new development should contribute to the creation of attractive, successful and sustainable neighbourhoods.

The reason for refusal made specific reference to the 'over-intensification of an existing inappropriate use within a housing area that results in noise and disturbance resulting from vehicle repair/servicing activity' which is contrary to policies H10 and H14 of the UDP.

The applicant has not proposed any measures or alterations to the building or how the business operates that would resolve this issue but instead has submitted a Noise Impact Analysis that was carried out on Tuesday 11 and Saturday 15 December 2012.

The report concluded that the sound of the garage premises when in operation was lower than the background noise level of general activity in the locality including

traffic noise and that complaints are unlikely from occupiers of nearby dwellings about noise from the garage.

Members will note that this contrasts significantly from some the comments from neighbours set out in the representations section where they say that there is excessive noise associated with the use. Consequently officers think it would be of benefit to draw attention to certain points about the Noise Survey and to some of the comments received from neighbours.

Two surveys were carried out, one on a Tuesday afternoon when the garage was operating and the other during a Saturday morning when it was closed.

The survey says that sound levels were measured at the premises for one hour during the afternoon of 11 December when normal activities of car repair, tyre changing and testing were being carried out. Air powered equipment, vehicle lifts and tyre fitting equipment were being used and the air compressor was operating intermittently. Cars were being parked and driven in and the roller shutter doors were open.

Noise measurements were taken at:

- inside the workshop at 3 metres from each item of equipment being used,
- 4 positions at nearest dwellings when equipment is in use and
- same 4 positions when no equipment was in use.

The ambient, maximum and background levels at all dwelling positions were the same whether or not the workshop equipment was in use.

The characteristics of the activities at the garage are such that there is no general level of sound. The Noise Survey acknowledges that there are specific 'whines, screeches, hisses, hums, bangs, clicks, clatters or thumps' which would attract attention. Also, the report listed the plant items with external sound emissions as being air-powered impact wrenches, air compressor, tyre fitting equipment, MOT testing equipment and six electronically powered vehicle lifts.

The report also says that a 'correction factor' has been used in certain instances and the report assumes that this would contribute to the establishment of an equivalent, more even lower volume level set against that of background noise.

The report does set out the noise levels for an impact wrench, tyre fitting, air compressor and vehicle lift and these are all significantly above the background noise level. Because these are intermittent sounds and individual rather than continuous noise events they are more noticeable, and cause more nuisance/annoyance to neighbouring residents.

No mention is made in the Noise Survey of radios, communication between mechanics, car alarms or the instances of vehicle deliveries during the night and weekends, which all contribute to the disturbance affecting neighbours.

In this instance, there is benefit in being able to assess the noise impact because this is a retrospective application rather than assessing what is likely to happen,

which is more often the case in these situations. The Noise Survey concludes that the noise associated with the garage is below the background levels and would not be likely to give rise to complaints from neighbours. This contrasts sharply with the representations from neighbours which makes it clear that there is noise and disturbance associated with the garage. For this reason, the fact that the Survey acknowledges louder intermittent noise levels from equipment and the fact that there is additional noise associated with the garage use occurring at night and weekends, your officers do not feel that the Noise Survey has demonstrated sufficiently that the amenities of local residents would not be harmed by noise from the garage.

The reference to noise and disturbance set out in the earlier reason for refusal should, therefore, remain.

#### Remaining Issues

It was established in the earlier 2009 application that the site lies within Flood Zone 3 and the Meers Brook flows close to the rear of the site. However, the brook is culverted next to the garage and this is an intensification of an existing non vulnerable use. The provisions of Core Strategy policy CS67 have been satisfied.

With respect to disabled access, it has been established that entrance and internal circulation arrangements meet current regulations and they are acceptable.

#### ENFORCEMENT

Further to the refused applications for the retrospective alterations to the building and the Certificate of Lawful Use, an Enforcement Notice has been served, requiring the garage owner to convert the building back to how it was prior to the unauthorised alterations to the building and wall by August 2013.

The owner has submitted an appeal against this to the Secretary of State.

No further enforcement authority is therefore considered necessary.

#### SUMMARY AND RECOMMENDATION

This is a further retrospective planning application to alter Meersbrook Garage to create additional service bays. The earlier application ref. 09/00365/FUL was refused in 2011. The development involves adding an extra three openings to serve bays in the former showroom part of the garage and a new boundary wall.

This new application is very similar to the first one except the red line boundary on this application is restricted to the former showroom area and boundary wall rather than the whole site and a noise survey has been submitted.

The reason for refusal cites an intensification of an inappropriate use in a housing area resulting in noise and disturbance for vehicle repair/servicing and excessive and indiscriminate car parking. There have been no changes in circumstances, the applicant has not addressed the issue of car parking and it is considered that the

noise survey does not alter the view of the Local Planning Authority that the noise and disturbance from the garage is detrimental to the living conditions of nearby residents.

The retrospective application is contrary to UDP policies H10 and H14 and is, therefore, recommended for refusal.

Members are aware that an Enforcement Notice has already been served requiring the owner to return the garage building to what it was prior to the unauthorised works.



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Case Number 13/00170/ADV (Formerly PP-02387858)

Application Type Advertisement Consent Application

Proposal Provision of 1 internally illuminated double sided projecting sign and vinyl logo adverts applied internally to first-floor window

Location 1 Crookes Road  
Sheffield  
S10 5BA

Date Received 21/01/2013

Team South

Applicant/Agent SEA Design Group

Recommendation Refuse with Enforcement Action

Subject to:

- 1 It is considered by the Local Planning Authority that the proposed signage, by virtue of their excessive sizes, numbers, design and siting are considered to be unduly prominent within the Broomhill Conservation Area and harmful to the setting of the Conservation Area and the aesthetics of the existing building. The proposed signage would detract from public amenity, and thereby conflict with Policy BE13 in the Unitary Development Plan for Sheffield.

Attention is drawn to the following directives:

1. The Director of Development Services or the Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised signs. The Local Planning Authority will be writing separately on this matter.

# Site Location



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## LOCATION AND PROPOSAL

The application relates to a large coffee shop which is sited on a corner plot where Crookes Road meets Fulwood Road. It is set within a row of retail units which are situated within in a 1960/70's shopping arcade. The building has previously been used as a café and the new occupants, Costa, have recently moved in.

The shopping arcade is very prominent within the Broomhill Conservation Area. Whilst the building is significantly different to other properties within the area, in terms of its size and architectural design, the retail units of the arcade strengthen the retail character of the area.

This proposal seeks express consent to install 2 non illuminated internally applied vinyl window signs and erect a double sided projecting hanging sign that is illuminated internally.

The signage in question has been installed and erected and this application is therefore retrospective.

## RELEVANT PLANNING HISTORY

The unit was converted into a café in 2006 and Costa has recently taken over the premises from the previous occupiers, 'Cream'. The signage above the shop front was applied for and approved in a previous application 12/03533/ADV.

The previous application also initially applied for retrospective permission for the signage found in this current application. However, they were removed from the previous application and have been applied for separately.

## SUMMARY OF REPRESENTATIONS

There has been one representation received in connection with this application. The main concerns are that the proposal would be different to other signs within the arcade and highly visible and a little overbearing.

The above issues are discussed in the subsequent report.

## PLANNING ASSESSMENT

### Policy Issues

The subject building is set within an Article 4 (1) Direction Conservation Area and a District Shopping Centre as defined in the Unitary Development Plan. The most relevant planning policies are therefore outlined in UDP policies BE13 and BE16.

UDP policy BE13 'Advertisements', seeks high quality designs which protect the living conditions of neighbouring residents and the visual amenities of the area. It states that illuminated signage will be permitted provided that they would:

- Not harm the living conditions or the character or appearance of the area due to size, colour or intensity of light; and
- Be outside a Conservation Area or an Area of Special Character where possible.

The policy also goes on to state that where the scale of a development requires it, the design of all signs and advertisements will be co-ordinated.

The current building is not designated in the Local Planning Authority's Conservation Area appraisal as being a building of significant merit; however, the majority of the properties surrounding the shopping arcade do contribute significantly to the character and appearance of the Conservation Area.

Policy BE16, reinforces the need for strong, good quality proposals which do not affect the character or the setting of the area. It identifies advertising and links the policy to policy BE13.

The above UDP and Core Strategy policies accord with the National Planning Policy Framework which states in paragraph 67, that adverts should be well sited and not detrimental to the amenities of the surrounding area.

#### Design Issues

This application seeks permission to erect 2 non - illuminated vinyl signs at first floor level, together with one internally lit projecting sign. Originally these signs were included in the previous application 12/03533/ADV. However, they were removed due to their prominence. The applicant did not want the entire application refusing owing to the fact that the signs had been erected and sought to deal with these signs separately and appeal any unsuccessful outcome.

The projecting sign is set partially underneath the canopy of the shopping arcade, although as it is on the corner plot the canopy becomes less apparent and the signage of the retail unit becomes more prominent. Moreover, the vinyl stickers are set at first floor level and on two elevations of the corner unit. It was considered in the previous advert consent application that the removal of the hanging sign and the vinyl stickers would enable the proposed fascia to form a coherent frontage with the other retail units and not be visually intrusive. Their removal was considered to enable the proposal to be compliant with UDP policy BE13 which seeks to ensure proposals are well co-ordinated with their surroundings.

The retention of these signs would be visually intrusive and detract from the character of the row of retail units. When the arcade was originally erected, small rectangular hanging signs were placed at right angles to the shops and set underneath the canopy. The current signs are all uniformed in size, siting and design and it is considered that the proposed round double sided hanging sign would detract from the rhythm of the existing signs and stand uneasy compared with these. In this respect, the proposal is not considered to be acceptable when assessed against UDP policies BE13 and BE16.

The subject building is located within an area which is characterised by high quality, prominent, stone buildings. The retail units within these buildings do not have hanging signs and applications for such signs have been successfully resisted. For instance, the hanging signage that was erected on the small Tesco's building off Turners Lane was subsequently taken down after the realisation of the applicant that its impact upon the area was unacceptable. Accordingly, the style of signage, together with the number of signs and their prominent positions, are considered to be out of character with the surrounding area and detrimental to the preservation of the setting of the Article 4 (1) Direction Conservation Area.

Owing to the above reasons, the design and siting of numerous, overly large signs are considered to detrimentally impact upon the character of the original building and the surrounding area. In this respect, the proposal is considered to be contrary to UDP policies BE13 and BE16.

#### Amenity Issues

UDP policy BE13 makes provisions to protect the amenities of any neighbouring residential unit. The subject property is set on a busy arterial route into the city centre and set back from the road.

Given that the lighting relates only to hanging sign which does not directly face out onto the public highway, it is not considered that the signage would impact upon the amenities of the neighbouring properties. Overall, the proposal is considered not to be harmful to the amenities of any residential neighbouring properties. Accordingly, the proposed signage is not considered to be contrary to UDP policy BE13.

#### Highways Issues

The proposed signage is set away from the edge of the carriageway and, although the signage may be illuminated, in this instance the proposal is not considered to be detrimental to highway safety.

#### Enforcement Issues

As this application seeks permission to retain the signs that have already been installed and erected on the building, enforcement action will be required to remedy the situation, if Members agree to the decision recommended in this report.

It is therefore requested that the Director of Development Services or Head of Planning be authorised to take any appropriate action, including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signs.

#### SUMMARY AND RECOMMENDATION

The accumulation and size of the proposed signs does not reflect the character of the area or that of the existing building. It is acknowledged that the building does

not significantly contribute to the character of the Conservation Area, however, this should not excuse further poor quality signage.

The number of signs presents an uncoordinated and cluttered shop frontage that would be extremely prominent, given the signs elevated positioning on a corner plot which faces two main roads. The proposed signage does not respect the design of the arcade of shops and their traditional means of advertising. Accordingly, the proposed signs would be harmful to the visual amenities of the area and the built form of the existing building.

The number of proposed signs, together with their siting, size and detailing are considered to be unacceptable and contrary to UDP policies BE13 and BE16.

Accordingly, it is recommended that planning permission is refused and that the Director of Development Services or Head of Planning be authorised to take any appropriate action, including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the projecting hanging sign and first floor vinyl sticker.

Should it be necessary, it is also requested that 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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Case Number 12/03953/FUL (Formerly PP-02327141)

Application Type Full Planning Application

Proposal Erection 84 dwellings and associated infrastructure, including improvements to the existing site access, provision of internal access roads and creation of new open space area/links

Location Site Of Castle Centre North Site  
Granville Road  
Sheffield  
S2 2RL

Date Received 19/12/2012

Team City Centre and East

Applicant/Agent Ove Arup And Partners

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:

1901-A-L-001 Site Location Plan  
1901-A-L-002 Existing Site Plan  
1901-A-L-005 Site Masterplan 02

1901-A-L-200 Site Wide Elevations Sheet 01, Rev. 02  
1901-A-L-201 Site Wide Elevations Sheet 02, Rev. 01  
1901-A-L-210 Street Elevations Sheet 01, Rev. 02  
1901-A-L-211 Street Elevations Sheet 02, Rev. 02  
1901-A-L-212 Street Elevations Sheet 03, Rev. 02  
1901-A-L-213 Street Elevations Sheet 04, Rev. 02  
1901-A-L-214 Street Elevations Sheet 05, Rev. 02  
1901-A-L-215 Street Elevations Sheet 06, Rev. 02  
1901-A-L-216 Street Elevations Sheet 07, Rev. 02  
1901-A-L-217 Street Elevations Sheet 08, Rev. 02  
1901-A-L-218 Street Elevations Sheet 09, Rev. 02  
1901-A-L-300 Site Sections A-A, Rev. 01



1901-A-L-301 Site Sections B-B & C-C, Rev. 01  
1901-A-L-302 Site Sections D-D & E-E, Rev. 01

1901-A-A-110 2-bed Terrace (Private & Affordable), Rev. 01  
1901-A-A-111 Private 2-bed Back to Back, Rev. 01  
1901-A-A-112 Private 2-bed Detached, Rev. 01  
1901-A-A-120 Private 3-bed Semi-detached (2.5 storey), Rev. 01  
1901-A-A-121 Private 3-bed Cruciform 1:50, Rev. 01  
1901-A-A-123 Affordable 3-bed Semi-detached 1:50, Rev. 01  
1901-A-A-124 Affordable 3-bed Cruciform 1:50, Rev. 01  
1901-A-A-125 Affordable 3-bed Detached 1:50, Rev. 01  
1901-A-A-131 Private 4-bed Detached 1:50, Rev. 01  
1901-A-A-133 Affordable 4-bed Detached 1:50, Rev. 01

1901-A-A-210 2-bed Terrace (Private & Affordable) 1:50, Rev. 01  
1901-A-A-211 Private 2-bed Back to Back 1:50 Rev. 01  
1901-A-A-212 Private 2-bed Detached 1:50, Rev. 01  
1901-A-A-220 Private 3-bed Semi-detached (2.5 storey) 1:50, Rev. 01  
1901-A-A-221 Private 3-bed Cruciform 1:50, Rev. 01  
1901-A-A-223 Affordable 3-bed Semi-detached 1:50, Rev. 01  
1901-A-A-224 Affordable 3-bed Cruciform 1:50, Rev. 01  
1901-A-A-225 Affordable 3-bed Detached 1:50, Rev. 01  
1901-A-A-231 Private 4-bed Detached 1:50, Rev. 01

1901-A-A-233 Affordable 4-bed Detached 1:50, Rev. 01

1901-A-L-800 Soft Landscaping Arrangement Plan 1:500, Rev. 01  
1901-A-L-801 Southwest Boundary Planting Proposals 1:200, Rev. 01  
1901-A-L-802 Southern Boundary Planting Proposals 1:200, Rev. 01  
1901-A-L-803 Detailed Planting Arrangements to Viewing Area 1:150, Rev. 01  
1901-A-L-804 Typical Section; Southern Boundary 1:100, Rev. 01

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Final details, including samples, of the proposed materials for each element of the scheme 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.

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

Windows



Window reveals  
Doors  
Eaves and verges  
External wall construction  
Brickwork detailing  
Balconies and terraces  
Entrance canopies  
Roof  
Ridge & valleys  
Rainwater goods  
Boundary treatments  
Photovoltaic panels

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

In order to ensure an appropriate quality of development.

- 5 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.

- 6 Before the first building is constructed on site, details of all means of site boundary treatments (including in curtilage boundary treatments) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 7 Before the first building is constructed on site, confirmation that a minimum of 10% of the predicted energy needs of the completed development will be obtained from photovoltaic panels, as stipulated on the approved plans, or a report identifying an alternative method of achieving this percentage from other decentralised and renewable or low carbon energy, shall be submitted to and approved in writing by the Local Planning Authority. The agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before any part of the development is occupied and a post-installation report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection 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.

- 8 As confirmed by the submission, 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.

- 9 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 that part of the development is commenced. Thereafter, the landscaping shall be carried out in accordance with the approved details and in an agreed timescale.

In the interests of the visual amenities of the locality.

- 10 The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

In the interests of the visual amenities of the locality.

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

In the interests of biodiversity.

- 12 Prior to any building work occurring in the north west portion of the site (around units 35 – 38, the associated private drive and public realms space), full details of measures to protect the existing trees identified as T2, G5 and G6 in the Tree Survey and Constraints Report (TEP, ref. TEP.3010.Arb.Castle.001, July 2012) to be retained, shall have been submitted to and approved in writing by the Local Planning Authority and the approved measures shall thereafter be implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be

notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development unless otherwise approved.

In the interests of the visual amenities of the locality.

- 13 Notwithstanding the details on the approved plans, within 3 months of works on site commencing, full details of the design and specification of the pedestrian footpath to be created within the landscape banking situated along the western elevation of the site, intended to run between Shrewsbury Road and the public realm adjacent to Units 36 and 39, shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- The final proposed position of the path;
- The final gradient of the path (including cross-sections, where appropriate);
- The design and specification of the path;
- Proposed method of safety protection measures (e.g. barriers);
- Proposed lighting details; and
- Proposed management and maintenance strategy for the path.

Thereafter, the development shall be carried out in accordance with the approved details and the path shall be installed prior to the occupation of the first dwelling on site, or an alternative timescale to be agreed in writing by the Local Planning Authority.

In the interests of the amenity of the site and to ensure that the path represents a high quality and safe addition to the existing and proposed network on the Sheaf Valley hillside.

- 14 The development shall be carried out in complete accordance with the recommendations of the Phase 1 Habitat and Protected Species Scoping Survey DP/DEC12/00-15-08 (19 December 2012).

In the interests of the ecological amenity of the site.

- 15 Prior to the first building on site being occupied, or an alternative timescale to be agreed in writing by the Local Planning Authority, details of the position and design of 15 bat/owl boxes to be provided around the site (include Clay Wood) shall have been submitted to and approved in writing. Thereafter, the provision of these boxes shall be carried out in accordance with the approved details.

In the interests of the ecological amenity of the site.

- 16 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 development shall be constructed without prior planning permission being obtained from the Local Planning Authority.

To ensure that the architectural character and appearance of the development is retained and there is no visual intrusion which would be detrimental to the visual appearance of the site or the amenities of the locality.

- 17 The dwellings shall not be occupied unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

- 18 The gradient of the access road/driveway shall not exceed 1:20 for the first 10 metres from the highway, unless otherwise approved by the Local Planning Authority.

In the interests of the safety of road users.

- 19 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.

- 20 No dwelling shall be occupied until the improvements (which expression shall include public transport infrastructure) to the items 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 with South Yorkshire Passenger Transport Executive (SYPTTE) which will secure that such improvement works will be carried out before the first property is occupied.

Public Transport Infrastructure Improvements:

The upgrade of the nearest inbound bus stop to the site (stop number 37023148) to a specification to be confirmed by SYPTTE.

In the interests of improving public transport infrastructure and promoting more sustainable forms of transport.

- 21 The surface water discharge from the site shall be subject to a reduction of at least 30% compared to the existing peak flow. This should be achieved

by sustainable drainage methods where feasible. 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 l/s/Ha shall be required. Prior to any drainage works occurring on site, detailed proposals for surface water disposal, including calculations to demonstrate the reduction, shall be submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

In order to mitigate against the risk of flooding.

- 22 Surface water and foul drainage on and off site shall drain to separate systems.

To ensure satisfactory drainage arrangements.

- 23 Prior to any drainage works occurring on site, details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off -site works, shall have been submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

To ensure satisfactory drainage arrangements.

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

To ensure satisfactory drainage arrangements.

- 25 No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

To ensure satisfactory drainage arrangements.

- 26 The mobility housing units hereby approved shall not be occupied unless the access and facilities for people with disabilities shown on the plans have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

- 27 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.

- 28 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.

- 29 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.

- 30 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.

- 31 The residential accommodation hereby permitted shall not be occupied unless the approved scheme of sound attenuation works has been installed in full. Such scheme of works shall:
- a) Be based on the findings of ARUP noise survey (Ref: AAc/225249-00/R01, Job no: 225249-00, dated 19/12/12).
  - b) Be capable of achieving the following noise levels;  
Bedrooms: LAeq (15 min) 30 dB - (23:00 to 07:00),  
Living Rooms: LAeq (15 min) 40 dB - (07:00 to 23:00).

In accordance with the recommendations one of the following mitigation scheme could include:

- i) glazing of a minimum acoustic performance RTRA 36dB for all bedrooms;  
or
- ii) an acoustically treated whole house mechanical ventilation system at residential properties facing Granville Road and Granville Street to allow the façade to be sealed

Once installed, the approved scheme of sound attenuation works shall thereafter be retained and maintained in accordance with the approved details.

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

- 32 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.

- 33 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 front elevations of all the buildings as well as the rear elevations of buildings 1 – 3 and 35 - 57 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.

- 34 Within 3 months of the date of this permission, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

- Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;



- A package of measures to encourage and facilitate less car dependent living; and,
- A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
- Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
- Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

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

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

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:

#### Unitary Development Plan

LR3 - Development in Business: Institution: Leisure Areas  
 BE5 - Building Design and Siting  
 BE6 - Landscape Design  
 BE15 - Areas and Buildings of Special Architectural or Historic Interest  
 GE23 - Air Pollution  
 BE12 - Public Art  
 GE11 - Nature Conservation and Development  
 GE15 - Trees and Woodland  
 H7 - Mobility Housing  
 CF5 - Community Benefits  
 H15 - Design of New Housing Developments  
 H16 - Open Space in New Housing Developments

#### Core Strategy

CS22 - Scale of the Requirement for New Housing  
 CS23 - Locations for New Housing  
 CS24 - Maximising the Use of Previously Developed Land for Housing  
 CS25 - Priorities for Releasing Land for New Housing  
 CS26 - Efficient Use of Housing Land and Accessibility  
 CS40 - Affordable Housing  
 CS45 - Quality and Accessibility of Open Space  
 CS46 - Quantity of Open Space



CS54 - Pedestrian Routes  
CS53 - Management of Demand for Travel  
CS64 - Climate Change, Resources and Sustainable Design of Developments  
CS65 - Renewable Energy and Carbon Reduction  
CS66 - Air Quality  
CS67 - Flood Risk Management  
CS74 - Design Principles

The proposed development will provide 84 new dwellings on a prominent vacant site situated on the immediate outskirts of the City Centre. The current proposals are considered to have an acceptable and contemporary architectural style and will include mixed tenure housing (including affordable housing) and 25% of the overall provision will be built to mobility housing standards. Furthermore, all of the properties will achieve Code for Sustainable Homes Level 3 and the site overall will achieve a 10% of its energy needs from renewable energy as well as a 30% reduction in surface water run-off.

The scheme is not considered to have an impact on the setting of the Norfolk Park Conservation Area and it is considered that the implications for existing residents in terms of overlooking, overshadowing etc. will be minimal owing to their relationship with the application site.

There are considered to be no significant highway implications generated by the proposal and the air quality impact will be negligible. Furthermore, the site is considered to have a very sustainable location with excellent public transport links for trains, trams and buses.

In terms of landscaping, the anticipated loss of trees is unfortunate but it is considered that the inclusion of trees and new landscaping spaces as part of the redevelopment proposals will represent suitable replacements. The response to the ecology on site is considered to be acceptable and the inclusion of a commitment by the Applicant to help the Council fulfil its current ambition to add to its network of pedestrian links along the Sheaf Valley hillside by providing part of a footpath route through this site is welcomed.

In amenity terms, it is considered necessary to acknowledge that the site is on the very edge of a major city centre and, therefore, the environment for the residential occupiers at this site will reflect this. Occupiers will not be able to expect suburban or countryside living standards - both in terms of privacy distances between properties (because of site restrictions) and external environment (because of noise levels - especially traffic noise). However, this circumstance is considered to be no worse than other city centre environments - or indeed - the existing residential properties on Granville Road.

The shortfall in S106 financial contributions relating to education provision and open space is regrettable and a negative aspect of the development.

However, a balance has been struck to ensure the viability of the scheme and to maintain its design quality, particularly in light of the level of affordable housing that is to be provided on site, which has been prioritised in this case.

Finally whilst technically a departure from adopted policy the land use aspirations for the site are now outdated and are being superseded by the emerging new local plan which is more consistent with modern strategies for the area.

Overall, it is believed that the benefits generated by this proposal outweigh the shortfalls identified and it is concluded that it will make a positive contribution to the site and the surrounding area.

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

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at [www.sheffield.gov.uk/planningonline](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. 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.

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

You should apply for a consent to: -

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

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

3. 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.

4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](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.
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. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
7. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.

8. The Applicant is advised that the following mitigation measures would assist in reducing vehicle exhaust emissions and should be adopted where practicable, they include:
- a) Construction phase - The developer should have regard to the mitigation measures in and adopt the London Councils' Best Practice Guidance, November 2006, "The Control of Dust and Emissions from Construction and Demolition". This Guidance should be used as a guide to evaluate and manage dust emissions during this phase.
  - b) Ensure vehicles delivering to the proposed site to be Euro VI standard minimum or are fitted with exhaust after treatment technologies such as continuously regenerating traps or other non primary NO2 emitting catalysts systems: a recommendation.
  - c) Promote the use of public transport and the need for efficient public transport links into the area: a recommendation.
9. The Applicants attention is drawn to the recommendations included at Sections 6.3.1 and 6.3.3 of 'The Geotechnical Desk Study Preliminary Contamination Risk Assessment and Coal Mining Risk Assessment Report' (Arups, Issue 2, 19th December 2012). These sections state that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

It is therefore recommended that these site investigation works occur prior to commencement of development. In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings will be required (prior to the commencement of the development) to ensure the safety and stability of the proposed development.

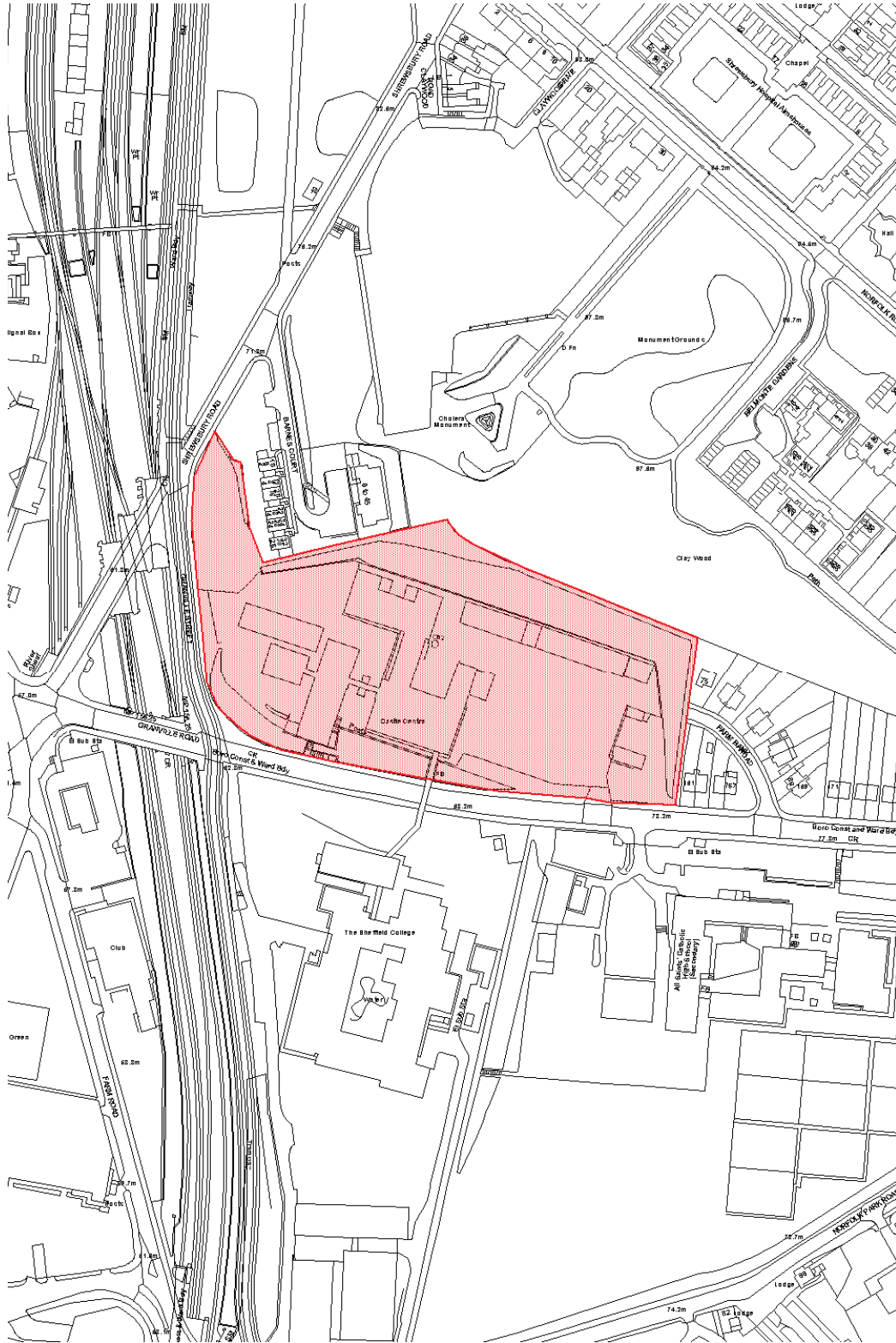
10. The Applicant is advised that Stagecoach Supertram have raised the following comments:
- All works during construction and use afterwards should be carried out in accordance with the Supertram Code of Practice for working near or on the Supertram Network.
  - Consideration to be taken of any abnormal loads/vehicles which may have cause to pass over the track or under the overhead line.
  - Debris or potential excess water overspill from the site should not encroach onto the Supertram System. Particular reference should be made to the Granville Street stop as this stop may be affected by debris from above the retaining wall (adjacent to the tram tracks).
11. 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.

12. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document "Guidance Notes for the Reduction of Obtrusive Light (GN01: 2011)". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available for download from the Institution of Lighting Professionals' website, or telephone (01788) 576492.
13. The applicant is advised that responsibility for the safe development and occupancy of the site rests with the developer. The Local Planning Authority has evaluated the risk assessment and remediation scheme on the basis of the information available to it, but there may be contamination within the land, which has not been discovered by the survey/assessment.
14. 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.
15. The applicant is advised that the biodiversity information/ecological assessment provided as part of this application will be made available to Sheffield Biological Records Centre. This will assist in a key principle of the National Planning Policy Framework that planning policies and decisions should be based on up-to date information about the natural environment and other characteristics of the area by building up the data base of up-to-date ecological information and this will help in future decision making.
16. 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

The application site is located on the northern side of Granville Road and formerly accommodated part of the Castle College campus, known as the North Site. Castle College is now consolidated on a single site - within a new building - and this is situated across Granville Road to the immediate south.

To the direct north the site is bounded by Clay Wood open space, which contains a significant number of mature trees, woodland walkways and the Cholera Monument (Grade II Listed). Also beyond the site boundary at this point, and further to the north-east, is the Norfolk Park Conservation Area.

To the east of the site are existing residential properties, which comprise of detached and semi-detached properties which date back to the first half of the twentieth century. The closest residential properties abut the site's eastern boundary and are situated on Granville Road and Farm Bank Road. On Granville Road, the properties within proximity of this site are mainly semi-detached dwellings positioned on the northern side and fronting onto the road. Farm Bank Road is a short cul-de-sac containing 9 houses, which runs from/behind Granville Road and rises towards Clay Wood.

To the north-west of the site is the city centre (approximately 900m away) and all of its functions - including the train station (approximately 400m away), Supertram route and Inner Ring Road.

The landform of the site on the Sheaf Valley hillside has created a prominent raised parcel of land, which due to the site's topography offers excellent panoramic views across the city to the south and west. The site has a prominent raised edge to the south-west corner overlooking the junction of Granville Road and Granville Street. The site is equally prominent from those parts of the city centre which offer views out towards the Sheaf Valley.

The site is currently vacant, having previously occupied by Castle College office/educational buildings and car parking accommodation. The only distinguishable site characteristics that remain on site are the stone wall which surrounds the perimeter of the site (varies in height depending upon topography) and a swathe of grassed landscaping which also extends around the perimeter of the site - rising above the wall to the level plateau of the main site. At the raised edge to the south-west corner, this grassed area includes further planting and an exposed outcrop of the rock upon which the site is built.

In terms of existing access, the main vehicle and pedestrian entrance for the site is positioned towards the eastern boundary of the site and provides access onto Granville Road. A stepped pedestrian access into the site also exists off Granville Road near to the junction with Granville Street.

The gross area of the site is 2.66 hectares, although due to topography and characteristic challenges the actual developable site area is 1.83 hectares.

Planning permission is now sought for a modern residential development comprising of 84 no. two, three and four bedroom dwellings in a range of 6 housetypes with 142 parking spaces (118 allocated and 24 for visitors) and associated infrastructure works. These works include improvements to the existing access, provision of internal access roads and the creation of new open space areas and pedestrian footpath/cycleway links.

The site is currently owned by The Homes and Communities Agency (HCA) and its brief is to deliver a high quality residential scheme that meets current local and national guidelines.

It is expected that the development will be delivered by the HCA's chosen developer partner, Kier Partnership Homes Limited.

## RELEVANT PLANNING HISTORY

There are various applications associated with the previous college buildings but these are not considered to be relevant to this application.

06/04911/OUT In August 2008, an outline planning application which was submitted by the Sheffield College Estates & Services Department and sought to establish the principle of residential development on the site was withdrawn.

11/01387/DPN In June 2011, a Prior Notification of Demolition application which was submitted by the HCA and proposed the demolition of buildings on the site (including main buildings as well as boiler room, brick chimney, caretaker's bungalow, gatehouse and garages) was granted conditionally.

## SUMMARY OF REPRESENTATIONS

In accordance with statutory requirements, this application has been advertised by site notices, press advert and neighbour notification letters.



Additionally, the HCA has undertaken its own community consultation with local residents and Councillors prior to the submission of this application.

In total, seven representations have been received in relation to the proposed development. Six of the representations provide 'neutral' comments and one representation 'objects' to the proposal.

### Summary of Neutral Representations

#### 1. Parking & Highway Matters

- Re-assurance is required that enough parking spaces will be provided for residents of the new houses. Parking on Granville Road itself is already impossible between 0830 - 1730 due to staff/students from Sheffield College, train users, and city centre visitors.
- The traffic on these roads in rush hour is already very heavy and can cause long delays. It is considered that new housing would need new access as the infrastructure is already unfit for the level of use.
- Concern that the increase in vehicles accessing the site may cause a safety hazard for a large number of students who regularly use the pavement that will be interrupted by the access road. Assurance required that measures will be taken to protect students as they cross the road.
- Owing to concerns about highway issues on Granville Road, a new vehicular access point has been suggested - via Granville Street and Shrewsbury Road.
- Residents on Farm Bank Road have applied to the Highways Department asking for some kind of residents only parking scheme because of highway problems in the area.

#### 2. Landscape

- Any landscaping/tree planting excludes the use of sycamore trees as the existing ones currently cause damage to my property.

#### 3. Design

- Not enthused by the proposed appearance. Further details requested about the specification/materials/artist impression of the proposed development.

#### 4. Suitability of Site for Amount of Development Proposed

- Concerns are raised about the site conditions and its suitability for building new houses on because there was a large amount of bombing which further undermined the site and it was declared unfit for housing.
- This is why the college site was laid out as it was = buildings at the west end and car parking to the east.

### Summary of Objection

#### 1. Position

The site has a prominent gateway position to the eastern side of the city and adjacent to high quality, landmark and innovative buildings at Sheffield College and All Saints School. The proposed design should match the innovative credentials of

these buildings and be a landmark housing development that makes a statement about innovation, quality and sustainability.

2. Energy Efficiency

- In the days of global warming and escalating heating prices it is essential that the Council ensure that as near carbon neutral homes are built - especially if some houses are to social, elderly and mobility housing.
- The houses are being built cheaply and there is little to indicate that they meet little more than basic standards with regard to energy efficiency and insulation.

3. Design

- The design is little more than boxes with no garages and little outside space. Internally, there is little storage space.
- The design does nothing to enhance or produce an exciting addition to the city's housing stock. The design simply reinforces the eastern block mentality that seems to prevail in Sheffield's housing stock, particularly in this eastern side.

4. Car Parking

- The cul-de-sac will be a magnet for the overspill parking of the college unless it becomes a gated community.

5. Site

- Concerns about the quality and suitability of the site - in terms of rocks falling and soil moving on the steep bank below Clay Wood (north site boundary) and substances on site, including asbestos and cyanide. These matters need to be thoroughly assessed.

6. Pollution

- Concerns about the properties being impacted upon by air and noise quality in this area. Consider that the quality of life of occupants will be compromised (both internally and externally) if good quality mitigation measures are not implemented.

### Sheffield Sustainable Development and Design Panel

The scheme was presented to the Sheffield Sustainable Development and Design Panel on the 8th November 2012. The scheme presented was significantly different to the current proposal which is, in part, the Design Team's response to the Panel's comments. There is no particular merit in reviewing the Panel's comments about the previous scheme at this juncture. However, key principles born out of the Panel's review related to:

- The site's edge position and extensive views being the site's greatest asset.
- Cross streets leading towards the edge with views out of the site, as well as defined public open space, could assist a successful site layout and provide a hierarchy/order of spaces within the development.
- Encouragement to explore the possibility of using the adjacent woodland as an asset rather than as an edge. For example, a street layout whereby the properties faced towards the wood and had a direct relationship with it.

- Encouragement of high quality architecture - including support for generous window openings and overall space standards. The Panel promoted house types that responded to the site characteristics and questioned whether a range of house types, and perhaps a higher density, might help to maximise the value of the site.
- The Panel questioned the intention to provide a footpath running around the perimeter of the site. Whilst the Panel supported the Council's desire to connect the site through to Sheaf Valley Park, questions were raised in terms of its practical use, natural surveillance and maintenance given its relative position running along the edge of a steep bank.

## PLANNING ASSESSMENT

### 1. Land Use Issues

#### Unitary Development Plan (UDP)

The application site is located within a 'Business: Institution: Leisure Area' in Sheffield's adopted UDP. Policy LR3 'Development in Business: Institution: Leisure Areas' states that housing (use class C3) is an unacceptable use for these areas and instead identifies a variety of other acceptable uses.

As such, the proposed development does not accord with the provisions of the development plan and must be treated as a departure. The application has been advertised accordingly.

#### Sheffield Development Framework (SDF) Core Strategy

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

Policies CS 22 'Scale of the Requirement for New Housing', CS 23 'Locations for New Housing', CS 24 'Maximising the Use of Previously Developed Land for Housing', and Policy CS 25 'Priorities for Releasing Land for New Housing' all promote new residential development in Sheffield - at appropriate and sustainable locations - in order to assist the delivery of suitable sites for housing within the City over future years.

This application proposes to provide new housing in order to assist the current 5-year supply of deliverable sites (as required by Policy CS 22), and it will provide development in the urban area which will support regeneration and make the efficient use of land (as required by Policies CS 23, 24 and 25).

#### SDF Draft City Policies and Sites Document

The Council's vision for this site has changed since the adoption of the UDP and there is now an aspiration to see the site developed as housing land. This is reflected in SDF City Policies and City Sites document which is currently being drafted by the Council. This emerging document identifies the land as being within

the Housing Area and it is understood that there are no intentions to change this designation.

This revised designation is considered to be a more updated vision for the site and one which goes some way to overriding the previous land use aspiration, which was created whilst the College occupied the land and before it consolidated its campus onto the opposite side of Granville Road.

The SDF vision for the site is supported by the Castle College Project Brief and the National Planning Policy Framework – as detailed below.

#### Castle College Project Brief

The Brief has been prepared by Officers on behalf of the landowner, the HCA, and supports the principle of residential development on this site. The Brief was signed-off as 'fit for purpose' by the Council's Head of Planning and the Development Team Manager for that area.

#### National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's revised planning policies for England and how these are expected to be applied. The key goal of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

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

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

## 2. Density Issues

Core Strategy Policy CS 26 'Efficient Use of Housing Land and Accessibility' states that housing development will be required to make efficient use of land but accepts that the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities.

The site is near to the City Centre and, therefore, it is recommended that at least 70 dwellings per hectare be achieved here. This is supported by the content of the Castle College Project Brief.

The proposed development achieves 45.9 dwellings per hectare on the site's developable site area (1.83ha) which is clearly short of the density aim. However, it is considered that such a shortfall can be justified by the high quality of development proposed and the identified need for housing in this location rather than higher density flat developments. As will be explained below, it is considered that the design approach is contemporary and eye-catching, which will help to provide a high quality development offering interesting properties with gardens to meet the needs of a varied population of people who want to live in a new house close to the city centre. Such schemes are considered to be quite rare. Furthermore, it is noted that higher density housing already exists within proximity of the site at Park Hill and Barnes Court to the north, Norfolk Park Student Village to the east, and more urban development in the Cultural Industries Quarter to north-west. Replication of a similar density/style of development would simply lead to competition rather than providing an alternative and addressing a need.

Therefore, it is concluded that the proposed shortfall in density provision does not conflict with the aspirations of Policy CS 26 and the relevant Project Brief.

### 3. Design Issues

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

Core Strategy Policy CS 74 'Design Principles' reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city. Amongst other items, this includes 'views and vistas to landmarks and skylines into and out of the City Centre and across the city to the surrounding countryside.

The HCA's own brief for this site includes a requirement to achieve Building for Life Silver. This is not currently a requirement of the Council but welcomed nonetheless.

The proposed development consists of a modern architectural style and a new addition to an area that is characterised by varied urban forms. This variety is born out of the edge of centre location and the mixture of uses which exist in close proximity to one another - including the new college campus (modern architecture), All Saints School (modern architecture) and Granville Road (various traditional housing styles).

For the reasons explained below, the design of the scheme is acceptable in terms of Policies BE5 and CS 74.

## a) Proposed Layout

The existing site access off Granville Road is the single vehicular point of access and egress. From this point the layout is characterised by an internal loop road that runs around the site and provides access to all of the properties. The new dwellings run around this loop road in four main runs/blocks of accommodation. One block is situated along the north boundary of the site and comprises dwellings which face into the site with back gardens addressing the foot of Clay Wood. There are two back-to-back blocks with walled gardens situated at the centre of the loop and address the north and south elements of the loop. The third run is the most prominent because it contains properties which address Granville Road as well retaining a street frontage to the loop road. The final block is very short comprises the three properties situated in the site's north west corner and accessed from a private drive leading off the main loop road.

At the western end of the site - at the point where the loop road starts to bend - there is an area of public realm which comprises informal open space intended to create a 'natural play' area and a viewing area across the city. Additionally, it is intended to retain the landscaped embankment areas which are characteristics of the site's south and east elevations.

The proposed design approach is considered to be a strong response to the Sustainable Development Design Panel's review of the site and previous iteration, which Officers generally agreed with. The internal loop road pushes a block to the edge of the site which makes positive use of the levels available and retains the existing character of properties addressing Granville Road. Also, the arrangement of the dwellings, with many having garden space to the side, will enable greater views/glimpses in various directions through the site to help provide a sense of place for the properties and their residents. Finally, the provision of open space is welcomed as it represents a public area and space looking out of the site at the point where all of the streets merge, thus further enhancing the sense of place.

Overall, the layout is considered to be a positive approach and acceptable from an urban design/public realm perspective.

## b) Proposed Architecture

The proposed units include two, three and four bedroom houses, provided across the site in terrace, semi-detached, detached and back-to-back configurations. The difference in provision is considered to be a positive element of the scheme which will help to widen the housing on offer.

The architecture is contemporary yet also quite traditional in terms of the material palette and the design features proposed to be used. The approach is also consistent throughout and there is a clear design theme running through all of the properties. The scheme is tenure blind and, therefore, there is no proposed difference in architectural quality between the affordable, market and mobility type housing.

All of the housetypes will be constructed from brick and a slate-like roof tile. The predominant brick to be used throughout the development is currently proposed to be cream coloured stock brick although alternative colours/textures may be used depending upon the unit type or its location within a block or within the overall development.

The facades are crisp and simple, comprising of large openings and high quality detailing. The large windows offer good brick to window ratios and this is proposed throughout the housetypes on front, rear and side windows (where appropriate). The windows are intended to be constructed from aluminium and supporting documentation states that they will be recessed as far as practical to give depth, articulation and quality to the facades.

A number of the housetypes are also characterised by projecting box bay windows which serve habitable room windows at ground floor level. The position of the bays varies between housetypes and they occur on front, rear and side elevations depending upon location, orientation and design approach.

A number of the properties are characterised by unique roof designs, which are essentially created by the use of steep and shallow pitches. These roofs are mainly used as a response to the housetype (e.g. back-to-back) or to aid the inclusion of specific design features (e.g. roof terraces on the four bed units).

All of the properties are intended to have their own timber front door, walled private garden areas (including bin and bike storage), and car parking provision.

Overall, it is concluded that the proposed architecture is simple but eye-catching which, if executed in the manner proposed, will be a positive addition to the site and surrounding area.

#### c) Proposed Scale

The surrounding area comprises predominantly two storey properties on Granville Road and larger properties along the Sheaf Valley hillside that address the city and transport corridors. In terms of scale, the majority of the units are between two and two and a half storeys tall. The units rise to three storeys for the prominent corner section of the site (south west) which addresses Granville Road and the Inner Ring Road.

Overall, the proposed scale is considered to be acceptable at this location. Officers consider that the taller units on the corner will help to maximise their prominent and visible position.

#### d) Proposed Streetscene

Following amendments, the scheme now incorporates more features, such as low boundary walls and projecting bin stores, to help define the edge of the highway, demarcate public and private space, and break up areas of clustered car parking.



More trees have been included within the front garden areas of the properties and a number of these are pushed forward to the back edge of pavement in order to maximise visibility. Whilst welcomed, the absence of more actual street trees is a disappointment. While trees within private gardens are welcome the reality is that they are beyond the control of the Council and their future contribution to the character of the neighbourhood can not be guaranteed. It has been requested that street trees be included within the scheme but the highway dimensions and financial constraints has hindered this provision

Overall, the provision of solid boundaries to the back of the pavement is considered a key improvement which will help to create a cohesive and defined streetscape. The use of low walls or railings to distinguish public and private space is a basic tenet of urban design and a characteristic feature of traditional residential streets across Sheffield. This form of treatment will create a defensible space that people can personalise and potentially occupy.

#### 4. Impact on Conservation Area

The site is located within close proximity of the Norfolk Park Conservation Area which is situated to the north and north-east.

UDP Policy BE15 'Areas and Buildings of Special Architectural or Historic Interest' states that development which would harm the character or appearance of Conservation Areas will not be permitted.

In light of the positive comments relating to the design and appearance of the scheme, it is considered that the redevelopment proposed will not have a detrimental impact on the character and appearance of the Conservation Area or its setting. There are therefore concluded to be no conflicts with Policy BE15.

#### 5. Sustainability Issues

Core Strategy Policy CS64 relates to 'Climate Change, Resources and Sustainable Design of Developments' and requires all new buildings to be energy efficient and to use resources sustainably. It also advises that all new significant developments (5 dwellings or more) should achieve Code for Sustainable Homes Level 3, or equivalent.

Achieving Code Level 3 is also a requirement of the HCA's brief. Accordingly, it is confirmed that all of the residential units will be built to Code Level 3 requirements.

Policy CS 65 relates to 'Renewable Energy and Carbon Reduction' and requires new significant developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy.

Again, it is confirmed that the development will achieve 10% of its overall energy needs from renewable energy. It is anticipated that photo voltaic panels will be used on certain properties throughout the site in order to be able to achieve this target. The submission indicates that the roofscape is defined by the use of pitches that will allow for optimum orientations to be exploited.



From the evidence submitted, it is considered that the proposals will comply with the requirements of Core Strategy Policies CS 64 and CS 65.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into all large scale developments. There are no green roofs provided as part of this development, which is unfortunate. However given the other design considerations and sustainability credentials proposed to be achieved, the failure to incorporate such a feature within the development is outweighed by these positive design elements.

## 6. Amenity Issues

UDP Policy H15 'Design of New Housing Developments' expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met. It also expects that walls or fences are provided around rear garden areas next to roads, footpaths or other open areas.

Additionally, as with all housing developments, there is a need to ensure that development is acceptable in terms potential nuisances – such as unacceptable air pollution, noise or other nuisance or a risk to health and safety.

In terms of the development's impact on existing residents, it is considered that the development will not have a detrimental amenity impact on the closest existing properties at Barnes Court, Farm Bank Road and Granville Road. Privacy distances and orientation are such to ensure that residents' existing amenity is not compromised in an unsatisfactory manner.

In terms of the environment for future residents, it is considered that the main issues relate to privacy, outdoor garden provision and the surrounding environment.

### a) Privacy

The privacy distances achieved throughout the site are generally acceptable as there are reasonable separation distances between properties. Furthermore, most gardens are intended to be walled so as to be screened from the internal loop road and to create private spaces for residents.

However, Members are advised that there are parts of the site whereby the relationship between habitable room windows is as low as 15m, which is probably on the cusp of what would normally be acceptable on a residential development. Specifically, this relates to the back-to-back properties that are situated in the middle of the site which have elevations containing a number of bedroom and ground floor habitable rooms facing each other and separated by small gardens. Also, the properties adjacent to Granville Road will have reduced privacy because their rear elevations and garden amenity space will be overlooking a busy

classified road. Nevertheless, limited window to window distances are a characteristic of Sheffield's many existing terraced houses.

#### b) Outdoor garden provision

The shapes and sizes of garden spaces vary across the site - the smallest is 32.5 square metres, the largest is 150.4 square metres, but most are around 45 - 70 square metres. It would normally be expected that new housing developments achieve at least 50 square metres of private space but the fact that there is variety is viewed as attractive in attracting a broad range of occupiers.

Additionally a number of the larger housetypes, namely 3-bed 2.5 storey and 4 bed units, include terrace areas at their upper levels to create additional amenity space. These terraces are positioned on either the front or rear elevations and vary between 10 – 21 square metres in area. This is considered to be a positive addition to the scheme.

Members are advised that the units positioned towards the site entrance at plots 51 – 57 have small and irregular shaped private garden areas which vary between 43.4 and 49.8 square metres. These properties also are positioned closest to Granville Road.

#### c) Surrounding Environment

A noise assessment has been submitted with the application, which identifies that the site exceeds the recommended criteria for outdoor and indoor noise levels for residential properties, when compared with the World Health Organisation Guidelines for Community Noise. This is essentially because of the site's urban location next to a busy road. The assessment therefore recommends that it will be necessary to introduce suitable mitigation measures within the proposed development and it is advised that this can be achieved by either 1) a whole house ventilation system at the residential properties facing the adjoining roads to allow the facade to be sealed, or 2) installation of acoustically attenuated ventilation openings, or 3) a noise barrier around the perimeter of the site. Measures 1 and 2 would relate to the internal noise environment and Measure 3 would relate to the outdoor space.

In respect of the mitigation options, it is considered that the internal environment can be dealt with by one of the proposed measures and this will be conditioned. However, it is considered that the erection of a 5-7metre high barrier around the edge of the site – as proposed as the best mitigation measure to improve the outdoor space for those properties closest to Granville Road - would not be an acceptable design solution. It is the case that a lesser barrier at 2 metres, which is higher than the 1.1m high wall currently proposed, would have some influence at reducing levels but it would significantly restrict views from the garden areas across the City. Consequently, Members are advised that there is a design/amenity conflict here – increasing the height to the boundary is a preference of the Council's Environmental Protection Service but not welcomed in architectural vision or urban design terms. Indeed, a key design feature of the properties situated along Granville Road is enhancement of views into and out of the site.

Given the urban location, Officers consider that that further barrier mitigation should not be requested at this stage. The site is no different to other city centre residential locations and it is felt that there is an element of 'buyer beware' whereby it is for the future occupier of each property to establish whether or not they feel that the noise is excessive for them in the garden areas. This approach would have the benefit of retaining the open aspect through to the city, which is the architectural and urban design vision for the site. It also leaves the option open in the future for residents to decide whether they wish to install a noise proof fence or barrier to limit the noise. Any fence to be erected in the future would require permission, as permitted development rights are proposed to be removed from all of the houses. Therefore, this would ensure that the Council retains a quality and consistency to future fencing proposals.

To conclude, it is felt that this scheme aims to strike a balance between providing a contemporary housing development (with all its features – high quality design, gardens, car parking, outlook etc.) in an exposed urban location. Because of this, and the restricted dimensions of the developable area, it is considered that a realistic balance has to be achieved which recognises that the expectation of large gardens, a quiet residential environment and 21 metres between all habitable room windows is unreasonable and unachievable. This approach would result in a much different and less dense proposal that is more akin to a suburban location. Furthermore, it is considered that those properties with the least privacy and which are most affected by the urban location are very much unique in terms of their design and position on the site.

For these reasons, it is concluded that the proposed residential development is acceptable in design terms and consistent with the aspirations of UDP Policy H15.

## 7. Highway Issues

Representations made by local residents and users refer to the highway implications that this proposal will create.

The proposed vehicle access/egress point from Granville Road is considered to be acceptable and the most suitable location for the proposed development. It is an existing site access that has previously been used by the college and its position is considered to be the most suitable owing to land levels and its positional relationship to existing vehicle accesses.

In terms of traffic generation, the Transport Statement indicates that the proposal will generate additional vehicle movements on Granville Road during AM peak and PM peak hours. These being a 3.5% increase in the AM peak hour (9 arrivals/30 departures) and 4.2% increase in the PM peak hour (21 arrivals/14 departures). It is confirmed that this is an acceptable increase in traffic level, which will not have a significant material impact on the adjacent highway network.

The 84 dwellings are served by 118 parking spaces, which equates to 1.4 spaces per dwelling. These spaces are provided in a number of different ways - on plot in front of properties, and single or tandem spaces between properties - and they will

be defined by a change in surface treatment to help create defensible space. Additionally, there are 24 spaces proposed for visitors and these are to be provided as unallocated spaces on the streets at various locations. This level of parking is considered to be acceptable at this sustainable location within close proximity of rail, tram and bus public transport services.

In light of the above, it is concluded that the proposed highway Implications resulting from this development are satisfactory.

## 8. Air Quality Issues

UDP Policy GE23 'Air Pollution' states that development will be permitted only where it would not located sensitive uses where they would be adversely affected by sources of air pollution. Furthermore, Core Strategy Policy CS 66 'Air Quality' encourages action to improve air quality in all areas of the City, particularly where residents in road corridors with high levels of traffic will be exposed to levels of pollution above national targets.

The development will result in a small increase in traffic movement in the local area, which in turn will impact on the local air quality. However, it is advised that the impact of this increase will be negligible. In order to improve air quality, it is recommended that the mitigation measures set out in the accompanying assessment are followed if possible, to help assist in reducing vehicle exhaust emissions. These are:

- At construction phase, the developer should have regard to mitigation measures in and adopt the London Councils' Best Practice Guidance, November 2006, "The Control of Dust and Emissions from Construction Demolition". This Guidance should be used as a guide to evaluate and manage dust emissions during this phase.
- Ensure vehicles delivering to the proposed site to be Euro VI standard minimum or are fitted with exhaust after treatment technologies such as continuously regenerating traps or other none primary NO2 emitting catalysts systems.
- If possible, make provision for the installation of 4 electric charging points for electric vehicles and for 5 bicycle racks.
- Promote the use of public transport and the need for efficient public transport links into the area.

It is advised that securing all of these measures would go some way in mitigating the forecast slight impact on air quality. All of the properties propose to include cycle parking accommodation, which is welcomed. The installation of electric car charging points has been raised with the developer but they have advised that they do not think that this is a necessary addition given the sustainable nature of the site and the availability of public transport options. It is confirmed that the aim is to encourage as many residents as possible to use public transport rather than private vehicles. Therefore it is recommended that this application be subject to a Travel Plan by condition, which will require the developer to detail how public transport services will be promoted as part of the development.

It is accepted that matters relating to the construction phase and delivery vehicles would be very difficult to enforce and regulate. However, in order to bring these potential improvements further to the Applicant's attention it is recommended that a directive promoting the potential mitigation measures be attached to this decision.

#### 9. Public Art

UDP Policy BE12 'Public Art' encourages the provision of these works of art in places that can be readily seen by the public and as an integral part of the design of major developments.

The application identifies locations along the eastern boundary of the site (footpaths and public realm spaces) where wayfinding information as well as information seating/retaining walls will be positioned. It indicates that these details will be constructed from corten steel, which is a material used elsewhere on the Sheaf Valley hillsides - especially at the adjacent Sheaf Street Park. In order to comply with policy aspirations, it will be a requirement for the design and production of this work to be carried out by an artist or craftsman.

Subject to final details and designs being agreed via condition, the proposed public art provision is considered acceptable in terms of Policy BE12.

#### 10. Flood Risk Issues

Core Strategy Policy CS67 relates to 'Flood Risk Management' and, in part, seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding.

The accompanying Flood Risk Assessment confirms that the site falls within Flood Zone 1. The Environment Agency has been consulted and raised no objection. Therefore, there are no significant flood risk implications generated by this application and the development is satisfactory in terms of Policy CS 67.

#### 11. Ecology Issues

UDP Policy GE11 'Nature Conservation and Development' states that the natural environment will be protected and enhanced. Therefore, the design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

A Phase 1 Habitat and Protect Species Scoping Survey has been submitted in support of the application.

The main developable area of this site predominantly comprises hardstanding land following the site clearance in 2011. The quality of this land as a habitat for biodiversity is confirmed as being low and, therefore, it is recommended that the development is not an issue with no mitigation required. However, the areas of scrub and broadleaved trees located in the banking areas along the north, west

and eastern boundaries are identified as being likely to provide a foraging resource for site fauna (e.g. birds, bats, invertebrates, etc).

Also, the Survey identifies that a white willow tree and mature / semi-mature trees located within the woodland to the north of the site offer suitable bat roosting habitat. The white willow and trees to the north of the site will all be retained as part of the proposed works and no works will cause disturbance impacts to these identified features. It is therefore considered that no further action is required in relation to bats.

Finally, the Survey recommends that measures be put in place to ensure that wildlife is not harmed by any development. This includes undertaking a pre-start check for species of all suitable habitats within a 30m radius, prior to the commencement of any site works, and vegetation clearance being completed outside the bird nesting season or following a nesting bird survey during other months.

The Council's Ecology Unit has assessed the details contained in the submission and raises no objection to the proposed development. The approach taken to characterise the nature conservation interest of the site and survey for protected species as well as the findings and recommendations of the Phase 1 Survey are considered acceptable. Therefore, it concluded that the proposed development is acceptable from an ecological perspective, subject to the recommendations made in the Landscape Plan and in the Phase 1 Survey being implemented.

## 12. Landscaping Issues

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

UDP Policy GE15 'Trees and Woodland' states that trees and woodland will be encouraged and protected. There is a requirement for developers to retain mature trees, wherever possible, and replace any trees which are low.

All landscaping on the site is located around the perimeter and the trees mainly comprise of plantation belts that provide screening to and from the site and for adjacent residences. The majority of trees are described as individually unremarkable but collectively the impact and value of the treestock is significant, both in terms of visual prominence and as habitat corridors.

Given the scale of development and proposed transformation of the site, it is the case that some existing trees and landscaping will have to be removed to accommodate new buildings, roadways and pathways. This is clearly unfortunate as the trees are a prominent landscape feature, however it is advised that selected trees will be retained where possible (including the most high quality white willow specimen on site) and new landscaping/tree planting will be provided as part of the new scheme. Indeed, the plans demonstrate the inclusion of feature tree specimens at strategic locations, woodland tree planting in the landscape banking



adjacent to Granville Street and Granville Road, street trees (in front gardens) and private garden fruit trees. Additional planting includes wildflower grassland plug planting, border hedge planting as well as high and low shrub planting.

Therefore, whilst the loss of some of the site's existing treestock is regrettable, it is considered that the quantity and quality of the new landscape scheme will be a suitable replacement. It will add further landscape variety and species mix/age to the site as well as ensuring that the site remains of partially green character when viewed from the city and surrounding areas.

Due to the proposals to retain (where possible) and replace it is concluded that the proposal is consistent with the aspirations of UDP Policy GE15.

### 13. Affordable Housing Issues

Core Strategy Policy CS 40 'Affordable Housing' states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. It proposes a target of 30 - 40% affordable housing on sites of more than 15 units.

The HCA's vision for the site comprises a mix of 30% affordable accommodation in a mix of rented and shared ownership.

This application proposes to achieve 20% of the site's properties as affordable/shared equity housing, which will be managed by a Registered Provider of Social Housing (South Yorkshire Housing Association). Six of the units will be for social rent (3 x 2 bed units and 3 x 3 bed units) and eleven of the units will be shared ownership (8 x 2 bed units and 3 x 3 bed units). They are intended to remain affordable in perpetuity.

In addition to this provision, it is also proposed that the developer partner (Kier) will also offer 10% of the site's properties through the Firstbuy, which is a product in the Government's HomeBuy range to help first time buyers into home ownership. FirstBuy support is offered through equity loan funding of up to 20% of the purchase price split equally between the HCA and the housebuilder, with purchasers being required to raise funding (a mortgage plus deposit) of at least 80% of the purchase price. There are eight units identified for this but the properties have not been selected as it depends which units the home buyer is interesting in purchasing.

The affordable housing element of this scheme is welcomed. The 20% affordable/shared equity housing is considered to be consistent with the requirements of Policy CS 40. The Firstbuy product is not recognised as affordable housing by Policy CS 40 and therefore this 10% element of the 30% provision does not strictly comply with the Core Strategy. However, Firstbuy is a good initiative in overall affordable housing terms and a Government product that is part of an Affordable Housing Programme to help increase the supply of affordable homes in England between 2011 and 2015.

In light of the above, it is concluded that the affordable housing offer proposed at this location is acceptable and a positive element of the scheme in tenure mix terms.

#### 14. Mobility Housing

UDP Policy H7 'Mobility Housing' seeks to ensure that a proportion (25%) of mobility housing will be encouraged as part of new developments except where the physical characteristics of a site or existing buildings make it difficult.

Again, it is the case that the HCA's brief for the site also demands 25% mobility housing design and well as 100% Lifetime Homes, which is not a policy requirement of the Council but welcomed at this site.

It is confirmed that the 25% will be achieved by this application by the provision. Therefore, it is concluded that the requirements Policy H7 are met.

#### 15. Education Provision

UDP Policy CF5 'Community Benefits' 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.

New housing developments may create new demand on existing community facilities, including schools and, as a result of population growth, the catchment 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 S106 contributions against all dwellings in the development for both primary school provision (at £2548 per dwelling) and secondary school provision (at £2743 per dwelling) - a total amounting to £444,444.

The HCA has advised that this total contribution is too high and a real problem for its intention to bring the site forward for new housing at the moment. Instead, it is advised that a contribution of £230,412 (the full secondary education contribution and highest of the two levels) is all that can be achieved at the current time.

Members are reminded that the site was purchased by the HCA in 2007/2008 during a buoyant housing market. It expected that it would subsequently deliver a high density development here, which would have realised significant a revenue to recoup the high purchase price. However, the economic downturn hit and a weak housing market now means that the site will only support relatively low density housing, as proposed.

In the interest of bringing the site forward for housing to help supply national and local demand, the HCA has negotiated to sell the site to Kier Partnership Homes and ultimately accept that it will now be making a significant loss. This was the outcome of a competitive competition. Following a viability appraisal it is confirmed that the offer from the developer is the best obtainable in the current market and that the quality of the scheme and affordable housing offer is the best that can be



supported given the small receipt the HCA is now prepared to accept. However, if the contribution was to be paid in full, the HCA would be left with a receipt amounting to less than 10% of the original amount paid for the site. Therefore, the HCA advise that if such a loss was going to be incurred then it would make sense not to sell in the current market and leave the site vacant until the housing market recovers.

The justifications put forward by the HCA are noted and discussion has taken place with the School Organisation Team. Following consideration of this offer it is advised that a contribution of £230,412 would be reluctantly accepted by the Council but on the basis that the monies could be provided towards either primary or secondary education in the area. On this basis, the Applicant will submit a planning agreement to pay the Council the sum of £230,412 upon the commencement of development.

Taking all of the proposed development characteristics into account (design, affordable housing, on-site open space, mobility housing etc.) as well as the urgent need to meet local and national housing demand, it is concluded that the aforementioned financial sum is, on balance, acceptable. The figure remains a significant amount which will be able to contribute towards the provision of education places within the catchment, which is within the spirit of UDP Policy CF5.

## 16. Open Space Enhancement

UDP Policy H16 'Open Space in New Housing Developments' requires that the Applicant makes an appropriate contribution towards the provision or enhancement of public space on or within the vicinity of the application site. On this site it is expected that 10% open space is provided because the site is greater than 1ha and the provision of recreation space in the catchment area of the site is below the minimum guidelines.

Core Strategy Policy CS 45 'Quality and Accessibility of Open Space' states that safeguarding and improvement of open space will take priority over creation of new areas.

Core Strategy Policy CS 46 'Quantity of Open Space' encourages that as opportunities, new open space will be created where a quantitative shortage of open space is identified and where it is required for extending the City's Green Network.

It is expected that this scheme should provide a contribution towards open space in the local area. In financial terms, this would lead to a contribution of up to £89,656.35 towards informal and formal open space, and children's play facilities. However, for the same financial and economic constraints discussed in the 'Education Provision' section above, the HCA has advised that there is no further money available within the project to provide such a contribution in financial terms but informal space will be provided on the site.

The scheme's failure to provide such a financial contribution is a negative aspect and shortfall in policy terms because formal sports facilities and children's play will not be provided for.

However, it is the intention to include an informal open space area at the western end of the site. This space is approximately 32m long x 13m wide, and is intended to include informal recreation space for residents and visitors. Furthermore, the Applicant has also agreed to construct part of the proposed Castle College footpath link as part of the development. This link will form part of the Sheaf Valley footpath network on the eastern edge of the City which is currently being created and it will ultimately help the Council to fulfil its current aspiration to link open spaces and parks in the area (e.g. South Street Park and Norfolk Park). The final design and location of the link will be reserved by condition and will be much dependent on feasibility, but the indicative details currently show that the pathway running through the landscape area to the front of the site from Shrewsbury Road to the open space area. It will be around 100m and it will be expected that this pathway be akin to other routes created at South Street Park in order to maintain a consistency of routes in the area. It is considered that the intention of this route will go some way to improving accessibility to open space, which is a key aspiration of Policy CS 45.

It is advised that these spaces and routes amount to 3.2% of the site's main developable area.

In addition to the above aspects the overall design quality of the scheme, and its particular intention to provide a high level of affordable housing on site as well as some monies towards education provision in the area, are deemed to be further positive factors which outweigh the open space shortfall in this case as they command a higher priority in the current economic climate.

Overall, it is considered that the proposal does not fully comply with the policy H16 described above however, for the reasons explained it is considered that the development's open space shortcomings are justified at this location and not so significant to warrant the refusal of the application when taking into account all other factors and material considerations.

#### 17. Pedestrian Route

Policy CS 54 relates to 'Pedestrian Routes' and states that the pedestrian environment will be improved, with priority being given to routes providing access to certain locations, including the Sheffield College site on Granville Road.

Following on from the intended footpath provision described above, Members are advised that it is the Council's intention to use some of Local Growth Fund monies generated for this area to further extend the footpath link across the landscape banking, which sits prominently on the south west corner of the site. The footpath would extend from the open space area and terminate at the position of the steps which currently lead onto Granville Road. It is anticipated that this pathway would be designed by the Council and discussions are already underway about its provision and the manner in which the developer can assist the Council in the construction of this route.

It is considered that the overall intention to provide a footpath link along the eastern section of the site is compliant with the aspirations of Policy CS 54.

#### 18. Public Transport Issues

Core Strategy Policy CS 23 'Locations for New Housing' states that new development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. The main focus will be on suitable and sustainably located site.

Core Strategy Policy CS 53 relates to 'Management of Demand for Travel' and part b. encourages the promotion of good quality public transport and routes for walking and cycling to broaden the choice of modes of travel.

South Yorkshire Passenger Transport Executive (SYPTe) welcomes the development and considers public transport accessibility to be excellent in this area. This will provide the site residents with access to an 'attractive' frequency of public transport services, thus encouraging use and supporting initiatives to promote sustainable travel behaviour.

It is considered that the intended provision of pedestrian footpaths in the landscaping to the eastern edge of the site will help to maintain acceptable walking distances to the tram stop. SYPTe state that improving the walking links on and off the site, sustainable travel habits will be encouraged and car dependency of the development will be controlled.

SYPTe request that there is a requirement placed upon the application to upgrade the nearest inbound bus stop to the site (stop number 37023148). This stop is also heavily used by the students of the Sheffield City College, so upgrading this stop will not only allow residents of this site to have a sheltered waiting environment for bus services into the city, but also provide a community facility. Given the scale of the development proposals and the proximity of the bus stop this request is not considered to be unreasonable and, therefore, it is considered that the provision of this stop be achieved by condition.

Stagecoach (Supertram operator) have no objections to the proposal, subject measures being put into place to ensure that works during the construction phase of the development do not affect the efficiency of the Supertram network.

In summary, the proposed impact on public transport is a positive one and there are no objections. The proposal complies with the relevant aspirations of Policies CS 23 and CS 53.

#### RESPONSE TO REPRESENTATIONS

It is considered that the main issues raised by the representations have been appropriately addressed in the main body of the report.

With regard to comments received in relation to the stability of the land and potential bomb damage, it is advised that this is an engineering matter, and health

and safety issue, rather than a material planning consideration. It will be the responsibility of the developer to ensure that the land is fit and suitable for the purpose intended.

It is confirmed that investigations have already been carried out as part of this planning application in relation to contaminated land and Coal Mining – and no significant abnormalities have been raised to cause significant concern.

## SUMMARY AND RECOMMENDATION

The proposed development will provide 84 new dwellings on a prominent vacant site situated on the immediate outskirts of the City Centre. The current proposals are considered to have an acceptable and contemporary architectural style and will include mixed tenure housing (including affordable housing) and 25% of the overall provision will be built to mobility housing standards. Furthermore, all of the properties will achieve Code for Sustainable Homes Level 3 and the site overall will achieve a 10% of its energy needs from renewable energy as well as a 30% reduction in surface water run-off.

The scheme is not considered to have an impact on the setting of the Norfolk Park Conservation Area and it is considered that the implications for existing residents in terms of overlooking, overshadowing etc. will be minimal owing to their relationship with the application site.

There are considered to be no significant highway implications generated by the proposal and the air quality impact will be negligible. Furthermore, the site is considered to have a very sustainable location with excellent public transport links for trains, trams and buses.

In terms of landscaping, the anticipated loss of trees is unfortunate but it is considered that the inclusion of trees and new landscaping spaces as part of the redevelopment proposals will represent suitable replacements. The response to the ecology on site is considered to be acceptable and the inclusion of a commitment by the Applicant to help the Council fulfil its current ambition to add to its network of pedestrian links along the Sheaf Valley hillside by providing part of a footpath route through this site is welcomed.

In amenity terms, it is considered necessary to acknowledge that the site is on the very edge of a major city centre and, therefore, the environment for the residential occupiers at this site will reflect this. Occupiers will not be able to expect suburban or countryside living standards - both in terms of privacy distances between properties (because of site restrictions) and external environment (because of noise levels - especially traffic noise). However, this circumstance is considered to be no worse than other city centre environments - or indeed - the existing residential properties on Granville Road.

The shortfall in S106 financial contributions relating to education provision and open space is regrettable and a negative aspect of the development. However, a balance has been struck to ensure the viability of the scheme and to maintain its

design quality, particularly in light of the level of affordable housing that is to be provided on site, which has been prioritised in this case.

Finally whilst technically a departure from adopted policy the land use aspirations for the site are now outdated and are being superseded by the emerging new local plan which is more consistent with modern strategies for the area.

Overall, it is believed that the benefits generated by this proposal outweigh the shortfalls identified and it is concluded that it will make a positive contribution to the site and the surrounding area. Members are therefore recommended to grant planning permission subject to the proposed conditions and completion of the approved Planning Agreement under Section 106 with the following Heads of Terms identified below.

Heads of Terms:

1. Agreement that affordable housing shall be provided on site and comprise of:

- Six units available for affordable rent (three x 2 bed units and three x 3 bed units) – operated and managed by the chosen Registered Provider of Social Housing;
- Eleven units available for shared ownership (eight x 2 bed units and three x 3 bed units); and
- Eight units available as part of Equity Percentage arrangements, achieved through the HCA's Firstbuy Initiative funded from the Affordable Home Programme.

2. The Owners shall pay the Council [on or before the commencement of Development] the sum of £230,412 to be used by the council towards the provisions of primary and secondary education in the locality of the site. This shall be provided in accordance with the principles set out in the Council's supplementary planning guidance 'Planning Obligations and Education Provision'.

3. Agreements relating to the creation of the footpath to be created along the western boundary of the site (including design, specification, provision etc.).

4. The Owner shall procure that the 'corten signs' at the Development are undertaken by an artist or craftsperson whose usual place of business is within South Yorkshire.

In the event that a satisfactory S106 planning agreement covering the Heads of Terms set out in the preceding paragraphs is not concluded before 26th March 2013 (in order to meet the Government's target time for determination of the application), it is recommended that the respective application be refused for the failure to make adequate provision in this regard.

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## **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:** 18 March 2013

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

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**Author of Report:** Claire Woods 0114 2734219

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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 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 decision of the City Council to refuse advertising consent, under delegated powers, for the resignage of a retail unit at Harveys Unit, 7 Drakehouse Retail Park (Case No. 12/03070/ADV).

(ii) An appeal has been submitted to the Secretary of State against the decision of the City Council to refuse planning permission, under delegated powers, for the installation of a new entrance door to a flat, new rear staircase and elevated decking with carport under, and formation of a door to front the balcony in place of existing window opening, Flat 2, The Elms, 11A Collegiate Crescent (Case No. 12/02437/FUL).

#### 3.0 APPEALS DECISIONS - DISMISSED

(i) To report that an appeal against the decision of the City Council to refuse planning consent, under delegated powers, for a single-storey rear extension to a dwellinghouse and erection of a car port to the side at 69 Lightwood Lane (Case No 12/02979/FUL) has been dismissed

##### Officer Comment:-

This site is in the Green Belt, and concerns a dwelling that is a replacement for a building demolished in 2010, and has been rebuilt with previously permitted extensions. The application was for further extensions.

The Inspector considered the main issues to be a) whether the proposal involved inappropriate development in the Green Belt, and b) if inappropriate, whether this harm was outweighed by very special circumstances.

On a) he considered, in the light of Green Belt policy that the extensions were disproportionate to the size of the original dwelling (prior to its rebuilding with extensions) and agreed with the Council that they were therefore 'inappropriate' Green Belt development. Inappropriate development is harmful

by definition and attracts significant weight.

On b) he considered the extensions would reduce openness, and whilst they were unobjectionable in terms of design and impact on neighbouring properties, no very special circumstances had been demonstrated to outweigh the substantial harm caused by inappropriateness. He dismissed the appellant's argument that it is normal and reasonable for a detached house to provide covered parking and a conservatory, as this did not remove the need to comply with Green Belt Policy.

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the decision of the City Council to refuse planning permission, at its meeting of 15<sup>th</sup> October 2012, for alterations to a basement to form additional living accommodation, provision of an escape window at basement level with metal railings and gate above the lightwell at 32 Crescent Road (Case No 12/01976/FUL) has been allowed

##### Officer Comment:-

The Inspector considered the main issue to be the effect of the development on the character and appearance of the existing dwelling and the Nether Edge Conservation Area.

He noted the Conservation Area status of the site and that the Conservation Area had additional Article 4 status. He also noted the key element of the proposals that were at issue were the railings surrounding the lightwell.

He disagreed with the Council's judgement that the railings would be harmful to the appearance of the dwelling or the character of the Conservation Area, principally due to their position significantly set back from the highway, and lack of prominence in the street scene.

The Inspector makes clear in his summary that his decision is based on these particular circumstances and cannot be used as a precedent for other such cases, as the circumstances are likely to differ. This is a welcome acknowledgement as it is highly unusual for the Council's stance on developments within the Article 4 area not to be supported.

#### 5.0 RECOMMENDATIONS

That the report be noted

David Caulfield  
Head of Planning

18 March 2013