

Planning and Highways Committee

Tuesday 5 May 2015 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

Councillors Alan Law (Chair), David Baker, Jack Clarkson, Tony Damms, Roger Davison, Tony Downing (Deputy Chair), Ibrar Hussain, Bob Johnson, Bryan Lodge, Roy Munn, Peter Price, Denise Reaney and Joyce Wright

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

The Planning and Highways Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues.

A copy of the agenda and reports is available on the Council's website at 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. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Recording is allowed at Planning and Highways Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

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.

FACILITIES

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.

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
5 MAY 2015**

Order of Business

- 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** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 8)
Minutes of the meeting of the Committee held on 14 April 2015
- 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** (Pages 9 - 86)
Report of the Director of Regeneration and Development Services
- 8. Quarterly Overview of Enforcement Activity** (Pages 87 - 90)
Report of the Director of Regeneration and Development Services
- 9. Quarterly Update of Enforcement Cases in the City Centre and East Areas of Sheffield** (Pages 91 - 100)
Report of the Director of Regeneration and Development Services
- 10. Quarterly Update of Enforcement Cases in the South Area of Sheffield** (Pages 101 - 114)
Report of the Director of Regeneration and Development Services
- 11. Quarterly Update of Enforcement Cases in the West and North Areas of Sheffield** (Pages 115 - 128)
Report of the Director of Regeneration and Development Services
- 12. Record of Planning Appeal Submissions and Decisions** (Pages 129 - 134)
Report of the Director of Regeneration and Development

Services

13. Date of Next Meeting

The next meeting of the Committee will be held on

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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.

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 (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

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 DPIs 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.

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 Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Planning and Highways Committee

Meeting held 14 April 2015

PRESENT: Councillors Alan Law (Chair), Jack Clarkson, Tony Damms, Roger Davison, Tony Downing (Deputy Chair), Ibrar Hussain, Bob Johnson, Bryan Lodge, Peter Price, Joyce Wright and Vickie Priestley (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor David Baker and Councillor Vickie Priestley attended as the duly appointed substitute. Apologies for absence were also received from Councillors Roy Munn and Denise Reaney, but no substitutes were appointed.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

3.1 Councillor Vickie Priestley declared an interest in an application for the erection of 14 dwellinghouses, demolition of an outbuilding, creation of a new access and associated landscaping works at land to the rear of Worrall Hall Farm, Top Road (Case No. 14/04117/FUL) as she was a local Ward Councillor and resident in the area, but stated that she would participate in its determination as she had not predetermined her views on the application.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 24 March, 2015 were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the

report to this Committee for this date in respect of Case No. 14/04256/FUL and other applications considered be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) having (i) considered (A) an additional representation in support of the development and a further representation commenting on the development and (B) the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard a representation at the meeting from a representative of the Jordanthorpe Tenants' and Residents' Association commenting on the development, an application for planning permission for the provision of 2 No. artificial grass pitches with associated fencing and lighting, drainage improvements to 1 No. natural grass pitch, erection of pavilion building including changing facilities, club room and education space, associated car parking accommodation and vehicular access, at Graves Tennis and Leisure Centre, Bochum Parkway (Case No. 15/00251/FUL) be granted, conditionally, subject to (1) Condition 7 being amended by the substitution of the word "site" for the word "dwellinghouse" and (ii) an additional condition being attached in respect of site security fencing, all as detailed in the aforementioned supplementary report;

(c) having heard a representation at the meeting from the applicant speaking in support of the development and notwithstanding the officer's recommendation, an application under Section 73 to vary condition 19 of planning permission Case No. 14/02725/FUL, to allow the extension of opening hours to 0230 on Fridays and Saturdays at Maggie May's, 23 to 27 Trippet Lane (Case No. 15/00161/FUL) be granted, as the Committee considered that the addition of 1 extra hour of trading on a Friday and Saturday struck the right balance between a vibrant night-time economy and the interests of nearby residents, particularly as the venue was well-managed and there had been no reported formal complaints about the operation of this bar; and

(d) having (i) considered a revised layout plan and representations objecting to the development, as detailed in a supplementary report circulated at the meeting and (ii) heard additional representations from a local resident and a representative of the Loxley Valley Protection Society speaking against the development and from the applicant's agent speaking in support of the development, an application for planning permission for the erection of 14 dwellinghouses, demolition of an outbuilding, creation of a new access and associated landscaping works on land to the rear of Worrall Hall Farm, Top Road (14/04117/FUL) be granted, conditionally, subject to (A) an additional condition in respect of the provision of wheel washing facilities, (B) the open space contribution, as part of the Section 106 Legal Agreement, being allocated to Sycamore Park and (C) Condition 2 being amended by the addition of the revised site plan, all as detailed in the aforementioned supplementary report.

(Note: An application for planning permission for the retention of a static van (amended plans received 11th January 2015) at 33A Collegiate Crescent (Case No. 14/03834/FUL) was withdrawn from consideration to allow officers to undertake a further investigation and consider the use of the building).

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 7.1 The Committee received and noted a report of the Director of Regeneration and Development Services detailing (a) the 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.

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Committee will be held on Tuesday, 5 May 2015, at 2.00 pm, at the Town Hall.

9. APPLICATION SEEKING A REVIEW OF SECTION 106 FUNDING - AFFORDABLE HOUSING

- 9.1 The Director of Development Services submitted a report in respect of an application received (Case No. 15/00873/MDPO) seeking a review of the affordable housing obligation under Section 106BA of the Town and Country Planning Act 1990, concerning planning permission granted for the erection of a mixed use development, comprising managed student accommodation (535 beds), private apartments (74) and Class B1 offices (385sqm) with ancillary facilities and associated landscaping at the site of Denby Street Car Park, Denby Street (Case No. 14/03597/FUL). The report stated that a review under Section 106BA was introduced by Central Government through the Growth and Infrastructure Act 2013 to allow such a request to be made in a case where the applicant considers the affordable housing contribution makes a scheme unviable. It was stated that the applicant's application was submitted with an updated viability appraisal and was reviewed along with the original viability appraisal independently by the District Valuer. The recommendation of the District Valuer was that the Affordable Housing Contribution of £425,245.00, contained within the Section 106 Agreement attached to planning permission Case No 14/03597/FUL, could not be sustained in the current market conditions as required by the National Planning Guidance in relation to viability.

- 9.2 **RESOLVED:** That the affordable housing contribution of £425,245.00 contained within the Section 106 Agreement attached to Planning Permission (Case No 14/03597/FUL) be removed and the Agreement be modified accordingly.

(NOTE: At the commencement of the meeting, the Chair (Councillor Alan Law) indicated that the above item was to be considered as an urgent item of business under Council Procedure Rule 26 of the Council's Constitution, in view of the limited time for this matter to be considered, although it had not been possible to give five clear days' notice of the item.)

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of Regeneration and Development Services

Date: 05/05/2015

Subject: Applications under various acts/regulations

Author of Report: Chris Heeley/Lucy Bond/John Williamson 27 36329/34556/34944

Summary:

Reasons for Recommendations

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

Recommendations:

Background Papers:

Category of Report: OPEN

Application No.	Location	Page No.
15/00813/FUL (Formerly PP-04025839)	Bassett House Bassett Lane Sheffield S10 4QH	13
15/00758/LBC (Formerly PP-04012294)	Steel City House West Street City Centre Sheffield S1 2GQ	23
15/00757/FUL (Formerly PP-04012294)	Steel City House West Street City Centre Sheffield S1 2GQ	26
14/04673/FUL (Formerly PP-03879628)	44 And Curtilage Of 44 And Site 46 To 48 Of Greenhill Main Road Sheffield S8 7RD	37
14/03026/ADV (Formerly PP-03599039)	P. Bennett Butchers 1 Priory Road Ecclesfield Sheffield S35 9XY	64
14/02959/OUT (Formerly PP-03584492)	Land To The Rear Of 328 Bole Hill Road Sheffield S6 5DF	68

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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning

To the Planning and Highways Committee

Date Of Meeting: 05/05/2015

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

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

Case Number	15/00813/FUL (Formerly PP-04025839)
Application Type	Full Planning Application
Proposal	Two-storey extension to dwellinghouse (revised scheme)
Location	Bassett House Bassett Lane Sheffield S10 4QH
Date Received	06/03/2015
Team	South
Applicant/Agent	DLP Planning Consultants
Recommendation	Grant Conditionally Subject Unilateral A

Subject to:

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

Reason: 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:

Drawings (NWS):

Layout plan Rev D (01-03-15)

Floor plans - Rev B (04-03-15)

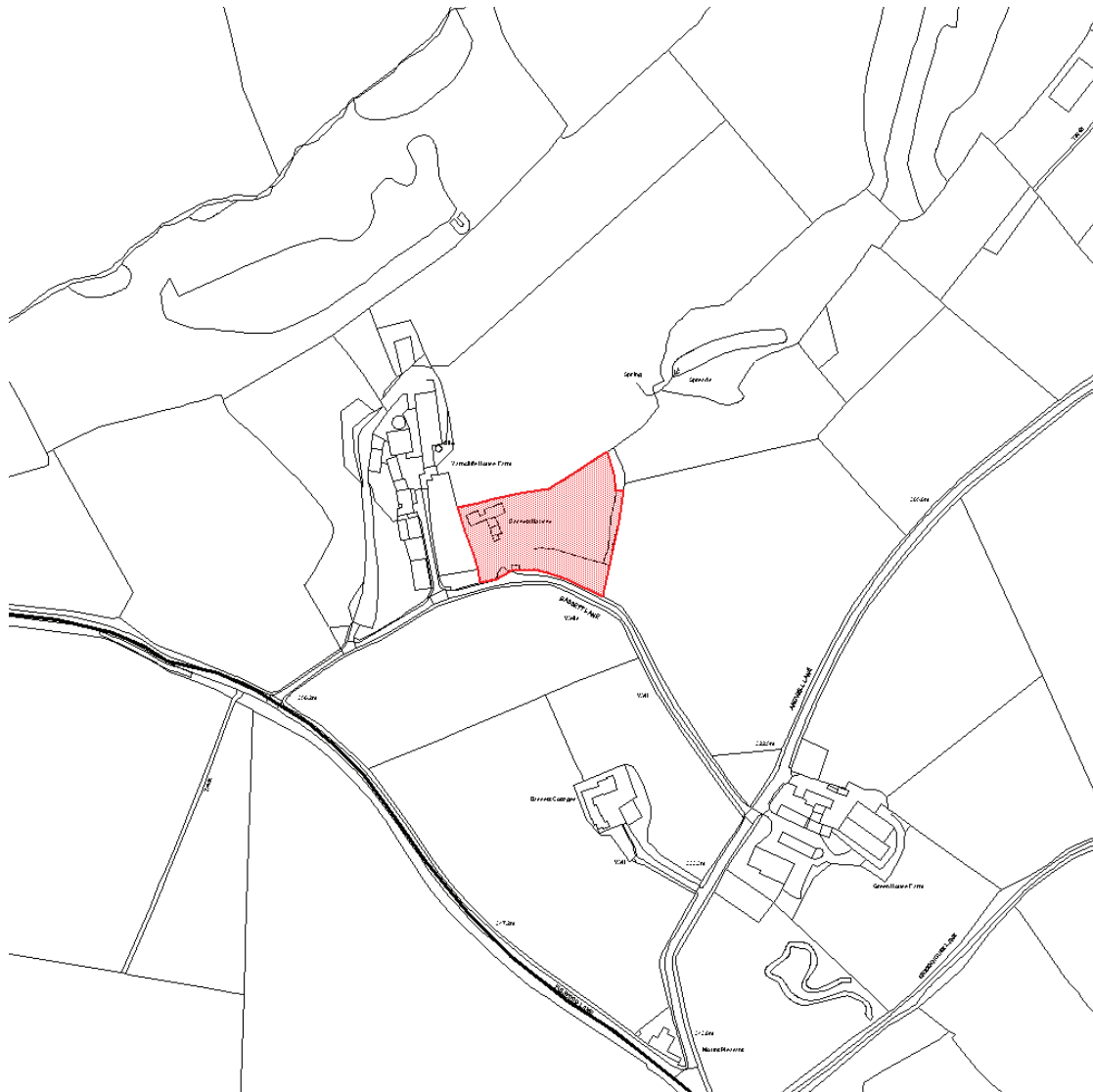
Elevations - Rev B (02-03-15)

Reason: In order to define the permission.

Attention is drawn to the following directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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INTRODUCTION

This application follows two previous refusals for a similar extension and the granting of a certificate of lawfulness for the erection of a large detached outbuilding.

The applicant has provided a planning obligation which covenants not to erect the lawful outbuilding or to carry out any other works involving additions to the dwelling or additional outbuildings or hard surfacing works that would otherwise be 'permitted development', in the event that this application for planning permission is granted.

LOCATION AND PROPOSAL

The application relates to a large detached dwelling in the Mayfield Valley. The property is believed to be approximately 300 years old and to have originally comprised more than one dwelling. It has been extensively remodelled and significantly extended. The extensions include a swimming pool, double garage and stables/storage. Solar panels have been installed to the garage roof. A large car barn has recently been constructed as 'permitted development' in close proximity to the front boundary adjacent the existing main drive entrance. There is another gated driveway to the site some 50m to the east.

Bassett Lane is a narrow road between Andwell Lane and Fulwood Lane. It serves only two properties (Bassett House and Yarnccliffe House Farm). The site extends to approximately 0.5ha, the majority of which is landscaped garden to the east. The frontage to Bassett Lane is approximately 80m with dense screen planting behind the dry stone boundary wall.

The application is to provide a two storey extension to a side elevation of the dwelling (facing Bassett Lane) to form a games room with 2 bedrooms and a bathroom over. Internal alterations are proposed to rearrange the existing accommodation, including a new main entrance to the east elevation facing the garden. The main entrance will involve alterations to the existing raised external terrace, including removal of existing steps and creation of new steps. These external alterations will also require planning permission.

The proposed extension will involve the replacement of a lean-to bathroom and will be 12.1m x 6m with a height that varies between approximately 3.85m and 5.5m. It will extend approximately 6m beyond the principal (east) elevation to the line of the north wing which is linked to the stables/storage block. The ground floor will be partly sunk so as to be single storey when viewed from the west. A dual pitched roof with a half dormer to the south elevation is proposed. The south facing roof slope is proposed to include integrated solar photovoltaic panels.

RELEVANT PLANNING HISTORY

Planning permission for a very similar extension was refused in January 2015 (ref 14/04212/FUL). That application included 2 x half dormers to the south elevation and was 150mm taller but was otherwise identical. The reasons for refusal were:

1. The proposed development, together with existing extensions to the dwelling, would result in disproportionate additions to the original building which would be detrimental to the open character of the Green Belt and would thereby be contrary to Policy GE6(a) of the Unitary Development Plan, Guideline 9 of the adopted Supplementary Planning Guidance

'Designing House Extensions' and paragraph 89 of the National Planning Policy Framework.

2. The Local Planning Authority consider that the height, siting and massing of the proposed extension would detract from the open character of the Green Belt and Area of High Landscape Value and would thereby be contrary to Policies GE4 and GE8 of the Unitary Development Plan.

An appeal against the Council's decision was lodged on 23 March 2015. A decision has not yet been made and the applicant has confirmed that the appeal will be withdrawn if the current application is granted planning permission.

A Certificate of Lawfulness was granted in October 2014 in respect of a large outbuilding intended to accommodate a snooker room, cinema room with bar and gymnasium with shower, changing area and wc (ref 14/02634/LD2). The building would be located 1m from the side of the dwelling, towards the Bassett Lane frontage.

Prior to the certificate of lawfulness application an extension identical to that refused in January 2015 (ref 14/04212/FUL) had been refused in June 2014 (ref 14/01350/FUL). The reasons for refusal were the same (see above).

Planning permission for the stables/store and a tractor garage was granted in 1996 (ref 96/02053/FUL). The permission was implemented but the front elevation does not include stable doors as shown on the approved plans. Windows have been provided instead and the approved feed store appears to be in use as a utility room. It is not clear what the 'stables' building is currently used for.

The swimming pool, plant room and a bedroom was granted planning permission in 2000 (ref 00/01445/FUL).

SUMMARY OF REPRESENTATIONS

No representations have been received.

PLANNING ASSESSMENT

Policy

The site lies within the Green Belt and an Area of High Landscape Value (AHLV) as defined in the Unitary Development Plan (UDP). No special designations affect the site. The Green Belt policy area is retained in the Local Plan Draft Proposals Map. There are no AHLV's in the Local Plan.

The most relevant UDP and Local Plan Core Strategy policies are:

GE4 (Development and the Green Belt Environment)
GE6 (House Extensions in the Green Belt)
GE8 (Areas of High Landscape Value and the Peak National Park)
BE5 (Building Design and Siting)

CS63 (Responses to Climate Change)
CS64 (Climate Change, Resources and Sustainable Design of Developments)
CS74 (Design Principles)

The adopted Supplementary Planning Guidance "Designing House Extensions" (SPG) is also relevant. The SPG will be replaced by the Supplementary Planning Document (SPD) "Designing House Extensions". The SPD was consulted on between 17 April and 30 May 2014 but has not yet been adopted and therefore carries less weight than the SPG.

The National Planning Policy Framework (NPPF) is relevant and sets out the Government's policies in relation to Green Belts.

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

The Local Plan Draft City Policies and Sites (CPS) document (pre-submission version) Policies G6A (Development in Countryside Areas including the Green Belt) and G10 (Design Quality) are relevant to this proposal. However, several formal objections to elements of these policies have been received through the consultation process. Furthermore, the CPS is no longer intended to be submitted to the Government for scrutiny although it will be revisited as part of a review of the Local Plan. Consequently, the weight can be given to Policies G6 and G10 relative to these proposals is limited.

Design

The relevant local policies are:

BE5 (Building Design and Siting)
CS63 (Responses to Climate Change)
CS64 (Climate Change, Resources and Sustainable Design of Developments)
CS74 (Design Principles)
Supplementary Planning Guidance "Designing House Extensions"

The extension is well designed and will have no adverse impact on any other property. Matching materials are proposed and adequate private garden space remains to serve the property. In these respects, the proposals comply with Policies BE5 and CS74. The proposals also comply with Guidelines 1 - 6 of the SPG.

The proposals will improve the energy efficiency of the building through modern design and construction and the additional solar panels will reduce energy consumption from finite resources. In these respects, the proposals comply with Policies CS63 and CS64.

Impact on Green Belt

The relevant local policies are:

GE4 (Development and the Green Belt Environment)

GE6 (House Extensions in the Green Belt)

GE8 (Areas of High Landscape Value and the Peak National Park)

The extension will not result in the loss of any mature trees and will not be especially prominent in the public domain, although it will be visible in limited filtered views from Bassett Lane and in distant views from Douse Croft Lane and Fulwood Lane. However, the extension will be a significant addition to the property and will reduce the openness of the Green Belt which will impact on the character of the Green Belt and the Area of High Landscape Value. In these respects, the proposals are contrary to UDP Policies GE4 and GE8.

Policy GE6 and Guideline 9 of the SPG permit only minor additions to the original dwelling within the Green Belt. Minor additions are defined as up to one third of the volume of the original house, although this is normally reduced in the case of larger houses such as this. Previous appeal decisions have confirmed that Policy GE6(a) is consistent with the NPPF which states (paragraph 89) that extensions to buildings in the Green Belt are not inappropriate "provided that it does not result in disproportionate additions over and above the size of the original building".

Guideline DHE11 of the draft SPD reflects Guideline 9 of the SPG in terms of the one third volume and goes on to specify a maximum of 40m². Again, this is reduced for larger properties. No comments have been received in respect of Guideline DHE11 during the consultation period. Limited weight can be given to the SPD as an emerging document but the SPG is given significantly greater weight. Notwithstanding this, the SPG and SPD guidelines are consistent for the purpose of the current proposal.

The previous additions to the dwelling amount to an approximate overall increase of 60% over and above the volume of the original dwelling.

The proposed extension cannot be described as minor within the context of the UDP and SPG, and will result in extensions significantly in excess of one third of the original volume of the dwelling. This would be contrary to UDP Policy GE6 and Guideline 9 of the SPG. It will also result in the disproportionate extension of the original building and would thereby be inappropriate development as set out in paragraph 89 of the NPPF.

There is no scope within Policy GE6 to apply 'very special circumstances' to justify a departure from the policy. However, the NPPF does make provision and should take precedence.

The applicant contends that planning permission should be granted on the grounds of consideration of the fall-back position and the sustainability credentials of the development. Whether these factors amount to 'very special circumstances' is considered below.

Fall-back Position

The fall-back position would be to construct the detached outbuilding previously confirmed as being lawful having regard to the General Permitted Development Order (Class E to Part 1). The applicant contends that the permitted development outbuilding would have a greater impact on the openness of the Green Belt than the proposed extension by virtue of having approximately 25% more floorspace.

The 'fall-back' outbuilding is clearly different in character to the proposed extension which is two storeys high and, with the exception of the snooker room, provides different accommodation to that currently proposed.

It should be noted that the lawful outbuilding (ref 14/02634/LD2) includes a relatively large gymnasium area which the applicant confirmed was required in order to provide equipment for rehabilitation of the occupier's back condition. The supporting documentation also confirmed that the existing gymnasium space in the dwelling was too small to be fit for the purpose of housing the required equipment/facilities.

The overall height of the proposed extension is greater than the lawful outbuilding as it is brought considerably forward of the main elevation and must therefore respond to a significant fall in ground levels. The desire to include a full additional storey also adds to the height requirement. This increases the massing of the dwelling. Whether the extension is erected or the outbuilding is erected will have little material difference in public views, although it is accepted that more existing vegetation can be retained if the outbuilding is not built which will provide more screening for the extension from Bassett Lane.

With the exception of the snooker room, the accommodation proposed to be provided in the extension could not lawfully be provided in an outbuilding as 'incidental to the enjoyment of the dwelling'. This is due to the proposed bedrooms representing primary accommodation which numerous appeal decisions have established cannot be 'incidental' for the purposes of Class E to the GPDO and therefore cannot be 'permitted development'.

The applicant's need (or desire) for the outbuilding accommodation was questioned in the previous application (ref 14/04212/FUL). Again, the applicant offered to provide a planning obligation to secure against the construction of any further permitted extensions or outbuildings in return for gaining planning permission for the two storey extension. This would remove the ability to provide the cinema room and gym and therefore brought into doubt the applicant's intention to provide them if the application for planning permission was unsuccessful. The prospect of the outbuilding being constructed was felt to be unconvincing and insufficient to outweigh the policy considerations in determining the previous application.

Since refusal of the previous application, the applicant has excavated deep trenches for the foundations for the lawful outbuilding. It is reasonably clear that the foundations have been excavated to influence the weight given to the fall-back position but, on the face of it, it has to be reasonably assumed that the applicant does intend to erect the outbuilding if the current proposals are refused.

Sustainability Credentials

The applicant also considers that significant weight should be given to the sustainable construction of the extension and refers to the submissions made in support of the previous application. The proposals will improve energy efficiency as acknowledged in the Design section above. However, whilst the energy efficiency benefits are acknowledged and are fully in keeping with Policies CS63 and CS64, there is nothing to suggest that an extension is an absolute requirement in order to improve the energy efficiency of the existing building. A scheme of internal insulation and associated energy saving works could be carried out if the applicant so desired. An array of solar panels already exists on the south facing garage roof and there are other existing south facing roof slopes available for additional panels if needed.

Planning Obligation

Acknowledging the concerns that this proposal would be inappropriate development the applicant has provided a draft planning obligation which will prevent further inappropriate development if planning permission is granted. The obligation is twofold; (i) it prevents the development of the lawful outbuilding (14/02634/LD2) and (ii) it prevents any further development of the site without the Council's approval.

The applicant accepts that to make the proposed development acceptable it would only be appropriate if the lawful outbuilding was not constructed and that the future use of permitted development rights was restricted. In normal circumstances it is considered that this development would not be acceptable, however there is significant benefit attached to restricting the further development of this site and in the circumstances this development is considered to result in less harm than would be caused if the lawful outbuilding was constructed and if permitted development rights were not restricted.

Taking all the factors into account, significant weight has to be given to the fall-back position and the planning obligation. The sustainability credentials are given little weight as there is existing potential to improve energy efficiency if desired.

The key facts are that the proposed extension will have a significantly lesser total volume than the outbuilding (372m³ as opposed to 617m³), a tighter envelope of built form will result and there is more potential for (limited) screening. The planning obligation will provide the added security of preventing any subsequent new development that would be even more harmful to the Green Belt, although the opportunities are relatively limited and the fact that the obligation is offered rather than demanded would add significant weight to justifying that it remains in force in the event that it was ultimately applied to be removed.

On balance, the facts are considered to amount to the 'very special circumstances' necessary to justify a departure from Policies GE4, GE6(a), GE8 and paragraph 89 of the NPPF.

Residential Amenity

The proposals will add to the amenities of the occupiers and will not affect any other property. There is no conflict with relevant guidelines in the SPG.

Highway Matters

There is existing provision for a number of cars within the curtilage of the dwelling. The proposals will not result in any demand for on street parking in Bassett Lane which is single width. In these respects, there is no conflict with Guideline 8 of the SPG.

SUMMARY AND RECOMMENDATION

The proposed extension cannot be described as minor within the context of the UDP and SPG and is therefore contrary to Policy GE6(a) and Guideline 9 of the SPG. It will also result in the disproportionate extension of the original building and would thereby be inappropriate development in the context of the NPPF. The proposals will result in significant additions to the original building and will reduce the openness of the Green Belt landscape thereby failing to preserve the character and appearance of the Green Belt and Area of High Landscape Value.

Notwithstanding the above, significant weight can be attached to a planning obligation submitted with the application which undertakes not to implement the lawful development of a large single storey outbuilding (foundations already excavated) and not to subsequently exercise any rights under the General Permitted Development Order that would result in additional built form or hard surfaces within the residential curtilage. The outbuilding is considerably larger than the proposed extension and therefore necessarily has a greater impact on the openness of the Green Belt.

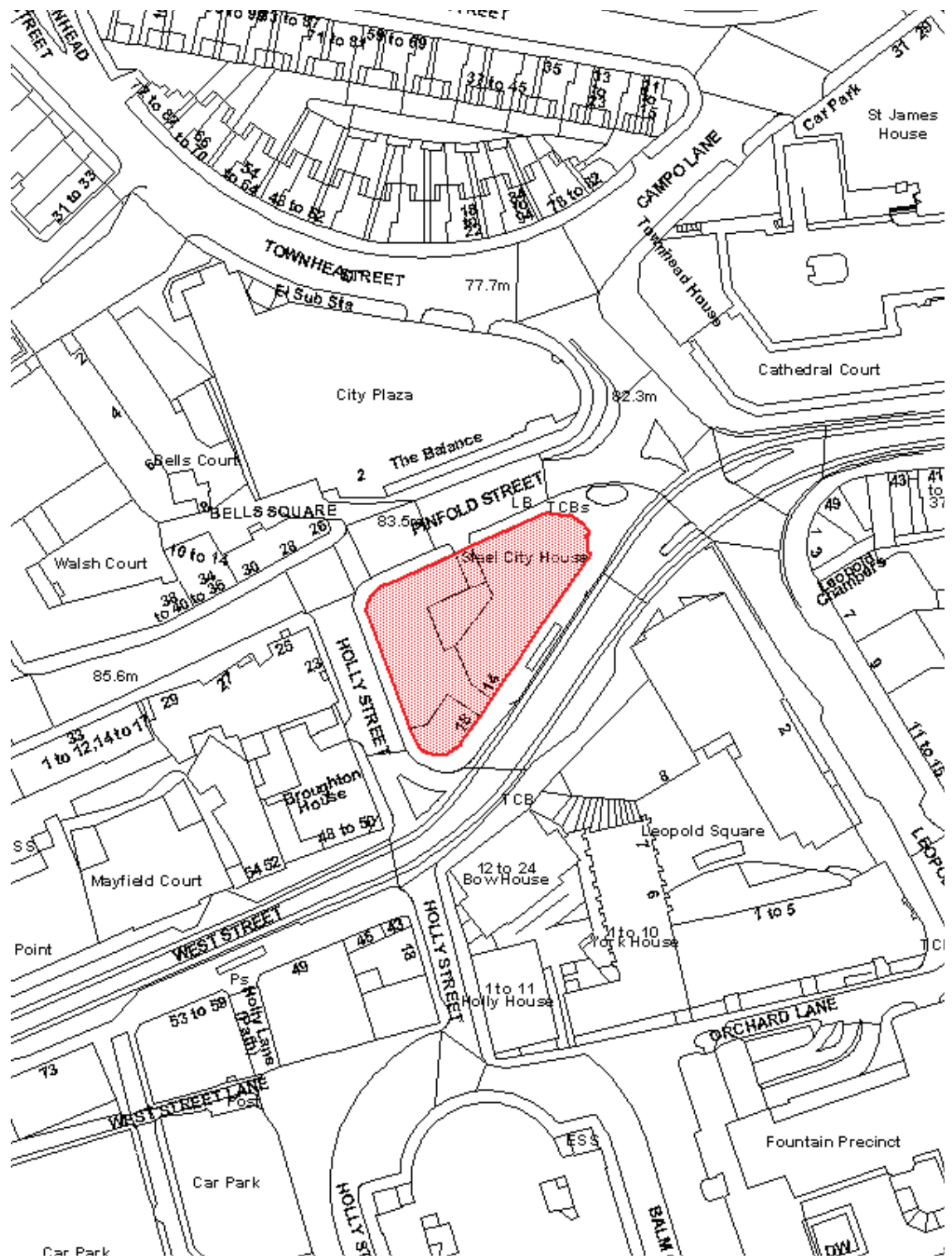
On balance, the benefits provided in the obligation are considered to amount to very special circumstances that are sufficient to outweigh the lesser harm of the proposed extension to the Green Belt environment in accordance with provisions in the NPPF. It is therefore recommended that planning permission is granted subject to compliance with the approved plans and subject to a legal agreement.

Heads of terms for Legal Agreement

1. The Landowner covenants that he shall not cause or permit the construction or use of a building on the Site pursuant to the Certificate of Lawful Development granted by the Council under reference 14/02634/LD2.
2. The Landowner covenants that he shall not seek the benefit of those development rights permitted pursuant to Classes A, B, C, D, E and F of Part 1 of Schedule 2, and Classes A and B of Part 2 of Schedule 2, to the Town and Country Planning (General Permitted Development) Order 2015 (or any other order revoking and re-enacting that order with or without modification) in respect of the Site and further covenants to only carry out development that would otherwise be permitted by such provisions having first submitted an application for planning permission in respect of the same to the Council and having had such permission granted.

Case Number	15/00758/LBC (Formerly PP-04012294)
Application Type	Listed Building Consent Application
Proposal	Alterations to building including removal of existing 5th floor office and 6th floor plant rooms and replacement with new 5th and 6th floor office space with new atrium space and lifts
Location	Steel City House West StreetCity Centre SheffieldS1 2GQ
Date Received	02/03/2015
Team	City Centre and East
Applicant/Agent	SDA Architects Ltd
Recommendation	To Report

Site Location

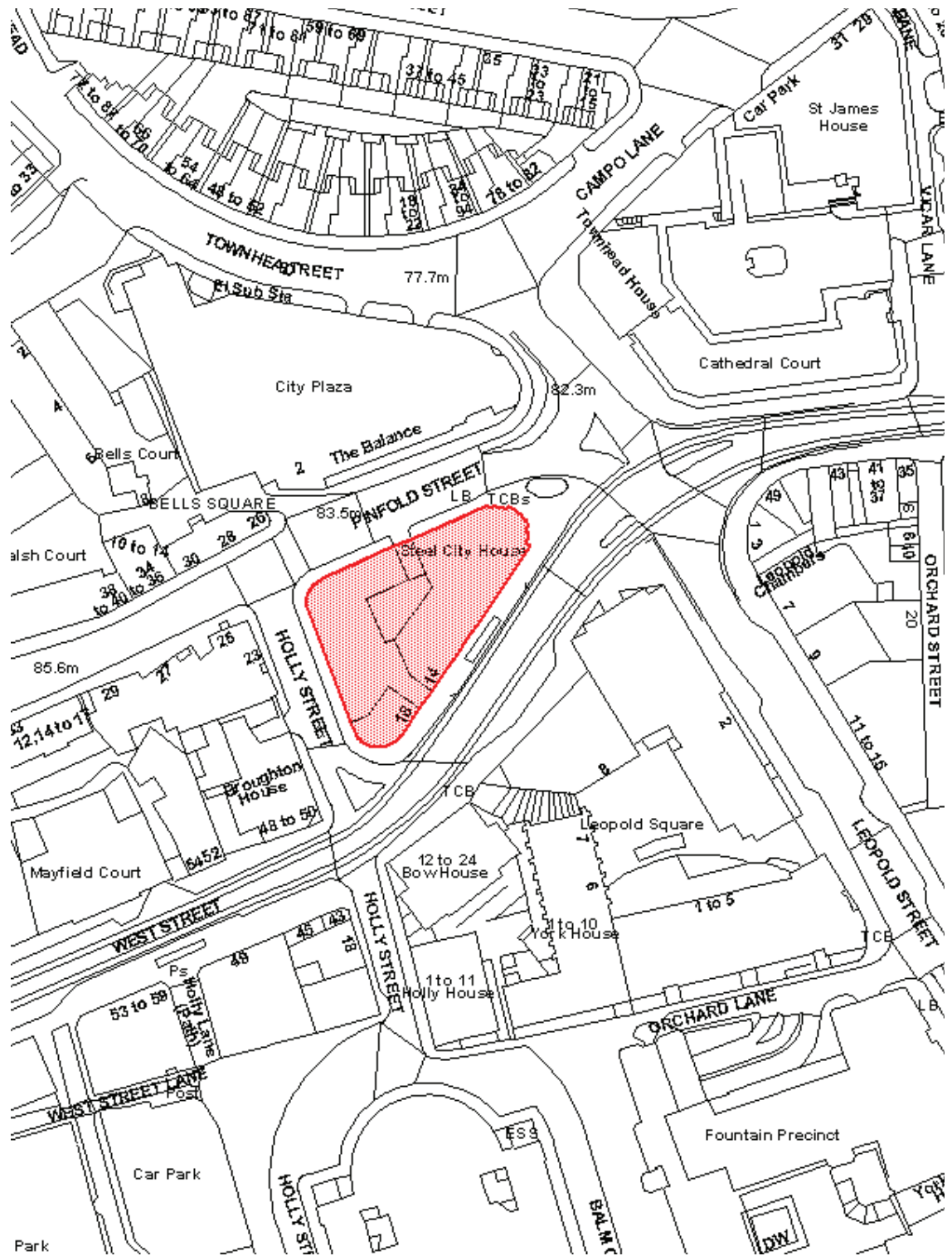


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FOR REPORT SEE FUL App 15/00757/FUL Below

Case Number	15/00757/FUL (Formerly PP-04012294)
Application Type	Full Planning Application
Proposal	Alterations to building including removal of existing 5th floor office and 6th floor plant rooms and replacement with new 5th and 6th floor office space with new atrium space and lifts
Location	Steel City House West Street City Centre Sheffield S1 2GQ
Date Received	02/03/2015
Team	City Centre and East
Applicant/Agent	SDA Architects Ltd
Recommendation	To Report

Site Location



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INTRODUCTION

This is a joint report dealing with planning and listed building application references 15/00757/FUL and 15/00758/LBC.

Steel City House is a Grade II listed building. It is a former telephone exchange which incorporated a post office, shops and a bank but has more recently been in use entirely as offices. It was built in 1927 but has undergone later additions and alterations. The building has a steel frame and Portland Stone cladding and dressings in a classical revival style. It sits on a triangular island site and features rounded corners. There are impressive bronze framed large windows to the ground floor fronting West Street. The upper floors of the building are divided by giant Doric pilasters and the fenestration size diminishes on the upper floors. The main entrance is on the lowest corner of the building, facing the main road junction and has a recessed semi-circular portico with two massive fluted Doric columns, covering a moulded stone surround with cornice, containing a pedimented wooden doorcase with fluted columns and glazed double doors. In front of the doors are wrought-iron gates with openwork piers.

The building was one of the first purpose-built telephone exchanges in the country. The Heritage Statement points out that it has heritage value for a number of reasons, not just for its grand external appearance. The building was unusual for the city in the 1920s in terms of its design, height and construction materials. Given its prominent location at a major road junction it quickly became a key landmark in the city and continues to do so to this day. It also contributes positively to the character of the city centre conservation area in which it sits.

LOCATION AND PROPOSAL

The site occupies a prominent corner position on a triangular island site, bounded by West Street, Pinfold Street and Holly Street. The main front entrance of the building faces the junction of Townhead Street, Pinfold Street, West Street and Pinstone Street, with views down High Street.

To the north of the site is a modern office block, now known as The Balance, to the north-east is Cathedral Court, another modern office block, to the south-east are the impressive stone terraces that form Leopold Chambers, to the south is the Leopold Square listed building complex and to the west is Broughton House (formerly an office, now converted to flats) and Anglo Works (a listed building with a bar at ground floor and residential accommodation over).

The proposal seeks to remove the existing 5th floor mansard roof and the extensive roof top plant and equipment and to replace them with a new fifth and sixth floor office space, together with a new central atrium and lifts in the courtyard area. The existing fifth floor and the plant and equipment over are not part of the original building. Internally the building would be re-configured to allow better access through the building as it is currently very convoluted and not easily legible. The interiors that are of particular heritage value would be retained and include some

attractive meeting / board rooms and former banking hall spaces on the ground floor but most of the interior has been extensively altered in the past so there is not a great deal that is of heritage value internally, other than on the ground floor.

The existing courtyard / lightwell has changed extensively over the years and the original design has been obliterated by the removal of brickwork, insertion of a rendered finish, removal of original windows and replacement with smaller modern insertions. The heritage statement dates the render back to 1973 and suspects that its removal will reveal a patchwork of material beneath and cause further damage. Given the degree of previous intervention the courtyard walls are considered to have low heritage value. This space is not visible from any public vantage point.

The Sheffield City Region (SCR) JESSICA Fund is providing a loan (at a commercial rate) to the developer for a total of £5m to fully refurbish the building to create a Grade A office space in the City Centre. The fund is supported by the European Regional Development Fund (ERDF) and the National Growing Places Fund.

The SCR JESSICA Fund has been established to support commercial development in the Sheffield City Region. The purpose is to assist developments to access loan or equity finance where traditional markets have yet to return post the recession.

Under the current regulations the SCR JESSICA funds must be spent by the end of 2015 so there is some urgency to the determination these applications to enable the works to be undertaken ahead of this deadline.

RELEVANT PLANNING HISTORY

There is extensive history covering a wide range of minor alterations, most of which were carried out under 'crown development' rules. In the 1970s the building underwent extensive alterations including the rendering of the tiled courtyard elevations and the infilling of a roof light to create the existing mansard roof. The last extensive refurbishment of the building was carried out in the early 1990s and the Council were consulted on the changes (reference 92/02052/FUL). At the same time the former bank premises on the main corner of the building were converted to offices (reference 92/02098/FUL). Slightly later, the former post office was also converted to offices (reference 94/01136/FUL). The building has been in office use in the intervening period until it became vacant but its authorised use remains entirely as offices.

SUMMARY OF REPRESENTATIONS

One objection has been received to each application from the same objector (from Chesterfield). The comments can be summarised as follows:

- Objects to the height extension and the design of the new top floors to this Listed Building
- Feels that the proposed alterations will detract from this listed building's character & appearance.

A further representation has been received from a member of the public who works next door to the building and views it every day. They have commented that the proposed alterations are sympathetic to the character of the building and will help bring it back into use.

Historic England (formerly English Heritage)

The comments of Historic England on the originally submitted scheme can be summarised as follows:

- This is a prominent Grade II listed building and its significance derives from its strong architectural presence on all 3 elevations and its former commercial use.
- Welcome the principle of refurbishing this prominent vacant building
- Currently unable to support the proposed alterations to replace the 5th floor and the formation of an additional storey
- Further discussions are required to secure a scheme which will enhance the significance of this Grade II listed building
- Concerns about the height and architectural treatment of the replacement 5th floor and the formation of an additional storey
- It is noted that the 6th floor is replacing roof plant and will be set back from the West Street elevation, mitigating its impact, but the flush elevations to Pinfold Street and Holly Street will result in a significant extension to the roofscape, appearing out of character with the historic building.
- The proposal will be clearly visible from street level and surrounding buildings
- The positioning of slot windows and vertical cladding is at odds with the unified and controlled elevations of the listed building.
- As currently proposed the scheme will result in harm to the significance of the building, which has not been justified (as required by paragraphs 132 and 134 of the NPPF) and does not address sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Consider that some accommodation at this level is achievable but an alternative design which reduces the impact of the proposed 6th floor is needed.
- Welcome further discussions to secure a future for this prominent building which meets the aspirations of the NPPF and enhances Steel City House.
- The development should be refused in its current form.

A site meeting subsequently took place with Historic England and revised proposals have recently been submitted to try and address their comments as well as those of your officers. These have been further considered by Historic England who have offered the following comments:

- Thank you for consulting Historic England on the revised proposals for Steel City House. Whilst we still have some concerns regarding the addition of a 6th floor to the listed building, we consider the amendments to the design

mitigate the harm to some degree, in particular the introduction of glazing to create a transparent roof edge.

- We would still prefer to see a reduction in the floor area to the 6th floor, resulting in a set back on the Pinfold Street elevation. Nevertheless the site visit demonstrated this would limit potential office space in conjunction with the existing courtyard. We consider the addition of an additional storey will result in minor harm to the listed building, however the Council should be satisfied that the public benefits of the proposal, including securing its optimum viable use, outweigh this harm.
- We request that detailed drawings are now submitted, to a more appropriate scale. This will provide reassurance that a good quality frameless glazing system will be used. Details should also include the proposed balustrade. It would also be beneficial if examples could be provided where a similar frameless glazing system has been used elsewhere and/or appropriate samples of material submitted to the Council.
- During our site visit we also discussed the proposed alterations at ground level to accommodate the relocated plant, proposed ventilation as well as new gates and fire escape. It is requested that these aspects of the design are clarified and agreed with the Council's Conservation Officer.

Conservation Advisory Group (CAG)

The development was presented to a meeting of the CAG on 21 April 2015. At the time of writing this report their comments had not been received. The Group viewed the original proposals rather than the revised proposals that are now under consideration. Any comments received will be reported in a Supplementary Report to committee but it should be borne in mind that the scheme has changed completely from the one that the Group reviewed.

PLANNING ASSESSMENT

Land Use Policy issues

The site falls within a Business Area as defined by the Unitary Development Plan (UDP), where B1 (Business) uses are preferred (Policy IB7). The refurbishment and extension of this building to continue as offices is therefore welcomed.

Policy CS3 (Locations for Office Development) of the Core Strategy promotes office development in the city centre and at its edge, citing that 65% of the total office space in the city as a whole should be in these locations. This policy, therefore, supports the principle of this development.

The National Planning Policy Framework (NPPF) also supports city centres as the key location for office developments.

Whilst the emerging Local Plan can be given very limited weight, the Draft City Policies and Sites Document also identifies the site as within a Business Area.

Given that the use is supported in principle, the main issue to consider in this case will be the detailed design of the rooftop extension and its impact on the character of the listed building and the city centre conservation area.

Policy IB9 (Conditions on Development in Industry and Business Areas) of the UDP states that development will be permitted provided that, amongst other things, it is well-designed and of a scale and nature appropriate to the site and that it complies with Policies for the Built Environment. These issues are discussed later in the report.

When reaching a final conclusion on the proposal it will be important to ensure that the economic uplift of upgrading the building to Grade A office status is assessed in the overall planning balance as this is a very important material consideration in this case given that the building would be put to a long-term viable employment-generating use. The NPPF supports sustainable development, part of which is to contribute to building a strong, responsive and competitive economy – supporting growth and innovation.

The two other strands of sustainable development referred to in the NPPF are its social role – supporting strong, vibrant and healthy communities by creating a high quality and accessible environment which reflects community needs; and its environmental role – contributing to protecting and enhancing the natural, built and historic environment and moving to a low carbon economy. These themes are also clearly relevant to the determination of these applications.

Heritage Asset & Design Policy issues

Steel City House is a Grade II Listed Building and is within the City Centre Conservation Area.

The National Planning Policy Framework (NPPF) states that Heritage Assets should be conserved in a manner appropriate to their significance and that applications should be accompanied by enough information to describe the significance of the asset in question. This application is supported by a detailed Heritage Statement which sets out the history of the building and its significance.

Paragraph 131 of the NPPF states that local planning authorities should take account of putting heritage assets to viable uses consistent with their conservation and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 of the NPPF states that in determining this application great weight needs to be given to the asset's conservation and its significance should not be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Unitary Development Plan (UDP) Policies BE15 (Areas and Buildings of Special Architectural or Historic Interest), BE16 (Development in Conservation Areas), BE17 (Design and Materials in Areas of Special Architectural or Historic Interest)

and BE19 (Development Affecting Listed Buildings) all seek to preserve and enhance buildings and areas of special architectural or historic interest that are an important part of Sheffield's heritage. Proposals which would harm the character or appearance of listed buildings and conservation areas will not be permitted.

UDP Policy BE5 (Building Design and Siting) states that original architecture will be encouraged but that all extensions should respect the scale, form details and materials of the original building. Designs should also meet the needs of users, particularly people with disabilities.

Policy CS74 (Design Principles) of the Core Strategy states that high quality development will be expected which takes advantage of and enhance the distinctive features of the city, including the distinctive heritage of the city, particularly the buildings associated with the city centre. It goes on to advise that the most should be made of opportunities that new development presents to enhance distinctiveness and that this means respecting the scale, grain and context of the places in which development is proposed.

The policies call for a high standard of design, using traditional materials and a sensitive and flexible approach to layouts of buildings. Proposals should also preserve or repair original details and features of interest.

It is considered that the internal alterations to the building, which are required to facilitate much improved circulation, will not harm the character or appearance of the heritage asset, particularly as the more ornate ground floor spaces will be preserved as part of the proposals. Equally the intervention in the courtyard space to form a covered atrium will not damage the special character of the building and will improve the carbon footprint of the building and help in the aim of achieving a BREEAM very good rating.

There are some interventions on the exterior façade of the building, including the insertion of a new escape door on the West Street elevation, within the non-original large bronze window openings; the formation of new security gates on the existing set-back entrances on West Street and Pinfold Street to tie in with those already in-situ on the main corner entrance (to the original Banking Hall) of the building; and the insertion of a number of louvres both within small sections of existing window openings on upper floors as well as larger openings on the ground floor, to facilitate the ventilation of the new office spaces. The final details of these are reserved by condition but are all considered to be acceptable alterations in principle which will not harm the special character of the heritage asset.

The critical issue in this case is the replacement of the existing 5th floor mansard roof with a new 5th and 6th floor. This is particularly important because the 6th floor will be visible above the existing dominant parapet to the building, whereas currently the only element of the building that appears above this level at present is the plant and equipment that serves the building, albeit that it is accepted that this in itself currently detracts from the appearance of the building.

As originally submitted the proposal consisted of vertical zinc cladding with slot openings which appeared at odds with the regular form of the fenestration pattern

on the original building. The scheme also incorporated a projecting parapet detail which, whilst attempting to provide a modern interpretation of the original parapet, simply appeared to add to the overall bulk of the rooftop extension rather than being subservient to the host building which is considered an essential requirement for any extension to this building.

The revised proposal consists of a structural glazing system with the frame profile only visible from the inside of the structure so externally the proposed extension will appear largely as a frameless box. The extension has also been set further in on the Pinfold Street elevation so that the original imposing parapet of the building is not compromised. The overhanging parapet detail has been removed and, instead, the glazing system returns back onto the horizontal roof section by approximately 1 metre to give a far crisper finish which will no longer draw the eye but will instead create a transparency to the roof edge, further minimising its appearance.

It is accepted that the new 6th floor of the building will be visible above the dominant parapet of the building, although this is unlikely to be the case from every vantage point, particularly as you move closer to the building. This will undoubtedly change the form of the building but it needs to be balanced against the fact that there is currently a significant amount of roof top plant on the building that is visible in a number of street views at present. Much of this plant is unsightly and detracts from the appearance of the building. The proposed extension of the building gives the opportunity to remove the plant and rationalise it elsewhere on the building so that no plant will be on the rooftop when the development is complete. Whilst it is the view of Historic England that there will be some minor harm to the listed building as a result of the 6th floor addition, it is your officer's view that this harm will be outweighed by the removal of the unsightly plant as well as putting the building back into Grade A office use.

The existing 5th floor mansard provides a poor office environment as it is so close to the parapet edge that there is no outlook, creating a dark and oppressive space. In order to be economically viable to remove this existing mansard, together with the plant and equipment (and replace it elsewhere in the building), it is necessary to replace it with the two floors as proposed. It will provide the added bonus of providing for extensive views of the city from the top floor which will further add to its value and attractiveness to future occupiers.

The proposals have only been submitted in sketch form at the time of writing this report but the sketches have given English Heritage and your officers the confidence that the scheme can now form a successful addition to the building and secure its long-term viable use in accordance with local and national planning policy considerations.

The funding deadline is such that the proposal needs to be presented to this committee meeting so it has been agreed that the fully detailed drawings for the revised rooftop extension can be submitted in the interim period between the deadline for writing this report and the actual committee meeting. Your officers are confident that the principle of the proposal is now acceptable but just need to be reassured about the final design quality ahead of the meeting. It is fully anticipated

that a favourable recommendation will be made as soon as the detailed drawings of the revised scheme are submitted.

Sustainability

Core Strategy Policy CS64 (Climate Change, Resources and Sustainable Design of Developments) states that new development and conversions must be designed to reduce emissions of greenhouse gases and function in a changing climate. This proposal gives the opportunity to achieve a higher standard of energy efficiency than is currently the case and the developer is aiming to achieve BREEAM 'very good' status in line with this policy.

The energy performance rating of the building is currently at the lowest level on the energy efficiency scale and this will improve considerably through additional insulation and the provision of energy efficient heating, cooling, lighting and lift systems. Water saving WCs, taps and showers will also be fitted in the building.

The site is sustainably located immediately adjacent to the tram network and high frequency bus routes. No car parking will be provided on the site but a large secure bike store will be provided in the basement as well as showers to encourage sustainable forms of travel by future occupiers of the building.

On this basis it is considered that the proposal meets the policy aspirations of the Core Strategy in terms of future sustainability.

Highways & Access Issues

The existing basement car park will be removed as part of these proposals because of the need to provide a new efficient passenger lift system in the atrium space which will have the effect of blocking vehicular access to the basement. As mentioned in the previous section, however, there will be a very large secure bike store in the basement which is to be welcomed. Servicing of the building will still take place from Pinfold Street as at present (the basement was never large enough to accommodate large vehicles) and waste storage facilities will still be in the basement as at present.

It is unfortunate that it will no longer be possible to provide parking for disabled persons within the basement (as this is also prevented by the new lift shaft arrangement) but access to and within the building (other than for parking) will be considerably enhanced and this is illustrated in the Design and Access Statement. The current arrangements are very substandard so this level of intervention is to be welcomed and the final details would be secured by condition.

The sustainable location of this building, as referred to above, means that there are multiple travel choices available for future employees and this is to be welcomed.

RESPONSE TO REPRESENTATIONS

It is considered that the main concerns have been covered extensively in the main body of the report and that the revised proposals have addressed those main concerns.

SUMMARY AND RECOMMENDATION

Steel City House is a highly prominent and decorative Grade II Listed Building within the City Centre Conservation Area.

The principle of upgrading and extending the building is acceptable as it will secure the long-term economic future of the building and will provide employment opportunities in line with the provisions of the National Planning Policy Framework.

The proposal, as revised, has the potential to sustain the significance of the Grade II Heritage Asset within the City Centre Conservation Area as required by paragraph 131 of the National Planning Policy Framework which advocates putting heritage assets to viable uses consistent with their conservation. It also states that new development should make a positive contribution to local character and distinctiveness.

The Sheffield City Region (SCR) JESSICA Fund is providing a loan (at a commercial rate) to the developer for a total of £5m to fully refurbish the building to create a Grade A office space in the City Centre. Under the current regulations the SCR JESSICA funds must be spent by the end of 2015 so there is some urgency to the determination these applications to enable the works to be undertaken ahead of this deadline.

The fully detailed revised drawings for the rooftop extension have not been received at the time of writing but they are expected very shortly and certainly between now and the committee meeting. Your officers are confident that the detailed design of the extension will prove to be acceptable, based on the sketch details submitted to date. It is therefore anticipated that a positive recommendation will be forthcoming in a supplementary report to the meeting. For this reason and because of the pressing funding deadline these applications appear on the agenda 'to report'.

Case Number	14/04673/FUL (Formerly PP-03879628)
Application Type	Full Planning Application
Proposal	Conversion of retail units to 1 dwellinghouse, erection of two dwellinghouses and alterations and two/single storey rear extension to existing dwellinghouse (No. 44) (Amended plans published 31/03/15)
Location	44 And Curtilage Of 44 And Site 46 To 48 Of Greenhill Main Road Sheffield S8 7RD
Date Received	24/12/2014
Team	South
Applicant/Agent	D Walsham Design
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.

Reason: 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:

Drawings:

Drawing number P5 B 'Proposed new Dwelling at 46/48 Greenhill Main Road and Two Storey Rear Extension at 44 Greenhill Main Road'

Drawing number P11 'Development at Rear'

Drawing number P1 'Proposed New Dwellings'

Drawing number P2A 'Proposed detached dwelling Plot 2'

Drawing number P4A 'Proposed detached dwelling Plot 1'

Drawing number P7A 'Timber Sash Window Details, 44 Greenhill Main Road and Plot 1'

Drawing number P3 '44/46 Greenhill Main Road Walls etc. to be Retained'

Drawing number P9 'Chimney Detail A'

Drawing number P6 'Proposed Detached Garage Plot 1'

Reason: In order to define the permission.

- 3 A sample panel of the proposed masonry for the dwellinghouses in plots 1 and 2 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 construction of the walls of the houses and shall be retained for verification purposes until the completion of such works.

Reason: In order to ensure an appropriate quality of development.

- 4 Prior to the commencement of that part of the development, details of the following materials shall have been received and approved in writing.

Hardstanding materials for the driveway

Rear windows and doors to plot 1 and 44-48 Greenhill Main Road

Windows and doors to plot 2.

Roofing Materials

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

Reason: In order to ensure an appropriate quality of development.

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

Rainwater goods, including gutters and downpipes.

Window reveals.

Casement windows to 46-48 Greenhill Main Road.

Front doors.

Windows to the front porch or plot 1

Service pipes and external flues to be used on the buildings

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

Reason: In order to ensure an appropriate quality of development.

- 6 The two gateposts fronting Greenhill Main Road shall be kept on site, the East post moved to the approved position as shown on the approved plans.

Reason: In order to ensure an appropriate quality of development.

- 7 The front windows to plot 1 and 44 Greenhill Main Road shall be carried out in compliance with the details shown in drawing number P7A published on 31/03/2015.

Reason: In order to ensure an appropriate quality of development.

- 8 All rebuilt chimneys to 44 Greenhill main Road shall be built in accordance with the details shown in drawing number P9, published on 31/03/2015.

Reason: In order to ensure an appropriate quality of development.

- 9 A sample panel of the proposed rendering for 44-48 Greenhill Main Road shall be erected on the site and shall illustrate the colour and texture of the render to be used. The sample panel shall be approved in writing by the Local Planning Authority prior to the commencement of the application of the render and shall be retained for verification purposes until the completion of such works.

Reason: In order to ensure an appropriate quality of development.

- 10 No external works to 44 Greenhill Main Road shall take place unless, large scale details at a minimum to 1:20 scale are received and approved showing the details of the proposed replacement side verge to the gable end, the projecting rendered course between ground and first floor level and the cill to the new window. Thereafter the external works shall be carried out in accordance with the approved details.

Reason: In order to protect the character of the original building.

- 11 No timbers shall be removed from the roof structure of 46-48 Greenhill Main Road unless a report has been received and approved detailing those timbers to be removed and justifying their removal.

Reason: In order to protect the character of the original building.

- 12 Those walls identified in drawing number P3 (titled 'Walls to be Retained') for 46-48 Greenhill Main Road shall remain in situ, and shall not be demolished or removed from the site.

Reason: In order to protect the character of the original building.

- 13 The Oak Tree to the front of plot 2 shall be retained, and any failure of the tree within 5 years following the completion of development shall result in its replacement with a heavy standard tree of the same species.

Reason: In order to ensure an appropriate quality of development.

- 14 No development shall commence on site unless the tree protection measures identified in the Arboricultural Report by AWA Tree Consultants and shown in position on the Tree Protection Fencing Plan (Drawing number P11) have been implemented. 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 other than for temporary works to erect the geogrid, until the completion of the development.

Reason: In the interests of the visual amenities of the locality.

- 15 Prior to the commencement of work on the new driveway, details shall be received of the proposed geo-grid, including cross section drawings showing the method of construction. The driveway shall then be built in compliance with the approved details. The details should allow for no excavation.

Reason: In the interests of the visual amenities of the locality.

- 16 The foundations to plot 1 and plot 2 shall be hand dug by hand for the sections as indicated on the approved site plan drawing number P11 (date published 31/05/2015).

Reason: In the interests of the visual amenities of the locality.

- 17 The side en-suite window on the side elevation of the plot 2 facing towards the curtilage with 42 Greenhill Main Road shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of it shall at any time be glazed with clear glass.

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

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no additional windows or other openings shall be formed in the side elevations of plot 1 or plot 2 hereby permitted without the prior written approval of the Local Planning Authority.

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

- 19 The dwellinghouses shall not be used unless car parking accommodation for at least 8 spaces excluding garage 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.

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

- 20 The dwellinghouses to the rear of the site shall not be occupied unless the access road has been widened to at least 3.7m at the narrowest point, and the provision of a 5m wide passing area is provided, as shown on the approved plans (Drawing number P11).

Reason: In the interests of pedestrian safety.

- 21 All new hardstanding and gravelled areas on site shall provide for the use of porous materials, to allow water to percolate to the ground below.

Reason: 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.

- 22 Details of the proposed site boundary treatments, including the walls and fencing, shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied, and the properties shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosures shall be retained.

Reason: In the interests of the visual amenities of the locality.

Attention is drawn to the following directives:

1. The applicant is advised that there is evidence of past building works on site, and should exercise caution in the construction of the new dwellinghouses on site.

2. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

3. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

Site Location



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LOCATION AND PROPOSAL

The proposal refers to a row of 3 properties, numbers 44-48, on Greenhill Main Road. Number 44 comprises of a two-storey dwellinghouse, whilst numbers 46-48 comprise of a pair of empty retail units. All three buildings are in a relatively poor state of repair, and have all been vacant since at least 2011, when a previous application on the site was assessed.

Behind the buildings lie an abandoned smallholding/orchard and paddock. There are abandoned chicken sheds on the site, close to the curtilage with properties on James Andrew Crescent.

The majority of the site, including the buildings to the front, lie within the Greenhill Conservation Area. The site is bordered by houses on James Andrew Crescent to the East, who back onto the site, and the rear garden of 42 Greenhill Main Road to the West. This property fronts onto Greenhill Main Road and has the same alignment as numbers 44-48. The Conservation Area includes the curtilage of number 42 Greenhill Main Road, but does not include those houses on James Andrew Crescent.

The site is generally flat, although a slight gradient is visible that falls towards away from 42 Greenhill Main Road, site visits show that the level of land change is very slight.

The site benefits from outline consent for a dwellinghouse behind numbers 44-48, granted under 12/00777/OUT. This permission has not been progressed further.

This proposal seeks permission for an alternative scheme for the entire site. It is proposed to erect two dwellinghouses to the rear of numbers 44-48, one of which will be outside the Conservation Area boundary, and to convert the set of three buildings to the front into 2 dwellinghouses, including the addition of rear extensions. Two detached garage buildings are proposed within the grounds to provide accommodation for one of the new houses and for the two houses at the front of the site. The rear-most property will include an integral garage.

The scheme has been significantly revised since first submission, with revised designs and locations for the houses, the conversion (as opposed to demolition) of part of the front buildings, and revisions to the size and design of the extensions to these buildings. A full tree survey and structural report covering the front buildings have also been received in support of the application.

Approximate bin storage locations have been identified on the submitted plans. However, it is presumed that, in practice, residents will likely position bins closer to the houses within their private amenity space.

It is the revised information that will be assessed below.

RELEVANT PLANNING HISTORY

11/03123/OUT	Erection of a dwellinghouse and detached double garage (email from agent received on 24/11/11) Withdrawn	01/12/2011
12/00777/OUT	Erection of a dwellinghouse and detached double garage (re-submission of 11/03123/OUT) (Amended plans received on 11/05/2012) Granted Conditionally	12/06/2012

SUMMARY OF REPRESENTATIONS

Neighbours were notified on the original application by letter (07/01/2015) and site notice (erected on 16/01/2015), and by letter with regards to amended plans on 31/03/2015.

Eleven representations from neighbouring properties have been received with regards to the scheme, all in objection. The issues raised are summarised below:

Design, Conservation and Heritage Issues

- The Greenhill Conservation Area appraisal identified distinctive local features and details such as stone boundary walls and gate piers. The proposed changes to the gate post therefore should not be touched.
- The house at number 44 is significant and the council should prevent the removal of gable wall and subsequent rebuild, as it will alter the symmetrical appearance of the house and will have a detrimental effect on a building of significant importance.
- The removal of number 46-48 will affect the setting of Crook Cottage (this issue has been largely resolved in the amended plans that intend to retain much of the existing building on site, although changes to the building are still sought)
- Plots 1 and 2 are too large and over scale all the current houses both inside and outside the conservation area.
- The proposed 2m high fences would be out of character with the Conservation Area.
- Plot 2 will be outside the area of built development in the local area.
- Bin locations on plans are not acceptable, need to be indicated properly.
- New houses should not allowed within a 'conservation area'
- The proposal will remove evidence of the past use of the land as a farmstead.

Impact on the Amenities of Neighbouring Property

- The proposed ridge heights might be over-powering to neighbouring property.
- The new houses will overshadow and remove direct sunlight from the rear of houses on James Andrew Crescent.

- Plot 2 would put a shadow and take away light from 14 and 16 James Andrew Crescent.
- The houses would overlook properties on James Andrew Crescent.
- The conservatory would affect the privacy to 16 James Andrew Crescent.
- The development will cause additional noise, and anti-social hours should be avoided.
- Additional planting should be sought to screen residents from the development.
- Plot 1 needs to be more central, and moved away from gardens of James Andrew Crescent.
- Ease of access to the rear of properties on James Andrew Crescent will lead to an increased risk of crime.

Highways and Parking Considerations

- There is insufficient parking accommodation on site, for users and visitors.
- The access road would have poor visibility when leaving the site. The proposed additional car spaces would make a significant increase to traffic on an already congested road.
- The proposal may impact upon the pedestrian safety of the road, which is a main route for school children.
- The proposal will not offer suitable access for fire vehicles.

Trees

- The proposal does not include a Tree Survey in accordance with British Standard BS5837, and will include development that would likely be in the RPA of neighbouring trees, which will impact upon the future health of these trees. Adequate protection of this from development and also the storage of equipment related to development is required.
- The driveway proposed will damage the roots of trees in the plot of 42 Greenhill Main Road.
- The use of herbicides should be restricted on site to avoid harm to the health of neighbouring trees.
- Confirmation is sought that the proposal would not affect any trees on bordering land.

- Plot 1 looks very close to the tree canopy, from the site drawing it looks like a chunk of tree canopy has been removed from a significant tree.

Other Issues

- Bats have been seen in the local area, and the proposed development may impact upon the habitats of such species.
- Badgers have been seen in the local area, and may be impacted by the development.
- Newts have been seen in the local area, and may be impacted.
- The plans as originally submitted are invalid, as the conservatory positions on the site plan do not line up with the plans. This issue has been resolved in the final amended plans.
- The plans do not show the boundary wall to number 42. As above, this issue has been resolved in the final amended plans.
- Item 14 on the application form has ignored the fact the land was an orchard and overgrown for many years, which has led to the land being used by important habitats and biodiversity. This is noted, and the habitat value will be assessed below.
- The site plan does not take into account recent extensions at the back of all three properties 14, 16 and 18 James Andrew Crescent. This issue has been noted, and an accurate assessment of these has been made by virtue of an officer site visit and assessment of the application for the extensions to number 18. The site plan submitted is based on OS plans, and extensions cannot be accurately plotted without the agent visiting and assessing all separate neighbouring properties, which is considered unreasonable in the context that an accurate reflection of the impact of the extensions can be done by other means.
- The business units on site should be retained for this use, as there is a demand for small retail units in the area.
- There is no mention as to what the land to the rear of the site will be used for (this will be used as a garden for plot 2).
- Consideration is required to be made into drainage on site, and water runoff.

All the above issues will be explored in the assessment below. In addition the following comments below have been received, which cannot be taken into consideration.

- Reduction of the selling potential of houses on James Andrew Crescent. This is not a material planning consideration.
- Several trees have been removed on the plot. These removals have been assessed, and it is noted that the stem diameter of the majority did not protect these trees from removal. The occasional tree was removed, which would have required consent, and it is included in the tree survey and assessment below.
- Requests for the site to be returned to a previous orchard use. The application can only be determined on the merits of what has been submitted. Wishes for the site to be brought back into a previous use have no bearing with regards to the assessment of a case on its individual merits.
- Lack of confidence in the developer due to past breaches viewed on site with regards to the lighting of a fire and cutting of trees. The Authority need to assess the merits of the scheme submitted, and cannot take personal views into account.
- Issues regarding compliance with Building Regulations concerning the set back from boundaries and the water table. These are not planning related matters, and concern the findings of any building regulations application.

PLANNING ASSESSMENT

Land Use Policy.

The adopted Unitary Development Plan (UDP) shows that the application site is designated as a housing policy area. UDP policy H10 says that housing is the preferred use so the broad principle is acceptable.

The site is not technically a garden, being a former small holding. However, its position behind numbers 44-48 Greenhill Main Road do strongly provide garden characteristics that need to be considered. Government planning guidance in the form of the National Planning Policy Framework (NPPF) says, in paragraph 48, that Local Planning Authorities (LPA) should make allowance for windfall housing sites in the five year supply but this should not include residential gardens. The NPPF goes on to say in paragraph 53 that LPAs should consider setting out policies to resist inappropriate development of residential gardens, for example where they would cause harm to the local area.

There is, therefore, a presumption against inappropriate development in private gardens so to establish whether or not this proposal is 'inappropriate' the application needs to be set against all relevant policy criteria.

The NPPF also re-affirms previous national policy advice by excluding private residential gardens from the definition of previously developed land. Core Strategy policy CS24 gives priority for the development of new housing on previously developed land and states that no more than 12% of dwellings should be

constructed on greenfield land in the period up to 2025/26. It also states that such development should only occur on small sites within urban areas, where it can be justified on sustainability grounds. The current house completion database (as of May 2015) shows that 5.2% of new houses have been built on Greenfield sites within the Core Strategy period dating from 2004/05. Therefore, the proposal for new greenfield development would be well within the 12% threshold.

The site is small within an existing urban area and sustainably located in that it is within 300 metres of a local shopping centre which includes a convenience foodstore, restaurants, post office and other shops. A number of bus services are available from stops within the centre, which include high frequency services. In this context, the development of this small Greenfield site for new housing complies with the aims of policy CS24.

Comments with regards to the need for retail units are noted. However, in policy terms, the location is a Housing Area, with retail uses promoted in designated Local and District Shopping Centres. As such, there is no policy ground to require numbers 46 and 48 to remain in retail use.

Layout, Design, External Appearance and impact on the Conservation Area

Policy

The application building falls within a Housing Area and as such policy H14 part (a) Conditions on Development in Housing Areas within the UDP states that new development should be well designed and in scale and character with neighbouring buildings. UDP policy BE16 deals with development affecting the character and setting of Conservation Areas and states that new development shall preserve or enhance such areas.

Policy BE5 'Building Design and Siting' requires the use of good design and good quality materials. Part a) requires new buildings to complement the scale, form, and architectural style of neighbouring buildings. Part b) requires a co-ordinated approach to the overall design of developments with more than one building. Part c) requires extensions to respect the scale, form, detail and materials of the original building.

Policy CS74 of the Sheffield Core Strategy requires development to be well designed and to take account of the local built environment.

In terms of landscaping, policy BE6 'Landscape Design' requires good quality landscape design will be expected in new developments and refurbishment schemes.

As the site is partially within the Greenhill Conservation Area, policy BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' applies to those parts in the Conservation Area. This states that, amongst other requirements, traditional materials are utilised, and that a high standard of design is used.

The National Planning Policy Framework, in section 12, requires Local Authorities to conserve and enhance the historic environment. Paragraph 129 states that Local Planning Authorities should identify and assessed the particular significance of any heritage asset that may be affected by a proposal, and should take this assessment into account when considering the impact of a proposal on a heritage asset.

Paragraph 134 states that where a proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use.

Core Strategy policy CS74 also seeks to ensure that the distinctive heritage of Sheffield is preserved.

The Greenhill Conservation Area Appraisal and Greenhill Conservation Area Management Proposals are a material consideration. The Appraisal seeks to record and analyse the various features which given the Conservation Area its special architectural and historic interest. It identifies the buildings to the front of the site as being buildings of Townscape Merit. It also identifies the relevant use of natural local stone and the prominence of mature streets and distinctive boundary wall and gate piers. The Management Proposals make a series of recommendations as to proposals for enhancement and policies for the avoidance of harmful change. It identifies issues such as the loss of architectural features; inappropriate re-pointing of walls; the retention of buildings of townscape merit; the retention of trees; and the archaeological recording of historic buildings.

The Planning Act requires applications to be determined in accordance with the Development Plan (UDP, Core Strategy, and Supplementary Planning Guidance/Documents) unless material considerations indicate otherwise. The NPPF has also imposed a 'presumption in favour of sustainable development' unless material considerations indicate otherwise.

National Policy (NPPF), Local Authority Development Plan Policy (UDP & Core Strategy), and adopted Supplementary Planning Guidance (such as the House Extension Guidance or Open Space Policy) all carry greater weight than the Greenhill Conservation Area Appraisal and Management Proposals, as they are adopted Planning Policy. The Greenhill documents are a material consideration, however.

The Planning Act requires applications to be determined in accordance with the Development Plan (UDP, Core Strategy, SPG/D) unless material considerations indicate otherwise. The NPPF has also imposed a 'presumption in favour of sustainable development' unless material considerations indicate otherwise.

Layout

Core Strategy policy CS74 requires development to enhance distinctive features and for development to complement the built form of the local area.

Visually, the proposal is for a backland development behind numbers 44-48. The proposal is in an area where buildings located behind the main frontage are a historic feature of the local area. The streetscene is characterised by buildings fronting Greenhill Main Road, but includes many examples of back-field cottages and houses that are historic in nature and help make up the character and appearance of the local area. This arrangement exists on both sides of the road.

The layout shows plot 1 sited towards the Eastern section within the Northern part of the application site. This will be within the Conservation Area, and will comprise of a built footprint that is generally in scale with other dwellinghouses seen within the Conservation Area, with a footprint no larger than those on Greenhill Main Road. This, combined with the detached and small scale form of the associated garage, will help ensure that the house will not appear over-dominant as a feature within the local area.

Plot 2 will be sited outside the Conservation Area, and will have a limited impact on the main Conservation Area given that it will largely be screened from view by trees from the land of number 42, and will also be sited significantly distant from the public realm of Greenhill Main Road. The scale of this building will be similar to the pairs of semi-detached houses on James Andrew Crescent behind the site, with which the property will be visually most associated in terms of scale and form.

The nature of the access drive will mirror a similar pattern seen with regards to the drive to the West of number 42, leading to established back land development. Such a feature, with longitudinal development towards the rear of sites, is characteristic of the local streetscene, and the formation of a new drive in principle will not detract from the general character of the local area.

Small outbuildings are proposed to accommodate garage spaces in two positions within the site. The small scale of the single garage next to plot 1 will not be dissimilar to outbuildings common to the local area. The larger double garage for the two front buildings will sit in relatively close proximity to these buildings. Such a feature is not uncommon to the local area, and also the historic built form, whereby ancillary outhouses are common and not out of character with the Conservation Area layout.

The houses all will have large rear gardens, with sufficient space for bins. This is a suitable arrangement to avoid the need for official bin storage areas on site, and will allow residents to design their gardens as fit. The absence of exposed front garden areas means that bins will not be exposed to the local streetscene, or cause a significant harm to the appearance of the locality.

Design and Appearance of the new Dwellinghouses

The dwellinghouse within plot 1 has been significantly amended since the first submission. The design of the house will involve a longitudinal profile, with vertically proportioned windows and a wooden porch with glazing. The general design of this elevation will reflect the built vernacular of development in the local area. The use of a slate roof and natural stone will tie in the materials with those identified as common to the Conservation Area. The smooth faced stonework to

the front elevation will tie in very well with the use of this material on the front of houses in the locality. To the sides and rear, rough faced stonework is proposed. This material will retain the use of natural stone. It's rough facing will not look out of character in the locality, where varying treatments to the side and rear aspects are common.

The front windows to plot 1 will be sliding sash, and will be highly appropriate. The use of aluminium guttering and downpipes is also positive. Both these materials will be in line with the recommendations of the Greenhill Conservation Area Management Proposals, where the use of artificial materials are discouraged. The use of such materials are carried through to the garage.

The rear elevation is more modern in appearance, with modern materials for the windows and Conservatory, as well as more modern window proportions. This elevation does face away from the highway, and is not visible from key vantage points in the Conservation Area. As such, it is not considered that these elements will cause significant harm to the character and appearance of the Conservation Area.

Plot 2 is located outside the Conservation Area. Given its position, the use of uPVC windows and the modern front and rear aspect designs will not cause any immediate harm to the Conservation Area, as its position is largely screened to this neighbouring area. Nevertheless, approaches have been made to better tie in this house to the Conservation Area. The use of natural stone will tie in with the materials common to the neighbouring buildings to the North, as will the use of a slate roof. The guttering and windows will also be coloured to match the house in plot 1. As such, the building will tie in with the style of development in general, in accordance with policy BE5, which requires a co-ordinated approach to housing developments. The use of these materials will also improve the visual quality of materials in this plot when compared to the use of render used on the houses on James Andrew Crescent, which are the closest neighbouring houses. The use of a hipped roof will replicate the style of roof seen on these neighbouring backfield houses, and will also reduce the prominence of plot 2 in the wider area.

Both dwellinghouses will relate well to the plots in which they will sit, with an obvious front door, and natural surveillance of the area to the front, which is considered positive. Their height will involve the use of eaves and ridge heights that will be similar to those of two-storey houses in the local area, which will ensure that they will not appear out of character in height.

Overall, the general design of the houses are considered acceptable, with the design of plot 1 suitable designed to tie in with the built vernacular of the Conservation Area to ensure it will not look out of character with the local area and built form.

Alterations to the Buildings to the Front of the Site

The proposal intends to make several alterations to the buildings to the front of the site in order to facilitate the development. Each element will be considered in turn below.

Upon number 44, the most significant outward change is with regards to the proposal to remove a section of the property, and to rebuild the gable wall set in 500mm to the side in order to allow the driveway width to be increased to 3.7m, necessary for fire engine access. Alongside this, it is proposed to move the existing gatepost so that it remains to the front, alongside an enlarged accessway. It is necessary to judge the merits and potential harm of this part of the proposal with regards to the impact on the building of townscape merit.

The key issue of assessment in this case is to assess whether the proposed new wall, which is to be built to the same external appearance as the existing (albeit with modern materials behind the render) will preserve, enhance or harm the character or appearance of the Conservation Area. This needs to then be judged against the material consideration in the Greenhill Conservation Area Appraisal, and the Management Plan, whereby we need to assess what extent the existing form makes a positive contribution to the Conservation Area.

It should be noted that the replacement of the wall in situ does not require planning consent, as it would constitute both a repair work, and also an alteration permissible under the General Permitted Development Order. It is only the fact that the wall is to be re-positioned that this element requires permission.

The existing building is asymmetrical, with the wall to the East of the front door being approximately 500mm narrow than that of the West wall. The alteration would essentially make the building approximately symmetrical. The proposed replacement wall will utilise matching external detailing, with the use of matching render, and a central projecting band – matching the existing features of the building. The proportions of the revised building will not look incongruous or out of character with the Conservation Area, and the outward appearance of the revised building will remain traditional and in character with the older houses of the local area. As such, it is not considered that the movement of the wall would result in any material harm to the outward appearance of the Conservation Area. The change to the gate post will enable the retention of this feature. The enlarged opening will not appear out of scale with the wide variety of openings in the streetscene.

The proposed rear extensions to the building have been significantly amended since the first submission. The height of the extension has been set down from the main building, and the first-floor element has been brought in from the side aspect. This will ensure that the additions will maintain the visual form of the side gable, and will maintain a significant proportion of the existing rear aspect of the building. The alterations proposed will be visually subservient due to these changes, and will maintain the prominence of the original main building. Their form, with matching materials and pitched roofs, is appropriate for the site.

The materials for the altered building will comprise of traditional materials, with proper wooden sliding sash windows to the dwellinghouse, and a traditionally styled front door. The alterations will restore traditional detailing to the building, and will appear acceptable in the context of the site. The rear fenestrations will be more modern in appearance, but will sit upon a subservient elevation. The use of

wooden casements are considered to be a traditional material, in line with the aims of policy BE17.

The alterations to numbers 46/48 will consist of significant changes in order to convert the building into a single residential unit. Originally, the building would not have comprised of retail units, although they have been in use as a retail purpose for many years, and since the adoption of the Conservation Area designation. The approach taken to the change to the front elevation will be to give the appearance of a single-storey cottage. Consultation with Conservation Officers and an English Heritage consultee on site indicate that the buildings would have originally been small workers cottages, and the approach to replicate this is considered appropriate. It is noted that the existing retail units are outside of a local shopping area, and their conversion to residential is encouraged in policy terms. The approach taken is considered appropriate to allow the change of use whilst appearing in character with the aesthetics of the Conservation Area.

The front elevation of the building will comprise of wooden casement windows and a traditional door. The proportions of the windows will be in character with single-storey cottages and outbuildings identified in the local area and in historical photos from the local area. The impact of the change, therefore, will preserve the character of the Conservation Area. The use of a rendered front will correspond with the existing material used here, and will effectively tie in the new blockwork with the existing building. A new slate roof is proposed, which will not be out of character with the Conservation Area.

To the rear, a series of extensions are proposed to the building, which will be single-storey in height, and set down from the main building. These will replace smaller flat-roofed extensions. The design of the additions will comprise of better materials than the existing extensions, and will have a limited impact on the overall Conservation Area due to their low height and siting to the rear of the site.

It is proposed to retain all the chimney features of the existing building, and to use traditional materials for replacement guttering and downpipes. This is appropriate for the site, and will ensure that traditional details in these buildings are retained.

Archaeological Considerations

The Conservation Area Management Proposals state in paragraph 3.4.2 that the whole of the Conservation Area has archaeological potential above and below the ground, and consideration will need to be given to the effect of applications for substantial new development. The recommendations are that an Archaeological Assessment of sites should be prepared where below ground archaeological remains are expected. Recommendations are also that, where substantial alteration of historic buildings are proposed, a detailed appraisal of the special architectural or historic interest of the buildings should be submitted.

Consultations under 12/00777/OUT with the Local Authority's Archaeology Section have confirmed that no archaeological remains are expected on the site.

With regards to the subject buildings, no detailed assessment has been made, although a structural survey has been submitted. In order to assess the elements of merit of the buildings, a Conservation Officer and the Planning Officer have visited the site in combination with a member of English Heritage.

From the visit, the following historical details have been discovered:

Number 44 consists of rough stone coursing to the ground floor and brick to the first, which indicates that the original building was single-storey, likely to be a continuation of numbers 46-48, and have been extended and substantially altered at a later date with a first-floor extension. The chimneys and internal joinery dates from the time of these alterations, presumably carried out in the late 19th Century. This includes details such as an existing range. None of these 19th Century details are particularly rare or of significant historic merit. It is noted that there appears to be some movement on the side gable wall, which the structural survey recommends requires replacement of this wall. This could not be fully confirmed in the site visit.

In numbers 46-48, the width of the stonework has been identified, including an internal wall that separates the two units. A substantial section of the original wall has been removed to the rear elevation to form access to the more modern extensions. The ground floor accommodation has been substantially altered to form the retail units, and the former fire place is not evident in situ, although the chimney remains. In the roof, it is noted that original timbers appear to exist, and these are of some historic merit.

On the side elevation of number 48, it is noted that the side wall is substantially bowing. This indicates that the structural survey requiring replacement of this wall is accurate. The wall comprises of rough coursed stonework.

Although no Building Appraisal has been submitted, the benefits of the site visit have enabled the authority to assess the elements of merit, which primarily consist of retaining the roof timbers and a significant section of the original walls of numbers 46-48. This is considered sufficient to meet the aims of NPPF paragraph 12. Given that the aims of the NPPF are met and that the NPPF has also imposed a 'presumption in favour of sustainable development' unless material considerations indicate otherwise. The absence of a Building Appraisal by itself cannot be used to justify a refusal of the application, given that the site visit appraisal, which was detailed, has been used to achieve the general aims of what the appraisal would achieve in any case.

With regards to numbers 46-48, it is noted that the agent has agreed in the amended scheme to retain existing roof timbers in this building, and has revised the proposal to retain a significant section of the original walls. Conditions to require a survey and report on the timbers to remain will be required to ensure this part is met. Subject to these two elements being enacted, it is identified that, alongside the retention of chimney features and the use of traditional materials, will seek the retention of key historic elements of the buildings.

Landscaping

The scheme will encompass the use of tegula paving and gravel for the driveways. The use of these materials will break up the appearance of the hardstanding area, and are considered of suitable quality to tie in with the traditional materials common to the Conservation Area. The garden areas will comprise of grassed areas and retained trees, which are in line with the style of landscaping common to the area.

Low stone walls with hedging behind are proposed to the rear of 44-48, which will offer a high quality outlook or the communal parking area, which will be the most prominent section of the development.

New fencing proposed to the rear and East side of the site will tie in with the height and style of fencing common to residential areas in the local area, with no specific harm to the Conservation Area. To the rear and side of plot 1, similarly styled fencing will be used, which will be consistent with the use of this material to the rear of houses. This fence will not face public areas, but only the driveway to plot 2, and so will not appear oppressive or out of character with the area.

Trees

UDP policy GE15 seeks to retain mature trees and where these are lost, replacements should be provided as part of development.

Core Strategy policy CS74 requires new development to take advantage of woodlands and natural features.

The site itself comprises mainly of low set planting, and small self-set trees. The largest, and most significant trees, are on neighbouring sites within the rear garden of number 42, and also to the East of the site in the grounds of James Andrew Crescent. These latter trees, although not protected and outside the Conservation Area, are noted as being trees of merit in the Greenhill Conservation Area Appraisal. Trees also exist to the rear of the site, adjoining the curtilage boundary to the rear.

A Tree Survey has been submitted in support of the application. The tree survey provides a summary of the planting on site and the trees within the neighbouring sites. In accordance with British Standard, the Root Protection Area of the trees have been calculated and marked on the plan. The tree survey and report has been carried out by a qualified arborist, and its findings are not disputed by the Landscape section within the Local Authority.

The Tree Survey does show that several small set trees are proposed to be removed within the site itself. None of these are significant species or of a height and size that are of significant merit, and their removal can be justified without causing significant harm to the local area. These involve T2, an apple tree situated in a planter; T1, a 4m high Ash, with a 50% dead/absent Crown; G10 and G11, a group of Cherry and Sycamore trees of up to 6m in height, which are single-stemmed and multi-stemmed at the base and have small, spare crowns, and are recent self-sown trees; and a small apple tree (T16). None of these trees is

categorised as being of category B or above. It is proposed to retain an Oak tree on site, which is positive.

The scheme has been amended since the first submission to revise the plot locations so that they are sited outside the Root Protection Area (RPA) of those trees on neighbouring sites. Many of these trees can be seen from a wider area, and their retention is important to preserve the character of the Conservation Area. The removal of built development from the RPA will ensure that the root area will not be damaged by built development. As the foundations will remain close to the RPA, conditions to require sections to be dug by hand will be required in order to limit the risk of significant soil compaction or groundworks within the neighbouring RPA. The areas are identified on the site plan submitted by the agent.

The proposed gravel driveway will allow water percolation into the RPA, and should enable the survival of the trees. A geo-grid system has been shown on the plans so that the drive can be installed without the need to dig into the ground and disturb the RPA. This detail can be agreed, and required conditioning so that full details of any dug form can be first approved before that part of the proposal is commenced.

Tree protection measures are shown, which will involve the placement of protective fencing that will largely eliminate development from the RPA of trees. Due to the confines of the site, some vehicles will need to access parts of the area covered by the RPA. However, the level of ingress will cover less than 25% of any RPA of any tree outside the site, which should ensure that the trees will survive. The retained Oak will be most affected by the proposals. Should this tree die back, conditions will require its replacement within 5 years of development work.

Comments from number 30 James Andrew Crescent have been received marking out concerns that the proposal may affect the a mature Sycamore in their property, and wishing for the RPA of this, and other trees, to be marked in a tree survey complying with British Standard BS5837. It is presumed that this relates to T19 in the submitted tree report, which is sited 12m distant from the position of plot 2. The RPA zones shown in the submitted tree report indicate this this tree will not be adversely impacted. It should be noted that this tree is shown within the curtilage of 42 Greenhill Main Road, close to the curtilage with 30 James Andrew Crescent. Other trees in the curtilage of number 30 are further distant, and will not have an RPA that will extend to the position of plot 2.

The representation wishing for restrictions of the potential use of herbicides on site is noted. However, there is no evidence that such use is proposed. In addition, harm to the protected trees in the Conservation Area would open the developer to enforcement action and prosecution for harm to a protected tree. Standard weedkillers should not be of a strength of design to kill a mature tree.

Sustainability.

Core Strategy policy CS64 says that all new buildings must be designed to reduce emissions of greenhouse gases, making best use of solar energy, passive heating and cooling, natural light and natural ventilation. They should also be designed to

use resources sustainably. This includes minimising water consumption, maximising water recycling, minimising waste and other means.

As the development is for less than 5 new houses, the requirements set by the policy to meet specific targets are not required. The houses will utilise natural light sources in appropriate locations, and have enough space for the placement of recycling facilities. They will also need to meet requirements to meet the equivalent of the Code 3 for Sustainable Homes in modern Building Regulation commitments, set after the adoption of Core Strategy Policy, which will ensure compliance with the policy aims.

Impact on the amenities of existing residents.

UDP policy H14 says that new development in housing areas should not cause harm to the amenities of existing residents.

Core Strategy policy CS74 requires new development to contribute to the creation of successful neighbourhoods.

Separation Distances within the Supplementary Planning Guidelines upon 'Designing House Extensions' are a material consideration. These provide guidance on suitable separation distances to avoid significant privacy or overbearing/overshadowing issues for house extensions. Logically, these guidelines provide detailed guidance as to what is considered acceptable before there is a substantial impact on the amenities of neighbouring houses.

It is important to ensure that the proposal would not result in a significant and/or unreasonable loss of privacy to neighbours nor result in a development having an overbearing nature which would be to the detriment of neighbours' amenities. Representations have been received from properties on three sides to the development site, of which the closest houses are those on James Andrew Crescent.

The development to 44-48 Greenhill Main Road will have a limited impact. No new side windows are proposed (one side window replaces an existing, with a similar impact), and the relationship of the extension to neighbouring properties will ensure that no significant overshadowing impact will occur. The two-storey extension is suitably separate from number 42 to avoid any significant impact to this property, whilst single-storey extension to number 46-48 will be at a low height and will not project significantly beyond the rear elevation of neighbouring Cruck Cottage.

The position of the detached garage buildings from the curtilage with neighbouring properties will also ensure a limited impact in terms of overshadowing and overlooking.

Several representation comments have been received objecting to potential overlooking from the proposed new dwellinghouses.

Plot 1 would not have principal windows facing the houses on James Andrew Crescent. It is suitably set in from the curtilage with these properties to avoid the

main front and rear windows causing any significant privacy concerns. The side conservatory window would have views towards James Andrew Crescent properties curtailed by the proposed 2m high fence. The side door to the house and first-floor side window facing towards number 42 Greenhill Main Road will not cause any significant privacy issue. The openings will be more than 10m from the curtilage boundary. In addition, the door will have views curtailed by proposed boundary treatments (and the proposed garage building), whilst the first-floor window is to an en-suite, and not a main habitable space. The separation distance means that a condition to require obscure glazing is not specifically required. However, its nature as serving an en-suite, will make it likely that the window will be obscured.

The same issues exist for plot 2, although the side window will require a condition to be obscure glazed due to its proximity to the curtilage boundary with number 42 being less than 10m. Separation distances to the rear curtilage are sufficient to avoid any significant overlooking towards the houses and their gardens behind.

Overlooking towards the garden of number 42 from the main front windows will not be significant, as the windows will be at least 5m from the curtilage boundary with this neighbour, which will avoid acute viewed angles from the windows becoming a significant privacy problem.

The separation distance of the new houses from the property of number 42 and the garden area of this property are sufficient to prevent any direct overshadowing or significant loss of light to this neighbour.

Concerning the houses on James Andrew Crescent, all of the new buildings will be more than 12m distant from the main rear facing windows of houses that they will be directly in front of.

Concerning plot 1, this will be approximately 20m from the rear windows of 12 James Andrew Crescent. Although close to the rear garden to this neighbour (approximately 1.5m to the side), this will impact upon the far section of the garden only, and will leave the majority of the garden unaffected. As such, the impact on the complete living conditions of this neighbour will be acceptable.

Concerning plot 2, this will be 12m distant from the rear windows of the original house of number 18. This property does benefit from a conservatory, which projects further to the rear. However, this will be situated to the side of the single-storey conservatory to plot 2, which is only single-storey, and will not result in a significant loss of light to the Conservatory. There are no large windows in the rear of a single-storey rear extension constructed to the rear of a side extension of the house.

The house will be 3m distant from the curtilage with number 12, which will reduce the impact on the garden to a degree. As plot 2 is right on the 12m guideline, the roof of this plot has been amended to feature a hipped roof, in order to reduce the eaves height next to this property. This will help reduce the potential overbearing and overshadowing impact further, to an acceptable degree.

The proposed 2m high fences are of a height that would not require planning consent to be erected under the General Permitted Development Order. The height is not atypical for rear garden fences to provide privacy, and is not considered tall enough to cause significant overshadowing impacts to neighbouring property.

Given that the existing accessway is in use for numbers 44-48 Greenhill main Road and access to the buildings of the small holding, it is not considered that the additional use of vehicles by the new houses would substantially increase the glare from headlights from vehicles towards 42 Greenhill Main Road. The level of car movements will not be significant, given that only 4 houses are proposed.

The above privacy considerations mean that additional planting to screen the development are not required.

The proposal will not have a significant impact upon the risk of crime for neighbouring property, although this is an issue raised in representations. Concerning James Andrew Crescent, existing unauthorised access is possible across the rear curtilage boundary across the presently empty site. The development will increase natural surveillance of the rear area, and will also result in the need for any potential criminals to cross another garden and a taller fence to access the rear of properties on James Andrew Crescent. The same issues apply with regards to improved natural surveillance to 42 Greenhill Main Road.

Concerns that the proposal will increase water runoff are noted. However, building regulations controls require new buildings to have water runoff from their roofs into a suitable disposal network, and not directly onto the ground of the site. In addition, conditions will require the new paving to be permeable, to reduce runoff concerns. As such, no significant problematic local flooding issues should result from the proposal.

Noise from the construction works are possible. The scale of the works should not, however, result in significant or long lasting noise issues. As such, Environmental Protection services should be sufficient to prevent excessive noise issues, such as work during anti-social hours. Any additional restrictions by condition would likely be overly restrictive and unreasonable in planning terms.

Living Conditions of Future Residents

UDP policy H14 (part c) also relates to new residents. In the case of this development, the proposed dwellinghouses will provide ample outlook to the front and rear, and will have an ample sized amenity area. Enough space is present for bin storage on site.

Although close to Greenhill Main Road, the amount of traffic at night is low, and it is not considered reasonable or in scale with the application requirements to require sound validation tests for the site, given that the noise in the local environment at crucial hours will be low.

Land Contamination risks of the site will be very low, given that the previous use of the land has been as a small holding, with no evidence of large scale landfill or industrial uses on site. Ordnance Survey mapping indicates that the site was developed pre 1900's. Since this time there have been several alterations to the configuration of the land to the rear of the main property, in relation to the construction and demolition of ancillary buildings related to the small holding use. This may indicate the potential for made ground to exist on the site associated with the demolition of former structures. As such, a directive will be added to any consent to make the developer aware of this issue, and to be aware of any potential risk this may pose with regards to land stability.

Access, Parking and Transport.

UDP policy H14(d) requires new development to have adequate on-site parking and safe access for vehicles and pedestrians.

Core Strategy policies CS51 and CS53 deal with transport priorities and management of travel demand, respectively. Both seek to ensure that access and parking arrangements are safe and adequate.

With respect to parking provision, the proposal shows that there will be space for at least 2 parking spaces (plus additional garage spaces) per property. This will provide a slightly greater provision of parking accommodation than recommended by the Unitary Development Plan. Although the parking accommodation will be reasonably generous, this is considered acceptable in the area as the on-street parking congestion visible on Greenhill Main Road does result in a low level of on-street parking availability.

The alterations to the access will enable safe ingress and egress. The present use of the access provides a route to 3 units, and the level of accommodation proposed should not significantly increase the level of expected movements from this situation. The increase in width to 3.7m will enable an improved access and visibility of the pavement from cars entering and leaving the site, which will more than compensate for any impact caused by access being provided for an additional unit (4 as opposed to the present 3). The revised arrangement will also provide space for vehicles to pass each other close to the access, with a 5m wide section provided. This will limit the propensity for cars meeting each other to result in one car having to reverse into Greenhill Main Road.

The number of houses served by the access is less than 5, and is not intensive enough to require full road adoption. The level of car movements is not sufficient to require a grade separated pavement, as the low level of movements should not conflict with the low degree of pedestrian movement likely.

With regards to fire access, the increase in the width of the access to 3.7m will enable a fire vehicle to access the site, which is considered acceptable.

Impact on Wildlife.

UDP policy GE11 says that the natural environment will be protected and enhanced and new development should reduce potentially harmful impacts on nature.

Core Strategy policy CS74 seeks to ensure that attractive neighbourhoods are created.

An Ecological Scoping Survey had been submitted in support of the application under 12/00777/OUT, exploring specifically for wildlife habitats for protected species – notably badgers and bats. The report has highlighted that there are no bat habitats on the site, nor any evidence of a badger sett on the site. Investigations of the site under this application, which is only 3 years more recent, shows that there is no evidence of any new setts on site, or any new potential bat habitats. As such, there is sufficient confidence that the development will not result in the disturbance of protected species.

Exploration of the roofspace of numbers 44-48 Greenhill Main Road, undertaken as part of the officer survey of these, show no signs of bat activity, nor any evidence that would warrant the submission of a full ecological survey.

There is no suitable habitat on site for Newts.

SUMMARY AND RECOMMENDATION

This planning application seeks to establish permission for 2 new dwelling houses to the rear of 44-48 Greenhill Main Road, plus alterations and extensions to these properties to form two additional dwellings. The site is complex, as it is in a Conservation Area, with buildings of Merit to the front, and neighbours mature trees on two sides.

Significant amendments and information has been received during the application process to deal with the above constraints. The conclusion of this assessment is that the amended scheme is suitably designed, and will not cause a significant impact upon the amenities of neighbours, or significantly harm the health of significant mature trees or the appearance and character of the Conservation Area. The scheme will also provide an opportunity to bring the front buildings, which are in a very poor state of repair, into use and up to a better visual standard.

Although the loss of the side wall and its replacement alters the form of no.44 Greenhill Main Road, it is not considered to be a change that would significantly harm the conservation area. The public benefits of the refurbishment of the site, and the provision of new housing stock, are considered to outweigh this less than substantial harm.

The development is considered to be appropriate at this location and, accordingly, there is no conflict with NPPF guidance nor relevant policy from the UDP or the Core Strategy.

This application is, therefore, considered to be acceptable and is recommended for conditional approval.

Case Number	14/03026/ADV (Formerly PP-03599039)
Application Type	Advertisement Consent Application
Proposal	Retention of a non-illuminated fascia name sign
Location	P. Bennett Butchers 1 Priory Road Ecclesfield Sheffield S35 9XY
Date Received	14/08/2014
Team	West and North
Applicant/Agent	Pinks Homes Ltd
Recommendation	Refuse with Enforcement Action

Subject to:

- 1 The Local Planning Authority consider that the display of the fascia signs would by reason of its inappropriately bright and garish appearance, size, scale and prominent location have a detrimental impact on the appearance of the street scene, the character of Ecclesfield Conservation Area and the setting of St Mary's Church which is a Grade 1 Listed Building. As such the display is contrary to policies BE13, BE16 and BE19 of the adopted Unitary Development Plan and policy CS74 of the adopted Sheffield Development Framework Core Strategy.

Attention is drawn to the following directives:

1. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

Plans: Sign dimensions received 14th August 2014
2. Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner it was not possible to reach an agreed solution in negotiations.

Site Location



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LOCATION AND PROPOSAL

The application site lies within the historic centre of Ecclesfield at a prominent corner location within an area of traditional buildings and a church all constructed of either natural stone or red brick. 1, Priory Road is a two storey stone building with a pitched roof, formerly used as a butcher's with a shop front on two elevations. It is now used as an estate agent with the shop front extending around the corner on three elevations.

This application seeks Advertisement Consent for the retention of fascia signs above the windows and entrance door. The signs have already been put in place so this application is retrospective.

SUMMARY OF REPRESENTATIONS

Ecclesfield Parish Council have said that this is an inappropriate sign within a Conservation Area next to Ecclesfield Church.

The Ecclesfield Conservation and Local History Group object to the application for the following reasons.

This affects the character of Ecclesfield Conservation Area.

The signs are excessively large and the colour is not in keeping with other signs in the Conservation Area.

Pink as a background colour is not appropriate and the large white lettering is too bright.

The central section of the sign is on a wall with no shop window.

This is a very prominent location at a busy corner within the Conservation Area.

This impacts on views of St Mary's Church which is one of only five Grade 1 Listed Buildings in Sheffield.

The large pink sign inside the window should have the same status as external advertisements.

PLANNING ASSESSMENT

Policy Criteria.

The adopted Unitary Development Plan (UDP) shows that the site is designated as a housing policy area and policy H10 says that although housing is the preferred use, offices used by the public (A2) such as estate agents are acceptable in principle in such areas. There would be no change to the use of the building as the application is restricted to the signs only.

UDP policy BE13 deals principally with large poster and/or internally illuminated signs but says that such signs should not be a traffic hazard nor should they harm the character or appearance of an area. This policy also says that such signs should not be located within Conservation Areas or affect the setting of Listed Buildings.

Appearance of the Signs.

The signs are in place above the windows and entrance door and because of the bright pink background, large white letters, size and scale, are unacceptably prominent in the street scene. They are not considered to be a traffic hazard but they are out of place in an attractive area of traditional buildings, contrasting with the much more subdued signs of nearby premises.

Impact on Ecclesfield Conservation Area and a Grade 1 Listed Building.

The site lies within Ecclesfield Conservation Area and UDP policy BE16 says that new development should preserve or enhance the character or appearance of Conservation Areas.

The site is situated close to St Mary's Church which is a Grade 1 Listed Building and UDP policy BE19 says that proposals will be expected to preserve the character of such buildings.

Core Strategy policy CS74 says that high quality development is expected that would respect the distinctive heritage of the city particularly the buildings and settlement forms associated with historic village centres and the city's rural setting.

The bright pink and white signs are prominent, garish and completely inappropriate within the Conservation Area and close to the Grade 1 Listed building. Their presence at this location has a significantly negative impact on both the character of the Conservation Area and the setting of the Listed Building.

Your officers have been in contact with the applicant saying that this application is unacceptable and possible suggestions as to what might constitute an acceptable proposal have been set out but there has been no response to this.

ENFORCEMENT

The signs are already in place so Members are requested to authorise all necessary action, including enforcement action to ensure that the signs are removed.

SUMMARY AND RECOMMENDATION

This retrospective application seeks Advertisement Approval for the retention of signs at an estate agent at 1, Priory Road, Ecclesfield. The signs are considered to be overly bright and garish and are totally unsuitable having a detrimental impact on the street scene, the character of the Ecclesfield Conservation Area and the setting of a Grade 1 Listed Building.

The application is considered to be contrary to policies BE13, BE16 and BE 19 of the adopted UDP and policy CS74 of the adopted Core Strategy and is, therefore, recommended for refusal.

The signs are already in place so Members are requested to authorise officers to take all necessary action, including enforcement action to ensure that the signs are removed.

Case Number	14/02959/OUT (Formerly PP-03584492)
Application Type	Outline Planning Application
Proposal	Erection of two semi-detached dwellinghouses (additional information regarding access and driveway arrangements, ecology and trees)
Location	Land To The Rear Of 328 Bole Hill Road Sheffield S6 5DF
Date Received	07/08/2014
Team	West and North
Applicant/Agent	DLP Planning Ltd
Recommendation	Refuse

For the following reason(s):

- 1 The Local Planning Authority considers that the steep gradient to the site from the adopted highway on Bole Hill Road and the excessive carrying or dragging distance that a resident of the proposed dwellings would incur to enable satisfactory refuse collection would be impractical and inappropriate. The proposed siting of the bin collection point part way down Nichols Road would not resolve or overcome these concerns. The proposed development would result in unsatisfactory servicing arrangements for the collection of refuse contrary to Policies BE9, BE10 and H14 of the Sheffield Unitary Development Plan.
- 2 The Local Planning Authority consider that the proposed development as a result of the location of the site would not be in keeping with the character of the area and would cause harm to the visual amenities of the area and the adjacent Green Belt. The impact of the proposed development on the adjacent Green Belt would be contrary to Policy GE4 of the Sheffield Unitary Development Plan.
- 3 The proposed development has the potential to impact upon the roosting, foraging and commuting of bats. Until survey work has been carried out during at an appropriate time the Local Planning Authority consider that it would be premature to consider allowing the development of this site. The proposed development would be contrary to Policy GE11 and GE15 of the Sheffield Unitary Development Plan.

Attention is drawn to the following directives:

1. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:
 - Red-lined 'Location Plan' received on 7.8.14;
 - Drawing no. 01/407/SK1.1C 'Site Plan As Proposed' received on 7.8.14;
 - Drawing no. YK429-4T-01 'Existing Gradient Along Nichols Road' received on 6.3.15;
 - Drawing no. YK429-4T-002 'Proposed Improvement Of Access Onto Nichols Road' received on 6.3.15;
 - Drawing no. YK429-4T-03 'Swept Path Analysis' received on 6.3.14.

2. Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner it was not possible to reach an agreed solution in negotiations.

Site Location



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LOCATION

The site lies on the northwest side of Bole Hill Road at the edge of the built up area of Walkley on the hillside above the Rivelin Valley.

The site is generally 'L-shaped' comprising a rectangular plot of overgrown land to the rear of no. 328 Bole Hill Road, and a strip of land on Nichols Road running up to Bole Hill Road.

This southeastern section of Nicholls Road within the application site consists mainly of a narrow footpath with overgrown verges and descends steeply down from Bole Hill Road. To the east of this section of Nichols Road are the rear gardens of houses that front onto Waller Road.

Beyond the site Nicholls Road continues to fall steeply down to the northwest where it then turns through 90 degrees and runs northeastwards up to its junction with Waller Road. This latter section up to Waller Road has a wider carriageway with houses fronting both sides.

Beyond the site to the northwest is a strip of woodland and the Walkley cemetery, whilst to the southwest the site adjoins the rear gardens of nos. 330 and 328 Bole Hill Road.

PROPOSAL

The proposal seeks outline planning permission for the erection of 2 four-bed semi-detached dwellinghouses.

Matters of access, appearance, landscaping, layout and scale are all reserved for subsequent approval.

The applicant submitted the following documents with this application:

- a Planning Statement;
- an illustrative proposed site plan showing plot subdivision, siting of the dwellings and siting of the access drive to Bole Hill Road;
- a review of the access arrangements to the site including those for emergency and refuse vehicles.

Following the submission of this application, the applicant has submitted the following additional documents:

- a letter in response to initial issues raised;
- a letter in response to issues of highways, ecology and landscape character;
- an ecology survey;
- clarification of the proposed access and driveway arrangements to the site.

The proposal seeks to take vehicular and pedestrian access from Bole Hill Road by utilising the unadopted public highway known as Nichols Road that runs northwest from Bole Hill Road.

The applicant has stated that the corridor that Nichols Road passes through is 11 metres wide with a hard surfaced section 6 metres wide much of which is covered by vegetation and has a gradient of approximately 1 in 5 which slopes down towards the northwest.

The applicant proposes to reinstate the kerbing at the junction of Nichols Road with Bole Hill Road to allow for a 6 metre radius and a 4.2 metre wide carriageway for approximately 40 metres leading to a shared surface area adjacent to the proposed housing plot's frontage. A 2.8 metre wide footway would be provided on the eastern side of Nichols Road, with an additional 4.4 metres wide strip on the

western side to allow for a location of a bin store. The applicant proposes a bin collection point positioned 27 metres from the proposed housing plots and 24 metres from Bole Hill Road.

Regarding emergency vehicle access, the applicant has stated that a fire appliance parked on Bole Hill Road would result in a hose distance of 64 metres, and a fire appliance turned into the top of Nichols Road would result in a 45 metre hose distance.

The applicant states that some vegetation could be kept along the boundary of no. 328 Bole Hill Road which would assist in screening the bin store.

RELEVANT PLANNING HISTORY

In 1991 outline planning permission was refused for residential development on part of this site for reasons that it represented an uncoordinated form of backland development which would be detrimental to the amenities of the locality, and that it would involve the use of an inadequate and unsuitable access road. The application site comprised the plot of land to the rear of 328 Bole Hill Road and included half the width of Nichols Road opposite the site. The application forms described the site as vacant previously used as allotment garden. An appeal against this refusal was dismissed in 1992 on the grounds that increased use of Nichols Road would endanger vehicle and pedestrian safety and inconvenience emergency services and essential deliveries (application no. 91/1018P aka 91/01444/OUT refers).

In 2003 outline planning permission was refused for the erection of a dwelling on that same site as in 1991. The three reasons for refusal were that it involved the development for housing purposes of a site that is not previously developed land when there is an adequate supply of previously developed land available contrary to DETR PPG3; that it would result in an uncoordinated form of development that would be out of character with the locality; and that it would result in the loss of trees which are worthy of retention and the loss of such trees would be detrimental to the visual amenities of the locality contrary to UDP Policy GE15. An appeal against this refusal was dismissed in 2005 on the grounds that despite the opportunity for landscaping as part of the proposal the dwelling as a result of the location of the site would not be in keeping with the area and would cause harm to the visual amenities of this part of the Green Belt; and that the proposed access would be likely to result in damage to the root system of two trees leading to their eventual loss thereby causing harm to the wooded character of the site and its immediate surroundings and would have a serious adverse effect on the character and appearance of the site and its surroundings in conflict with UDP Policies GE4 and GE15. The decision letter states that the Inspector remained unconvinced that a safe and convenient access can be provided to the highway network as required by UDP Policy H14. The Inspector concluded that the proposal would be in a sustainable location and would not prejudice the achievement of targets for development on previously developed land, however this does not outweigh the harm arising from the proposal (application no. 03/02408/OUT refers).

In 2007 a planning application for the erection of 2 four-bedroomed semi-detached dwellinghouses with integral garages was withdrawn prior to its determination (application no. 07/03216/FUL refers).

SUMMARY OF REPRESENTATIONS

The application has been publicised by notification letters to neighbouring properties.

48 representations of objection have been received relating to the following matters:

-there is enough housing in the area, would be start of developers chipping away at greenbelt areas, there are brownfield sites more appropriate, the site is a greenfield site, the only former use of the site was for allotment gardening, contrary to Government guidance that should make effective use of land by reusing previously developed land;

-recent appeal decision in Loxley valley stated in that case lack of a five year housing supply was not a factor which outweighed the harm identified, National Planning Policy Framework states there should be no automatic presumption that greenfield sites should be developed for housing, if it is necessary to release more land this will be done as part of the review of the Core Strategy and replacement Local Plan;

-adverse impacts would significantly and demonstrably outweigh the benefits, housing gain would be negligible;

-overdevelopment of small parcel of land, inappropriate for housing re UDP policy H14, has not been previously developed;

-road is busy mornings and evenings, heavy traffic and parking already at bursting point, Bole Hill Road used as a shortcut to and from Hillsborough, Bole Hill Road/Bentley Road/Tinker Lane junction is a traffic bottleneck, visibility along Bole Hill Road is poor, vehicles driving at more than 30mph, congestion when bus comes into junction, tight exit for bus, cars park on Bole Hill Road, another road would add to precarious position, dangerous junction, access onto Bole Hill Road is dangerous, risk of accidents;

-limited turning space within the site and steepness create hazard for emergency vehicles, delivery vehicles and car users;

-loss of 4 parking spaces on Bole Hill Road, double yellow lines would reduce number of parking spaces around the junction;

-Nichols Road is not a private drive, it is an unadopted public highway maintained by the properties who own the houses along the road, lane is used as a safer, quiet lane to walk, lane is used by joggers, dog walkers and horse riders, concerned woodland path will become a road and less safe;

-the access to the properties is dangerous, steep and narrow road which is dangerous in wet and winter weather, not ideal any time for simple tasks like emptying bins, limited access for emergency vehicles, in freezing conditions make vehicular access impossible;

-unreasonable that residents manually take their bins to Bole Hill Road would involve a steep climb over a distance of 45 metres, storage of bins half way along

the road would be an eyesore, bins cannot be stored where proposed as it will shortly be a gated entrance to adjacent site;

- peace, calm and tranquillity of open countryside at rear of house would be lost;
- loss of visual amenity, semi rural nature of site, on edge of green belt, out of character with the area, create eyesore, blight on an area close to green belt; would be highly visible from Bole Hill Road, intrusive, fragmentation of green corridor, backland development;
- this is an important green corridor, tranquil green space adjoining Green Belt and Area of High Landscape Value, impact on ecology, site borders ancient oak woodlands of Walkley cemetery, Walkley cemetery is a local nature site, trees overhang and shade site, will require mature trees in cemetery to be chopped down, disturb natural environment in a traditionally green area, destroy rare asset in locality, wildlife use lane to woodland on the cemetery, wildlife would be lost;
- ecology report carried out at inappropriate time giving unreliable results;
- affect bats, birds and reptiles, could impact on nearby local wildlife sites;
- loss of garden space;
- loss of young trees, mature shrubs and brambling scrub, previous loss of trees;

- useable garden falls short of what would be typically sought;
- four storeys too high;
- low light level for any dwelling;

- deprive residents of privacy, light and noise pollution, trees provide little screening during winter;
- opening the area will reduce security of the rear of the properties on Waller Road;
- building would be a cause of pollution;

- water run-off problem down Nicholls Road, lack of services to the site, drainage and sewerage problems may occur, no sewer down Nicholls Road, difficult to empty septic tank;
- increase flooding issues to properties at bottom of the road;

- impact on cattery;
- development does not benefit community;

- documents contain inaccuracy or misguided statements;
- clear grounds of refusal previously given still relevant, since 2007 only material changes are parts of planning legislation has changed, guidance to prevent or regulate development in gardens and green land and adjoining lane has become even greener;
- contrary to UDP Policies GE4, GE15, H14, Core Strategy Policies CS47, CS71, CS72 and CS73 and Supplementary Planning Guidance Guideline 7;
- request Committee should do a site visit.

A representation of objection has been received from Councillor Ben Curran relating to the following matters:

- a constituent has stated that the site has been like it is now for more than 60 years;

- issues around public access rights gained over the site, biodiversity, loss of trees should be considered separately;
- a similar application was rejected previously by the Council and a Government Inspector;
- it is acknowledged that the land is identified as housing in the UDP, many people see Waller Road and Bole Hill Road as forming the urban edge of Walkley and the city, allowing further development on greenfield sites like this promotes urban sprawl when there are brownfield sites that could be developed in the area instead;
- many constituents have reported using the footpath for many years, this has become a conventional access point for Walkley cemetery and beyond and as an access to the Rivelin Valley, the footpath should be preserved as a footpath rather than as a road;
- the footpath is quite narrow, concerns have been raised over the ability for emergency service vehicles to access the proposed homes;
- this is a more complicated road than it seems, already difficult for vehicles negotiating this stretch of road at peak times including buses, adding a further access point would complicate matters further;
- the long lane that leads to the homes does not include enough space for cars to pass which would mean cars would need to reverse, this in itself is a difficulty but could make the situation worse on Bole Hill Road;
- there are not any services currently on the site, more disruption would be incurred in order to install them;
- the large amount of vegetation on this site provides natural drainage, there is a risk that this would be severely impacted if this is removed to build houses and create a road access;
- there is a rich level of biodiversity in this site, both on the footpath and plot itself, this should be preserved;
- the site is bordered by an ancient woodland, some old trees on the site have been removed, explore option of placing Tree Preservation Orders on these trees so they cannot be damaged or removed by current or future owners of the site.

An objection has been received from the St Mary's Walkley Parochial Church Council relating to the following matters:

- erroneously describes Nichols Road as a private drive, it is an unadopted road that continues down to the cemetery gates and is very overgrown and well used path by pedestrians and horse riders, it is an access point from the 95 bus stop into the cemetery and the Rivelin valley, creating a vehicular access down this steep road would cause further complication and dangers to an increasingly busy junction between Tinker Lane and Bolehill Road where the 95 bus terminates;
- large houses constitute high density development with a significant requirement for parking and vehicular access;
- proposed dwellings shown quite close to upper boundary of the cemetery a steep hillside thickly wooded with mature trees, concerned about stability of the land on and below the boundary during and after construction, concerned how the flow of groundwater and run off might be impacted by the development;
- issues how waste and sewage from the properties would be managed as the site is remote from existing services;
- proximity of dwellings to mature trees raises question of light and sun penetration to the houses, opposed to any damage on mature trees within cemetery, could

affect stability of land, with graves lying at the bottom of the slope could become detrimental and dangerous to cemetery, woodland protects cemetery and provides habitat for birds and other wildlife;

-concerned at impact on the character of the green belt, would be visible especially in winter when leaves are off the trees;

-impact of noise and light on peace and quiet of cemetery, the buildings would be overlooking the cemetery from quite a height, cemetery is visited and enjoyed by Walkley residents.

An objection has been received from the Friends of Walkley Cemetery relating to the following matters:

-the site is adjacent to the boundary of the cemetery;

-haphazard development affecting the green belt, seclusion and semi-wildness of the cemetery is valued, when woodland is without leaves building will be visible for some distance, fear future development along boundary;

-long term effects on woodland, two mature oaks are 2 metres from boundary, canopy of one extends 4 metres over boundary towards site, digging of foundations will compromise root system, canopy and roots will compromise structure and restrict light reaching windows.

An objection has been received from the Rivelin Valley Conservation Group relating to the following matters:

-little has changed since objection to previous application except that some more recent non-statutory planning guidance has been issued by the Government, other guidance no longer in force;

-encroaches into countryside of the Rivelin valley, breaches well-established boundary of the built-up area formed by Nicholls Road, harming the environment of the valley;

-potential for precedents, concerned about incremental encroachment of development into the Rivelin valley which together have potential to seriously harm the amenity of the valley which is important for informal recreation, landscape and ecological value;

-designation as part of a Housing Area on the Development Plan does not mean that housing development would be automatically permitted, the site would be conspicuous from the neighbouring green belt particularly in winter, conflict with UDP Policy GE4, conflict with UDP open space protection policies, would not be well integrated, creation of adoptable road would have a major adverse impact on the rural character of the area west of Nicholls Road, doubt whether adequate visibility for vehicles emerging onto Bole Hill Road without removing part of front wall of no. 328 Bole Hill Road;

-need to ensure sufficient land for housing should not be used as a blanket reason to override the need to safeguard amenity and openness of areas however small which form part of green network of the Rivelin valley;

-priority should be given to development of brownfield sites before greenfield sites;

-two appeals against refusals have been dismissed on the site, the last appeal decision cites the adverse impact on the environmental character of the area, the Council should have protected the mature trees on the site, should the

development be approved a condition requiring mature trees to be planted should be attached to the permission.

PLANNING ASSESSMENT

Policy Issues

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Sheffield Local Plan

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP). The UDP identifies the site as being within a Housing Area. The northwestern boundary of the application site defines the boundary between the Housing Area and the Green Belt in this location.

The Pre-Submissions version of the Draft City Policies and Sites Document and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State. The Draft Proposals Map maintains these designations.

UDP Policy H10 states that housing is the preferred use within Housing Areas. The proposal is a preferred use in principle and complies with UDP Policy H10.

Core Strategy Policy CS23 relating to locations for new housing sets out the intention that new housing will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. It states that in the period 2008/09 to 2020/21 the main focus will be on suitable, sustainably located sites within or adjoining the main area urban area of Sheffield.

The suitability of the application site is assessed below.

Whilst the site is located at the edge of the built up area in this instance it is close to a bus route and is considered to be sustainably located for local services and facilities.

Core Strategy Policy CS24 relating to maximising the use of previously developed land for new housing states that priority will be given to the development of previously developed sites and that no more than 12 % of dwelling completions will be on greenfield sites in the period 2004/05 and 2025/26 and that within this period greenfield sites will be only be developed on small sites within the existing urban areas and larger villages where it can be justified on sustainability grounds.

The application site comprises land that has not been previously developed.

In this instance, the principle of the development on this site is considered to be acceptable under Policy CS24 on the grounds that it will not compromise the delivery of development on brownfield sites and the development can be considered as a small site on the edge of the existing urban area and is considered to be in a sustainable location.

The Government's National Planning Policy Framework (NPPF) states that there is a presumption in favour of sustainable development (NPPF paragraph 14).

The NPPF includes guidance on delivering a wide choice of high quality homes and states that local planning authorities should, amongst other matters, identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing (NPPF paragraph 47).

The Sheffield Housing Land Supply Monitoring Report (February 2015) states that that the current estimate is that there is a 3.5 year supply of deliverable housing land.

Whilst there is a current shortage in housing land supply within the city it is not considered that this is a justification for development on sites where there would be demonstrable harm caused to highway safety, the environment, the amenity of neighbouring properties and other material considerations. Similarly, the support in the NPPF for new homes in sustainable locations is not considered to override concerns relating to these other material considerations.

Highway and Transportation Issues

UDP Policy BE9 relating to design for vehicles states that new developments should provide a safe, efficient and environmentally acceptable site layout for all vehicles. UDP Policy BE10 relating to the design of streets and pedestrian routes states that the design and environmental improvement of streets should where appropriate and practicable make them convenient and safe to use for people with disabilities, elderly people, young people and people with young children. UDP Policy H14 relating to conditions on development in housing areas requires new development to be well laid out and to provide safe access to the highway network. The NPPF requires safe and suitable access for all people (NPPF paragraphs 32 and 35).

Bole Hill Road is an unclassified adopted highway. Nichols Road is an unadopted public highway.

A regular bus service runs along Bole Hill Road between its terminus on Tinker Lane opposite the Nichols Road/Bole Hill Road junction to the city centre via Walkley Road/South Road where other bus services provide connections to Crookes district shopping area and Hillsborough interchange.

It is considered that the application site is sustainably located for public transport and access to local services and facilities.

The proposed access onto Bole Hill Road would provide sufficient visibility to accommodate traffic generated by the proposed development and that the width of the proposed 4.2 metre wide carriageway along Nichols Road would enable a car to pass a stationary car.

There are however concerns that the gradient of Nichols Road would hinder or prevent satisfactory serving arrangements for refuse collection and emergency vehicles. The steepness of gradient and length of access to the site from Bole Hill Road would also cause difficulties for service vehicles, the elderly, the disabled and parents with prams to suitably access the site.

South Yorkshire Fire Service has requested confirmation that the proposal meets the technical guidance for emergency vehicles described in Part B (Approved Document B) of schedule 1 of the Building Regulations. This technical guidance requires vehicle access for a pump appliance to be a minimum of 3.7 metres wide, a minimum carrying capacity of 12.5 tonnes, to be within 45 metres of every point on the projected plan area of the building or within 18 metres if a fire main is provided, and that fire and rescue vehicles should not have to reverse more than 20 metres from the end of an access road.

In this instance as there are no turning facilities for a fire and rescue vehicle within the site a vehicle reversing 20 metres down Nichols Road would be approximately 43 metres from the furthest point of the dwellings indicated on the submitted plans. This would require the vertical alignment of the proposed road to be designed to prevent grounding of the vehicle at the top of Nichols Lane.

The Council's Waste Management Service has raised concerns regarding the proposed arrangements for refuse collection. The refuse collection operations are based on the presentation of bins on the kerbside at the nearest adopted highway. The refuse wagon would not access Nichols Road and would not make a collection from part way down Nichols Road. The residents of the two proposed dwellings would have to place their bins at the nearest adopted highway (Bole Hill Road). Should a resident require the assisted collection service, the fetch and return distance of approximately 60 metres to the dwellings exceeds the normal accepted distance of 30 metres, causing a long pull given the gradient which would be unacceptable.

In this instance it is considered that the steep gradient and the excessive carrying or dragging distance that a resident of the proposed dwellings would incur to enable satisfactory refuse collection would be impractical and inappropriate. The proposed siting of the bin collection point part way down Nichols Road would not resolve or overcome these concerns.

The proposal would therefore be contrary to UDP Policies BE9, BE10 and H14.

Impact on the Character and Appearance of the Locality

The site lies on the edge of the built up area of this part of Walkley beyond buildings which currently flank the urban edge of this part of the city and lies next to

the Green Belt which runs along the Rivelin valley between the built up areas either side of the valley.

UDP Policy GE4 seeks to ensure that the scale and character of any development which is permitted in the Green Belt or would be conspicuous from it should be in keeping with the area and wherever possible conserve and enhance the landscape and natural environment.

The national landscape characterisation and assessment carried out by Natural England identifies the site of the proposed site as being within the Yorkshire Southern Pennine Fringe which runs north-south and includes both urban and Green Belt areas within the western part of the Sheffield local planning authority area.

The key characteristics of the Yorkshire Southern Pennine Fringe include, amongst other characteristics, the eastern slopes of the Pennines dropping from upland in the west down to the east and dissected by numerous steep-sided valleys, extensive urban influences, close conjunction of large scale industry, urban areas and transport routes with open countryside, and urban development mainly confined to valleys.

The site of the proposed two dwellings lies on the upper slopes of the Rivelin valley. This part of the valley side is mainly wooded with the open area of the adjoining cemetery being surrounded by trees. Further west the valley is a combination of open land and woodland.

The Sheffield Preliminary Landscape Character Assessment (PLCA) was prepared in 2011 as part of the background documents to the emerging City Policies and Sites document. It was anticipated that the final document would add levels of detail relating to national and regional context, and may include additional contributions such as geology, ecology, soils, cultural heritage and guidelines for management and enhancement of the individual character types. Whilst 'preliminary', this document is a tool by which the inherent sensitivity of the landscape character areas may be assessed.

The Sheffield PLCA identifies four categories of landscape defined by the primary visual impact of the area, namely upland, valley, lowland and highly maintained landscape areas each of which are divided into character areas.

The application site lies alongside the valley category VA5 'Encapsulated River Valleys to the West' generally categorised by green valley fingers within urban areas, generally steep slopes, below suburban development on the tops of ridges, countryside with character influenced by urban and mixed use development, includes woodland sometimes dominant screening views in and out, pastoral farmland and amenity areas. The application site and its surroundings reflect several of these features.

The proposed development would appear highly intrusive within this landscape. The application site would be visible from the public highway along Nichols Road leading to and past the site. The elevated nature of the site above the valley

although partially screened by surrounding trees would be widely viewed from within the Green Belt.

There are residential properties in the vicinity of the site fronting Bole Hill Road, Waller Road and the southern section of Nichols Road. The proposed development would become the only dwelling on the southwest side of Nichols Road creating a gap in the frontage to the southeast between the site and the rear garden of no. 328 Bole Hill Road. The proposed development would result in an uncoordinated form of development out of character with the surrounding locality.

Although there are existing dwellings in the immediate vicinity fronting Bole Hill Road, Waller Road and the southern section of Nichols Road, the site forms part of the contrasting area of woodland and open land which lie on the steep valley side. The erection of the proposed dwellings would have an urbanising effect on the site and its surroundings that would change the character of the area by altering the balance between buildings and open areas.

It is considered that despite the opportunity for landscaping within the application site, the proposed development as a result of the location of the site would not be in keeping with the character of the area and would cause harm to the visual amenities of the area and the adjacent Green Belt.

The proposal would be contrary to UDP Policy GE4.

Ecological Matters

UDP Policy GE11 seeks to protect the natural environment and states that development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value. UDP Policy GE15 seeks to protect trees and woodland.

The Rivelin Valley Local Wildlife Site extends to the boundary of the site.

There are mature trees alongside the site whose canopies overhang the site. Whilst this is an outline application with all matters reserved the submitted drawing illustrative siting of the proposed dwellings show the proposed dwellings would be sited in close proximity to trees alongside the site. It is considered that the proximity of these trees to the site and the proposed dwellings would result in overshadowing of the gardens of the proposed dwellings and potential damage to the roots of the trees thereby jeopardising the future health and retention of the trees.

The ecology report submitted by the applicant recommends that a survey is carried out to assess the impact of loss of foraging habitat for bats. This is in line with the Bat Conservation Trust 'Bat Surveys Good Practice Guidelines'. This survey can be carried out from March to September. Until this survey work has been carried out it is considered that it would be premature to consider allowing the development of this site.

The trees on the western boundary of the site are classed as having multiple highly suitable features capable of supporting larger roosts. Any work on these trees including felling and lopping would first require an assessment to establish the likelihood of the trees being used as a roost.

Regarding other matters of wildlife, a condition would be required to safeguard protected species in the vicinity of the site during construction works. At the time of the survey described in the submitted ecology report, evidence of breeding birds would have been highly unlikely. Given the habitat on the site including Nichols Road a condition would be required to ensure there is no removal of habitat between March and August inclusive unless a detailed check has been undertaken by a competent ecologist and appropriate measures have been approved by the local planning authority. Due to the proximity of the application site to the Rivelin Valley Local Wildlife Site conditions would be required to ensure no damage is caused to the site during development and to ensure lighting from the development does not spill into the woodland as this can have a damaging impact on wildlife.

Effect on the Amenities of Residents in the Locality

It is considered that the separation distances between the proposed development and nearby dwellings is sufficient to ensure that subject to satisfactory details of layout and design the proposed development would not significantly harm the living conditions of nearby residents. In this respect the proposal would comply with UDP Policy H14(c).

Drainage Issues

Yorkshire Water Services has advised that foul water only can be drained to the public sewer network and that sustainable urban drainage system (SUDS) and/or soakaway is the preferred option for surface water drainage.

Other Issues

The site is not likely to be adversely affected by environmental noise to any significant degree.

Any potential land quality issues relating to this site could be appropriately addressed by the imposition of conditions requiring investigation and assessment of actual or potential land contamination.

Conclusion

Due to the location and characteristics of the site satisfactory refuse collection to serve the proposed development would be impractical and inappropriate.

The proposed development as a result of the location of the site would not be in keeping with the character of the area and would cause harm to the visual amenities of this part of the adjacent Green Belt.

The ecology report submitted by the applicant recommends that a survey is carried out to assess the impact of loss of foraging habitat for bats. Until this survey work has been carried out it is considered that it would be premature consider allowing the development of this site.

In conclusion, it is considered that whilst the site is identified as being within a Housing Area in the Local Plan and that there is a current shortage in housing land supply within the city this does not outweigh the demonstrable harm caused by proposed development.

SUMMARY

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

The UDP identifies the site as being within a Housing Area where housing is the preferred use in principle.

The application site comprises land that has not been previously developed and is sustainably located for public transport and access to local services and facilities.

In this instance, the principle of the development on this site will not compromise the delivery of development on brownfield sites and the development can be considered as a small site on the edge of the existing urban area and is considered to be in a sustainable location.

The Sheffield Housing Land Supply Monitoring Report (February 2015) states that that the current estimate is that there is a 3.5 year supply of deliverable housing land compared to the NPPF guidance which states that local planning authorities should identify a 5 year supply.

However, whilst there is a current shortage in housing land supply within the city it is not considered that this is a justification for development on sites where there would be demonstrable harm caused to highway safety, the environment, the amenity of neighbouring properties and other material considerations. Similarly, the support in the NPPF for new homes in sustainable locations is not considered to override concerns relating to these other material considerations.

There are concerns that the gradient of Nichols Road would hinder or prevent satisfactory serving arrangements for refuse collection and emergency vehicles and the steepness of gradient and length of access to the site from Bole Hill Road would also cause difficulties for service vehicles, the elderly, the disabled and parents with prams to suitably access the site.

South Yorkshire Fire Service has requested confirmation that the proposal meets the technical guidance for emergency vehicles. In this instance this would require the vertical alignment of the proposed road to be designed to prevent grounding of the vehicle at the top of Nichols Lane.

The Council's Waste Management Service consider the proposed arrangements for refuse collection to be unacceptable. The refuse wagon would not access Nichols Road and would not make a collection from part way down Nichols Road. In this instance it is considered that the steep gradient and the excessive carrying or dragging distance that a resident of the proposed dwellings would incur to enable satisfactory refuse collection would be impractical and inappropriate.

The application site would be visible from the public highway along Nichols Road leading to and past the site. The proposed development would appear highly intrusive within this landscape. The elevated nature of the site above the valley although partially screened by surrounding trees would be widely viewed from within the Green Belt.

The site forms part of the contrasting area of woodland and open land which lie on the steep valley side. The proposed development would become the only dwelling on the southwest side of Nichols Road. The erection of the proposed dwellings would result in an uncoordinated form of development out of character with the surrounding locality and would have an urbanising effect on the site and its surroundings that would change the character of the area by altering the balance between buildings and open areas.

The Rivelin Valley Local Wildlife Site extends to the boundary of the site.

It is considered that the proximity of the trees alongside the site to the proposed dwellings would result in overshadowing of the gardens of the proposed dwellings and potential damage to the roots of the trees thereby jeopardising the future health and retention of the trees. The trees on the western boundary of the site are classed as having multiple highly suitable features capable of supporting larger roosts. Any work on these trees including felling and lopping would first require an assessment to establish the likelihood of the trees being used as a roost.

The ecology report submitted by the applicant recommends that a survey is carried out to assess the impact of loss of foraging habitat for bats. Until this survey work has been carried out it is considered that it would be premature to consider allowing the development of this site.

The separation distances between the proposed development and nearby dwellings is sufficient to ensure that subject to satisfactory details of layout and design the proposed development would not significantly harm the living conditions of nearby residents.

In conclusion, it is considered that whilst the site is identified as being within a Housing Area in the Local Plan and that there is a current shortage in housing land supply within the city this does not outweigh the demonstrable harm caused by proposed development.

RECOMMENDATION

It is recommended that the application be refused for the reasons given.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 5 May 2015

Subject: Quarterly overview of enforcement activity

Author of Report: Khalid Mahmood

Summary: To inform members of the planning enforcement work being carried out in addition to the formal cases on the quarterly update report and to give an overview of the overall quality of the service provided by planning enforcement.

Reasons for Recommendations:

The purpose of this report is to give Committee Members an overview of planning enforcement work being carried out and the quality of service provided across the City.

Recommendations:

That members note the report.

Background Papers:

Category of Report: OPEN

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REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING AND HIGHWAYS COMMITTEE

5 MAY 2015

QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

1. PURPOSE OF THE REPORT

- 1.1 This is the quarterly report to inform members of the work being undertaken by the Planning Enforcement Team. The period covered runs from 1st January 2015 to 31st March 2015.

2. ACTIVITY DURING THE QUARTER

- 2.1 A total of 173 enforcement complaints were received, out of these 58% were concerned with unauthorised development and use, and 29% were failure to comply with planning conditions or approved plans. The percentage of cases involving Section 215 untidy land/buildings was 8%, unauthorised advertisements including hoardings were 4% and all other complaints were 1%.
- 2.2 The number of cases resolved within the target of 6 months was 60% of all the cases closed in the period. The 60% Service target for cases closed within 6 months has been achieved. 118 cases have been closed in this quarter of which 60% have been remedied or made acceptable.
- 2.3 The table below shows the number of formal Notices served and prosecutions carried out within this period and the previous three quarters as well as the years 2013 and 2014 to show trends: -

Notice type	Financial Year 2013 to 2014	Financial Year 2014 to 2015	Quarter 1 Apr – Jun 2014	Quarter 2 Jul – Sep 2014	Quarter 3 Oct – Dec 2014	Quarter 4 Jan – Mar 2015
Breach of Conditions	14	13	4	2	5	2
Discontinuance (adverts)	0	11	0	0	11	0
Enforcement	15	18	7	2	5	4
Stop	0	0	0	0	0	0
Temporary Stop	2	1	0	1	0	0
Section 215 (untidy land)	5	10	4	0	2	4
Section 225 (signs)	10	43	34	4	0	5
Total Notices Served	46	96	49	9	23	15
Prosecutions	8	8	3	2	2	1

- 2.4 The number of formal notices that have been served in the last 12 months has increased, mainly due to the S225 notices served in relation to illegal signs. This was because of targeted action on student to let signs. Moor Oaks area has been identified as one of the areas that is causing nuisance by the erection of student to let signs. The next proactive action will be taken in this area.
- 2.5 The number of enforcement Notice served in the last 12 months has increased compared to the previous year but Breach of conditions have remained consistent.
- 2.6 The table below shows the number of complaints received in the last year 2014/15 and the previous year 2013/14:-

Year April 2013 – March 2014	Year April 2014 – March 2015
730	599

- 2.7 There is a drop in the number of new cases received over the last 12 months compared to the previous 12 months. It is expected that once the changes implemented last year have been in effect for 12 months the new cases will be at a constant level.
- 2.9 Officers have proactively been involved in breaches of planning control in relation to External Wall Insulation (EWI). Officers have worked with installers and made good progress to get a good quality of work however, there have been some companies that have set up recently who have not been as cooperative in working with the Council. Since February 2014, 125 Properties have been identified which have had EWI installed 6 have been permitted development and 13 properties have been identified so far as being unacceptable and enforcement action is to be taken. This has created a whole new area of enforcement activity and is continuing to increase and has become a significant area of work, 21% of all cases.

3. CONCLUSION

- 3.1 The six month service target has been met and the number of Notices served the last quarter has dropped slightly and increased significantly over the last 12 months.

4. RECOMMENDATION

- 4.1 It is recommended that Members note the report.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 5 May 2015

Subject: Enforcement Report

Author of Report: Khalid Mahmood

Summary: Progress report on enforcement actions authorised by committee, or under delegated powers in the City Centre and East Area.

Reasons for Recommendations:

The purpose of this report is to inform Committee members of progress on current enforcement cases in City Centre and East Area.

Recommendations:

That members note the current progress on actions

Background Papers:

Category of Report: OPEN

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QUARTERLY UPDATE ON LIVE ENFORCEMENT CASES IN CITY CENTRE & EAST AREA

Report abbreviations

PP	Planning Permission	EN	Enforcement Notice
PD	Permitted Development	PCN	Planning Contravention Notice
BCN	Breach of Condition Notice	S330	Notice under Section 330 of the Act requiring details of interest in land
S215	Notice under Section 215 of the Act – Land adversely affecting amenity of neighbourhood.	S225	Notice under section 225 of the Act requiring removal of illegally displayed placards or posters
TSN	Temporary Stop Notice		

ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

NO	SITE	BREACH	DATE OF BOARD RESOLUTION/ DELEGATED AUTHORITY	CURRENT SITUATION
1.	751 Attercliffe Road, S9 3RF	Untidy property	31/03/2015	20/04/2015 – A S215 Notice has been served, still within compliance period (01/05/2015).
2.	8 Delves Place, S12 2AG	Untidy Land	25/03/2015	20/04/2015 – A S215 Notice has been served, still within compliance period (27/04/2015).
3.	Rear of 784 Attercliffe Road, S9 3TJ	Unauthorised use as a storage yard	24/03/2015	23/04/2015 – EN has been served 23/04/2015, takes affect 25/05/2015 unless an appeal is made against it 12 week compliance period.

4.	20 Dovercourt Road, S2 1UA	Untidy front and rear garden	20/11/2014	20/04/2015 – The Notice has not been complied a prosecution file is being prepared. 19/01/2015 – A S215 Notice has been served and needs to be complied with by 14/12/2014. A reminder letter to be sent.
5.	33 Pavilion Way, S5 6ED	Unauthorised single storey side and rear extension	09/12/2014	20/04/2015 – The planning application was refused on 17/03/2015 and an appeal has been lodged on the 01/04/2015. 19/01/2015 – Application has been submitted on 15/01/2015 for retention and alterations to design and materials, and is in the process of being logged on the system.
6.	17 Market Street, Woodhouse, S13 7PD	Breach of Condition	17/11/2014	20/04/2015 – A condition discharge application (12/00194/COND1) has been submitted and is pending consideration. 16/01/2015 – Notice has been served and has not been complied with – reminder letter to be sent.
7.	Sheiks, 274 Glossop Road, S10	Breach of Condition 3 – the shelter needs to be removed	25/09/14	20/04/2015 – BCN has been served and has not been complied with, meeting has been arranged with litigation to discuss this issue. The premises are currently not being used. 09/10/14 – BCN has been drafted and is with legal Services.

8.	11 Advertisement Hoardings in Wincobank Area	Unauthorised Advertisement Hoardings	22/04/14	<p>20/04/2015 – Appeals have been lodged against all 11 DN's statements being done. 16/01/2015 – DN have been served on 09/12/2014 and come into effect on the 03/02/2015. 09/10/14 – Discontinuance Notice (DN) being prepared by Legal Services for 8 Hoardings – no response has been received regarding S330 Notice for 3 of the hoardings – the non-return of S330 will be reported for prosecution. 08/07/14 - A letter and S330 Notice to be sent.</p>
9.	Unit 5, 6 and 7 Elliot Business Park, Chambers Lane, S4 8DA	Unauthorised metal buildings	03/06/14	<p>20/05/2015 – Appeal has been upheld – NFA. 16/01/15 – Awaiting Planning Inspector decision. 09/10/14 – An appeal has been made against the EN to the Planning Inspectorate. 21/07/14 – letter and 330 Notice has been served. An EN is being drafted and will be served shortly. The Architect has said that the planning application (13/03839/FUL) will be appealed.</p>

10.	20 Paddock Crescent, Sheffield, S2 2AR	Unauthorised erection of fence at front and decking at rear of property	11/03/14	<p>20/05/2015 – Due in court on the 21/05/2015. 16/01/2015 – The front of the fence facing the highway has been reduced to an acceptable level. However the side panels have not been reduced. A final letter has been sent by Legal to get the owner to reduce the height of the side panels to an acceptable level – Monitor. 09/10/14 – works have started to comply with the Notice – Monitor. 08/07/14 – EN has been served 3/04/14 – took effect on the 06/06/14 and needs to be complied with by 06/08/14. 01/04/14 - A letter asking for the fence to be removed and S330 Notice has been sent.</p>
11.	42 Dundas Road, Tinsley, S9 1SY	Unauthorised external flue	15/10/13	<p>20/05/2015 – Due in Court on the 21/05/2015. 16/01/2015 – legal to be instructed to prosecute and witness statement to be done. 09/10/14 – The flue has been removed the external fan still needs to be removed. A reminder letter to be sent. 08/07/04/14 – letter sent warning legal action to be taken unless EN complied with. 07/04/14 - EN has been served 3/01/14 comes into effect 07/02/14 and required compliance by 02/05/14. 05/11/13 – Application (13/02291/FUL) has been refused with enforcement action. A letter has been sent to the owner requesting the removal within 14 days. If flue not removed within the next few days then EN will be served.</p>

12.	35-39 Southend Road, S2 5FS (Former Windsor Hotel Public House)	Unauthorised formation of self contained flats at first floor level	04/02/13	<p>20/04/2015 – BCN is to be served in the next few days. 16/01/2015 – Reminder letter has been sent and no details received. A BCN to be served. 09/10/14 – Two outstanding issues reminder letter to be sent. 08/07/14 – Most of the issues have been resolved. Joint visit between Private Sector Housing and Planning to check remaining few issues. 07/04/14 – A BCN to be prepared and served. 09/01/14 – Work is progressing positively to comply with conditions. 03/07/13 – Planning permission has been granted and work is being carried out to comply with conditions. 12/04/13 – PCN has been served asking for further information regarding the first floor flats. 12/02/13 – New planning application (13/00207/FUL) has been submitted with alternative proposal and is currently Invalid. Letter has been sent asking for further information to validate application.</p>
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13.	Land Adjacent The Old Dairy 8, White Lane, Gleadless, S12 3GB	Unauthorised erection of summer house decking area and climbing frame and the unauthorised use of land for domestic curtilage	05/11/12	<p>20/04/2015 – The structure has been removed Notice has been complied with – NFA 16/01/2015 – A final letter has been sent by legal to get the remainder of the structure removed – Monitor. 09/10/14 – Work has started to remove the structure assurances have been given that the structure will be removed by 31/10/14 – Monitor. 01/04/14– Appeal has been dismissed 6 month compliance period from 24 October 2013 expires on 24/04/14. 03/07/13 - Case with the Planning Inspectorate. 04/04/13 – An appeal has been made against the EN. 23/01/13 – EN has been served (14/12/12) and an appeal has been made.</p>
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14.	484 Staniforth Road, Darnall, S9 3FW	Unauthorised roof extension	25/01/2010	<p>20/04/2015 – No response received from the owners after the reminder letter had been sent the matter will now be reported to litigation for prosecution.</p> <p>16/01/2015 – A reminder letter has been sent to the owner to establish if he has enough funds to start works to comply with Notice. 08/07/14 – Quotations being requested for possible direct action by SCC. 04/04/13 – No solution offered by the owner, the lending bank (mortgage) contacted but not able to assist in resolution. 11/02/13 – In discussions with owners (including mortgage provider) to find a resolution. 29/10/12 – The owner has said that he cannot afford to carry out the works required in EN. Meeting has been arranged with owner to discuss a plan of action. 02/07/12 – Letter sent on 11/05/12 reminding the owners that work needs to be carried out before 10/12. 02/04/12 – Monitor site until 10/12 for compliance. 13/01/12 – The owner cannot afford to carry out the works, extra 12 months given to comply with EN – check 10/12. 11/10/11 – Letter sent to owner giving 2 months to comply with EN or 2nd prosecution will begin. Work not started yet. Trying to arrange site meeting with owner to clarify what is required. 08/07/11- Fined £200+100 costs, reminder to be sent to comply with EN. 20/01/2011</p>
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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 5 May 2015

Subject: Enforcement Report

Author of Report: Khalid Mahmood

Summary: Progress report on enforcement actions authorised by committee, or under delegated powers in the South Area.

Reasons for Recommendations:

The purpose of this report is to inform Committee members of progress on current enforcement cases in the South Area.

Recommendations:

That members note the current progress on actions

Background Papers:

Category of Report: OPEN

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UPDATE ON LIVE ENFORCEMENT CASES IN SOUTH AREA

Report abbreviations

BCN	Breach of Condition Notice	PD	Permitted Development
DN	Discontinuance Notice	PP	Planning Permission
EN	Enforcement Notice	S215N	Section 215 Notice, to remedy untidy land
ESP	Enforced Sale Procedure	S330	Notice under Section 330 of the Act requiring details of interest in land
NFA	No Further Action	TPO	Tree Preservation Order
PCN	Planning Contravention Notice	TSN	Temporary Stop Notice

ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
1.	215 -219 Fulwood Road, S10 3BA	Unauthorised roller shutter	03/03/2015	22/05/2015 – EN is being drafted and will be served shortly.
2.	166 Abbeydale Road, S7	Unauthorised canopy	03/03/2015	22/05/2015 – EN has been served on the 09/04/2015, comes into effect on the 11/05/2015 unless an appeal is made (16 week compliance period).
3.	Wash 4 You, 90 - 92 Bramall Lane, S2 4QZ	Breach of condition	13/02/2014	22/04/2015 – Use of the site has stopped and new proposed development to start soon. NFA 28/01/2015 – A BCN has been

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
				served and has not been complied with. The owner has submitted application (14/03597/FUL) for use of site as mixed use development which has been granted. In discussions with owners to ascertain when work will start on site.
4.	13 College Street, S10 2PH	Unauthorised replacement of roof tiles within an Article 4 Area	11/04/2014	22/04/2015 – Prosecution file being prepared for litigation. 20/01/2015 – The time period for compliance has expired and reminder letter to be sent.
5.	Vestry Hall 80 Crookesmoor Road Sheffield S6 3FR	Untidy Grade 2 Listed building	16/10/2014	22/04/2015 – Appeal has been lodged and is due in Court on the 11 August for full hearing. 19/01/2015 – A S215 Notice has been served on the 16/10/2014. An appeal has been made. Statements being done for hearing in Court.
6.	245 Ecclesall Road Sheffield S11 8JE	Breach of Condition 3 relating to premises opening beyond permitted hours and condition 6 relating to amplified sound	25/10/2014	22/04/2015 – Due in Court on the 21/05/2015. 19/01/2015 – A BCN has been served, the Notice is not being complied with. Witness statements being done for prosecution.
7.	Land At Crookes Road And Taptonville Road, Crookes Road S10 5BR	Breach of Condition - Tree Protective fencing has not been erected as required	23/12/2014	22/04/2015 – The BCN was served 20/02/2015 and has been complied with – NFA. 20/01/2015 – A BCN is being drafted and will be served shortly.

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
8.	140-142 Abbeydale Road, S7 1FF	Unauthorised canopy	16/09/2014	22/04/2015 – The EN has not been complied with reminder letter to be sent if no response the matter will be reported for prosecution. 16/01/2015 – EN has been served on 30/10/2014 and needs to be complied with by 19/03/2015.
9.	755-757 Abbeydale Road, S2 7BG	Unauthorised canopy	16/09/2014	22/04/2015 – Planning application has been granted for new alternative canopy. Reminder letter to be sent asking to remove existing unauthorised canopy, if no response the matter will be reported for prosecution. 16/01/2015 – EN has been served on the 30/10/2014 and needs to be complied with by 16/03/2015. Planning permission for retractable canopy has been granted (14/04380/FUL) – Monitor 14/10/2014 – Negotiations ongoing with owner to submit a planning application within 21 days for a more acceptable canopy.
10.	44 Grange Crescent, Nether Edge, S11 8AY	Unauthorised replacement of windows, roof tiles, guttering, door and repainting of headers, sills and architectural feature	07/02/2011	22/04/2015 – Due in Court for 2nd prosecution in June 2015. 16/01/2015 – Witness statement being prepared for prosecution. 14/10/14 – EN has not been complied with and a final letter to be sent in

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
				the next few days and if the EN is not complied with then the matter will be reported for 2 nd prosecution. 09/07/13 – letter has been sent asking to comply with EN before 01/09/13. 25/01/13 – prosecuted 19/12/12 pleaded guilty and was fined £30 and £15 costs. Letter to be sent asking to comply with notice.
11.	166, 223-225, 234, 235, 243-245 and 280 Abbeydale road, S7	Illegal Signs	16/09/2014	22/04/2015 – 223-225 are Due in Court in June and with regards to other properties officers are trying to identify the owners before reporting to prosecution. 16/01/2015 –Occupier details being identified before the matter is reported for prosecution. 14/10/2014 - Writing to owners/occupiers to advice of pending prosecution - locating up to date contact details for each property.
12.	31 Moor Oaks Road, S10 1BX	Unauthorised replacement front door and frame	26/08/2014	22/04/2015 – Appeal has been dismissed within compliance period. 16/01/2015 – EN has been served on 14/11/2014 came into effect on the 12/12/2014 and needs to be complied with by 06/03/2015. The appeal against the planning application has been dismissed. –

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
				Monitor. 14/10/2014 – EN with legal, due to be served shortly
13.	9 & 11 Moor Oaks Road, S10 1BX	Unauthorised replacement front doors and frames	26/08/2014	22/04/2015 – Planning application appeal has been dismissed, within compliance period. 16/01/2015 – EN has been served. An appeal has been made. 14/10/2014 – 2 EN's with legal, due to be served shortly
14.	20 Glen Road, S7 1RA	Unauthorised replacement driveway	15/07/2014	22/04/2015 – The owner has assured officers that work will be done in the next few weeks. 16/01/2015 – It has been agreed that works will be carried out by the end of March 2015. 14/10/2014 EN served 23/09/14 takes effect 23/10/14 -
15.	12 & 14 Crookes Road, S10 1GR	Unauthorised replacement roof tiles, fascia and guttering	28/01/2014	22/04/2015 – 16/01/2015 – The owner is not making sufficient progress to carry out the works required, therefore an EN is being prepared and will be served asap. 14/10/2014 Roof replacement underway 23/07/2014 - Works underway – agreed not to serve EN as committed to resolve the issue.
16.	261, 269 & 271-273 Fulwood Road, S10	Unauthorised replacement windows	17/12/2013	22/04/2015 – Appeal has been dismissed still within compliance

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
				period. 16/01/2015 – the appeal has been dismissed on 21/01/2015 - 6 Month compliance period. . 06/03/14 - Appealed EN. Appealed refusal 13/02/2014 EN served, appealed under same grounds. Application refused with authority to serve EN
17.	95 Brunswick Street, S10 2FL	Non-compliance with planning conditions	14/03/2014	22/04/2015 – The works in relation to the light well has been carried out – a new application to be submitted to vary condition with regards to the landscaping scheme. 16/01/2015 – Work is being carried out to comply with the Notice - Monitor. 22/07/2014 A BCN has been served 16/04/2014 28 days compliance period – a variation of condition application (14/00980/FUL) has been submitted and subsequently approved. Work has started on site.
18.	Land Between 1 To 3 and No 5 And 7 Dover Road S11 8RH	Erection of an Unauthorised wall	11/03/2014	22/04/2015 – Appeal has been dismissed still within compliance period. 16/01/2015 - Awaiting Planning Inspector decision. 18/07/2014 – Appeal Statements submitted. 1/06/2014 Appeal Lodged. 09.04.2014 – EN served with 6

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
19	263 Cemetery Road, S11 8FS	Unauthorised replacement of windows to the front and side of 263 Cemetery Road, S11, facing Grange Crescent Road and Cemetery Road, the erection of a new soil pipe facing Cemetery Road, a new down pipe adjacent to the bay window facing Grange Crescent Road, the replacement of guttering and the erection of roof felt on the ground floor bay windows.	05/11/2013	month compliance period. 22/04/2015 – Due in Court on the 21/05/2015. 16/01/2015 – Witness statement being prepared for prosecution. 16/06/2014 – Notice has not been complied with, a reminder letter has been sent to the person in control of the property. 14/10/14 – the Notice is still within compliance period. 22/07/14 – The company is not registered in the UK and would be difficult to prosecute if they did not comply with the notice as the notice. Letter to be sent to Companies house informing them that the company is not registered in the UK. 07/04/14 – EN has been served 02/04/14 compliance period 6 months.
21	Whirlow Elms Chase, S11 9RQ	Breach of Condition 3 – relating to the minimum standard of Code Level for Sustainable Home Level 3 and 15 relating to the removal of the caretakers house before the occupation of the dwellings	03/10/2013	22/04/2015 – Case meeting to be held with Legal Services for advice on alternative action. 16/01/2015 – Condition 3 – The developer is discussing with Planning Officer for an alternative approach to condition. With regards to condition 15 – the main building has been removed but part of the building remains.

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
				Legal advice being sought regarding potential prosecution regarding this condition. 14/10/2014 – with regards to Condition 3 - the developer was convicted and fined £750, SCC awarded costs £1000 and surcharge of £75.
22	6 Rosamond Place, S17 4LX	Breach of Condition 2 – Landscaping. Breach of Condition 1 – Completion of Development	20/02/2013	22/04/2015 – Case has been adjourned until June 2015, due to extenuating circumstances. – Monitor. 14/10/2014 – All paperwork with litigation ready for a 2 nd prosecution. 22/07/2014 – Although application determined, No works carried out on site, so matter to be reported for 2 nd prosecution again. 01/05/2014 – 2 nd prosecution held back as the Owner submitted the necessary application. 07/04/2014 – Awaiting a court date for the 2 nd prosecution. 06/01/2014 – Work recommenced on site, so being monitored to ensure that this continues. 31/10/2013 – A new conditions application received but not valid, to ensure compliance with breach of condition 2. Site visited and development not completed therefore prosecution papers being prepared for 2 nd breach of

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
				control. 16/10/2013 – Case in Court, found guilty and fined £75 fine, £75 costs and £25 surcharge.
23	Swanky Franks 722A Chesterfield Road	Non-compliance with a planning condition to clad an extraction flue	13/02/2012	22/04/2015 – S330 Notice has not been reported and the matter to be reported for prosecution for non-compliance of S330 Notice. 16/01/2015 – Letter and S330 Notice has been sent to all Directors. 14/10/2014 – List of all Directors now obtained, new BCN's to be served on all of them. -
24	204 Chippinghouse Road, Nether Edge, S7 1DR	Unauthorized replacement of windows and door within an Article 4 area	13/08/2012	22/04/2015 – The builder is in the process of getting the window replaced and the old door to be put back. 16/01/2015 – A reminder letter to be sent asking to replace the ground floor window and door to fully comply with the Notice. 14/10/14 – 1 st floor windows have been replaced as agreed. A further 6 month from April agreed before the ground floor windows and door is replaced. 14/01/14 – The upstairs windows have been manufactured and ready to be installed. 06/11/13 – In discussions with owner and joiner for suitable replacement

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
				windows.12/07/13 – EN was served (21/09/12) and took effect on 26/10/12 – 9 month compliance period (26/07/13). No work commenced on site as yet.
25	7 Greenfield Drive, S8 7SL	Unauthorised signage on display	26/09/2011	22/04/2015 – A letter to be sent asking to remove sign within 21 days, if not removed then report for prosecution. 16/01/2015 – The Section 330 Notice has not been returned a reminder letter to be sent. 14/10/2014 –Letter and S330 notice to be served.
26	Ball Inn, Mansfield Road, S12 2AG	Unauthorised Hoarding	21/06/2010	22/04/2015 – S330 Notice has been served awaiting response. 16/01/2015 – Letter and S330 Notice to be served.
28	Old Whitelow Farm, Old Whitelow Lane, S17 3AG	Re-construction of a demolished redundant farm building	30/07/2008	22/04/2015 – New application (15/00564/FUL) has been submitted, await outcome before any further action is to be taken. 28/01/2015 – EN to be served. 15/10/2014 – Awaiting legal interpretation of legislation to ascertain whether the works are now immune from action due to the four year rule orwhether a second bite provision can be applied to this case.

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
29	Norfolk Arms Public House, Ringinglow Village, S11 7TS	Unauthorised fume extraction and Lighting Columns.	19/05/2008 & 21/09/2009	22/04/2015 – Statement to be done for prosecution . 14/10/2014 –Reminder letter to be sent asking him to comply with notice within 28 days. If no response then prosecution file to be prepared.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 5 May 2015

Subject: Enforcement Report

Author of Report: Lee Brook

Summary: Progress report on enforcement actions authorised by committee, or under delegated powers in the West and North Areas.

Reasons for Recommendations:

The purpose of this report is to inform Committee members of progress on current enforcement cases in West and North Areas

Recommendations:

That members note the current progress on actions

Background Papers:

Category of Report: OPEN

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UPDATE ON LIVE ENFORCEMENT CASES IN WEST AND NORTH AREA FOR QUARTER ENDED 30 March 2015

Report abbreviations

BCN	Breach of Condition Notice	PD	Permitted Development
DN	Discontinuance Notice	PP	Planning Permission
EN	Enforcement Notice	S215N	Section 215 Notice, (to remedy untidy land / buildings)
ESP	Enforced Sale Procedure	S330	Notice under Section 330 of the Act requiring details of interest in land
NFA	No Further Action	TPO	Tree Preservation Order
PCN	Planning Contravention Notice		

ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
1.	80 Hill Top Road	Failure to comply with condition 5 of PP 07/00729/FUL – Glazing to Dormer Window to be obscure glazed.	22/4/15	BCN served 22/4/15, requires glazing to be obscure within 30 days.

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
2.	110 Bolsover Road	Unauthorised external wall insulation added to front elevation of house in breach of Permitted Development Condition regarding materials	11/12/14	BCN served 29/1/15, requires Replacement of the unauthorised cream render material, installed over what was previously visible red brick and stone on the front elevation, with materials that are similar in appearance to the original red brick and stone. Compliance required by 21/5/15. Jan 2015, Seeking legal advice about construction of BCN
3.	281 Springvale Road	Unauthorised Fence of over 1m in height erected adjacent to highway, which is out of keeping with area.	09/12/14	EN served 16/1/15 & it requires the removal of the fence from Springvale & Mona Roads front by 7/4/15. Owner has reduced height of fence to PD limit. The EN is now therefore a nullity. NFA can be taken. Owner to be advised of enforcement authority in due course and course of action to be developed.
4.	523 Loxley Road	Unauthorised Car Port erected at rear of house, which includes a balcony roof.	09/12/14	EN served 19/2/15. It requires removal of canopy & balcony by 15/5/15. Dec '14 – Legal services instructed to prepare EN

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
	Loxley Road continued from p2			for removal of whole development. Retrospective application to retain balcony aspect only, refused 23/12/13 & subsequent appeal dismissed on 1/4/14.
5.	209 Stannington Road	Unauthorised Front Extension to House	09/12/14	EN served 16/1/15. It requires removal of white plastic extension from the front of house by 11/5/15.
6.	Land, Rear of Former Middlewood Tavern, off Middlewood Road North	Unauthorised Excavation Works.	09/12/14	Unexpected delay but application is under preparation as at 20/4/15. It is confirmed that all work on site is stopped, hasn't progressed any further, and will remain stopped pending outcome of the proposed application. 17/12/14 - Owner has committed to submit application with justification for the development by end of January.
7.	91-99 Coward Drive	Non-compliance with approved plans & conditions of PP 10/03955/FUL for erection of 5 houses. Fencing omitted,	30/9/14 (delegated)	15/00275/FUL submitted 26/1/15 to change details previously approved under 10/03955/FUL. This includes extent of garden area & fencing thereto,

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
	Coward Drive continued from p 2	window details changed, soft landscaping not provided & trees felled.		changing French doors at 1st floors to windows, omission of grassed areas at front of properties & omission of trees from scheme. Under consideration at 21/4/15. 08/01/15 - Awaiting service of BCN. Details sent to Legal Services 30/09/14 for service of BCN
8.	Oak Lodge Farm, Thompson Hill	Unauthorised siting of 2 caravans and 4 metal containers	01/04/14	16/1/15 – The Council withdrew the EN & its interest in the Public Inquiry due legal advice (from Council’s appointed Barrister to act in the Inquiry). This is due to significant steps taken by the owner/appellant to remedy the issues covered by the EN. Step included removal of Two containers (containers 1 & 3) & one of the caravans (caravan B). The decision is also due to the late submission of evidence on behalf of the appellant (a few days before the Inquiry) in relation to residential caravans (caravan B was already removed but A remains).

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
	Oak Lodge Farm continued from p4			<p>29/1/15 – Noted by officers on site that container 3 removed from land & container 4 has now been relocated to a position between two existing farm buildings, removing planning objections to it (on visual grounds). The only issue remaining is residential caravan A.</p> <p>21/4/15 - Legal advice being taken in relation to caravan A</p> <p>Appeal lodged & Public Inquiry to be held 20/1/15. EN served 16/4/14, requires removal of 2 caravans & 4 containers.</p>
9.	Village News, 176-178 Main Street, Grenoside	Non-compliance with conditions PP13/02171/FUL, condition 3 - opening times, c6 – inventory of cooking equipment, c7 – no external plant.	28/03/14 (delegated)	<p>BCN served 28/3/14 requiring compliance with c.3, c6 & c7 within 28 days of service. Three planning applications have been submitted to alter the conditions being enforced, therefore BCN deemed to be complied with as information required is dealt with by the following applications.</p> <p>- 14/02191/FUL – for an outdoor seating area. Decision pending at 21/04/15.</p>

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
	Main Street continued from p.5			<p>- 14/01031/FUL — extend opening times to 8am to 6pm Monday to Friday, 8am to 5pm Sat.& increase cooking equipment to 2 microwave ovens, 1 griddle & 1 safety fat fryer. Granted Conditionally 6/1/15.</p> <p>- 14/-1042/FUL –PP granted 6/1/15 for reposition air handling plant & add sound attenuation measures. Outcome of those applications is awaited before any further action taken on BCN.</p>
10.	492 Barnsley Road	Unauthorised Change of Use from A1 to A5 and erection of external flue without planning permission	11/03/14	Application submitted for change of use & flue, ref: 14/02077/FUL Preparations being made for service of EN to remove flue and negotiations needed to find alternative method of venting fumes away without causing visual harm.
11.	Aldi, 82 The Common	Non-compliance with conditions of PP 13/00498/FUL for erection of a food store,	16/01/14 (delegated)	20/4/15 – Landscaping not completed so owners to be contacted & told to finish. All details for conditions approved. Only

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
	The Common continued from p6	regarding (condition43) delivery of goods / times, (c25) carry out landscaping scheme, (c28) target emission reductions for store construction, (c31) environmental measures concerning delivery vehicles, electric charge points, cycle racks etc, (c.53) Forecourt improvements adj the mill & wood management		outstanding issue is the implementation of approved landscape scheme by end of current planting season. BCN served 17/1/14 requiring details for specified conditions (see breach) within 28 days. Delivery time condition no.43 now being complied with. The other details are being considered under new discharge of conditions application ref. 14/00605/COND at 10/10/14.
12.	Lion Works, Handley Street	Derelict listed building causing visual harm to both the area and the building itself.	4/10/13 (delegated)	Phase 2 work started 20/4/15. Works completed under phase 1 to remove most of the eyesore problems of the site. Phase 2 to begin next financial year in 2015 to restore structural integrity of the roof. 24/03/14-Works underway & progressing. S215N served 4/10/13. Took effect 1/11/13, requiring renovation work including making building weather proof. Compliance required by 21/2/14.

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
13.	290-308 Pitsmoor Road	(1) Use of Ground floor for retail shop, 1 st & 2 nd floors as HIMO, (11/00050/FUL refused) (2) Canopy to front of Shop refused PP	19/4/11	<p>Little progress due to other high priority work. Progress expected by next update. 06/01/15 – Conditions in breach identified, contacting new owner to address before next quarterly update, for any outstanding conditions, such as boundary treatment, surfacing works etc. (1) EN proposed regarding discharge of conditions of 11/00050/FUL as agent pulled out and no sign of progress. 31/10/12. Officers talking with agent regarding discharge of conditions before application submitted for same. 31/7/12. Discharge of conditions application being prepared for this PP.</p> <p>(1) New application 11/01912/FUL to improve the scheme taking account of reasons for refusal of HMO/Shop, (amendment to refusal of broadly similar scheme ref.11/00050/FUL), was granted conditionally 11/8/11. Shop & HMO has PP</p> <hr/> <p>(2) 11/03370/ granted 3/1/12, implementation will supersede the EN. EN not complied with at 30/12/12. Holding back from prosecution for time being due to new application 11/03370 for</p>

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
	Pitsmoor Rd continued from p 8			alternative canopy to the one built. EN served 8/6/11, took effect 13/7/11.
14.	Youth Club Building, Burgoyne Road,	Non payment of planning obligation monies £10,897.40 in relation to 05/00551/FUL. Change of use taken place and flats now occupied	25/1/11	07/01/15 – Ongoing litigation case to pursue original owner who signed the s106. Legally the new owner cannot be sued. Solicitors are examining ownership to decide who to pursue for the money. 06/04/11 Developer Mr Dempsey still owns the site. Case with litigation & prosecution to be considered.
15.	Parker's Yard, Stannington Road	Unauthorised use as self storage & metals recycling facility. 09/02757/CHU refused PP.	10/6/10	22/04/15 – new application is under consideration. 14/02426/CHU submitted to retain previously refused use setting out case that it is operating without nuisance. Deadline set, of the same period given in the EN to cease the use at Parker's Yard due to lack of alternative plan from Carwood Commodities. Proposed that 16 wks be given from date of cttee if approved by Members. At Jan 2014, the lease is still being actively negotiated for the Pearson Forge Site, but it remains unsigned due to difficulties on the seller's part. The business is overcoming problems with bank & with the vendor for the

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
	Parker's Yard continued from p9			<p>due to the economic climate but progress is being pushed by the company, albeit slowly due to increasing demands being asked of them. The company is determined to resolve this. 18/7/12, still delayed by solicitors, expecting contract sign for Pearson Forge soon. 1/3/12, Land contamination survey completed awaiting results of analysis, (takes 6wks= approx 10/4/12). Owner reports on 28/3/12 there shouldn't be further obstacles if analysis shows the land is ok. Business owner continues to update officers with progress reports. Work on site now likely to be later, March, due to owners Bank requiring more info on structural stability of site buildings & land contamination. Relocation - the legal process begun & discharge planning conditions also taking place now. Initial estimate is Dec'11 for work to start at Pearson Forge. Alternative site that would be suitable for relocation identified & 11/01953/CHU granted 13/9/11 for former Pearson Forge at Livesey St. Appeal against EN was dismissed 14/3/11; new compliance period ends 2/7/11. EN served requiring uses to stop by 20/4/11. Appeal against refusal of 09/02757/CHU dismissed.</p>

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
16.	Dial House Club, Far Lane / Ben Lane	Non-compliance with conditions attached to PP04/04797/FUL, Cond 2-materials for external surfaces, C3-design details for new apartment building, C4-landscaping for grounds, C6-highway access & finishes to frontage, C8-pedestrian access to new bowling green, C9-new pavilion details, C10-bowling green maintenance.	15/12/09 (delegated authority)	22/04/15, Applications under consideration. Discharge of Conditions applications, 13/00599/COND & 13/00606 under consideration likely to come to committee in Feb/March. Development nearly complete. PP being implemented at 26/9/11, BCN now complied with. Meeting inc developer, officers & Members was held in Dec10 & promise to start work along agreed lines made to start Jan'11. Discharge of conditions agreed in principle with applicant at meeting 6/8/10 subject to approval of application. BCN served 21/12/09. Condition details required by 29/3/10.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 05 May 2015

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Claire Woods 0114 2734219

Summary:

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

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
5 May 2015

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

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

2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a two-storey side/rear extension to dwellinghouse at 9 Tillotson Rise Sheffield S8 9UL (Case No 14/04376/FUL)
(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a single-storey side, front and rear extension to bungalow, including a garage and front porch and extension to roof to form rooms in roof space at 464 Abbey Lane Sheffield S7 2QY (Case No 14/04149/FUL)
(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a Single-storey side/rear extension to dwellinghouse and erection of boundary fence at 33 Pavilion Way Sheffield S5 6ED (Case No 15/00183/FUL)
(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for replacement roof over existing single-storey extension (re-submission) at 2 Ranmoor Road Sheffield S10 3HG (Case No 14/03971/FUL)
(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for erection of detached double garage at 235 Millhouses Lane Sheffield S11 9HW (Case No 14/04094/FUL)
(vi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for Erection of detached garage with provision of vehicular access from Baslow Road (Re-submission of 14/04440/FUL) at 6 Laverdene Close Sheffield S17 4HG (Case No 155/00205/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for a four storey side extension to dwellinghouse, including lower ground floor level at 40 St Lawrence Road Sheffield S9 1SD (Case No 14/01867/FUL) has been dismissed.

Officer Comment:-

The Inspector noted that the proposed side elevation of the extension would appear as three storeys and being located on the back edge of the pavement would appear massive and overbearing. The use of stone cladding would amplify the apparent scale of the property and would be discordant with the prevailing red brick in the area.

The Inspector concluded that the proposed extension, due to its siting, scale, form and materials would be a prominent, dominating and intrusive feature out of scale and character with the street and detracting from the appearance of the street scene.

He agreed that the proposed extension would be contrary to Policy H14 of the UDP and the guidance in the Supplementary Planning Guidance on Designing House Extensions.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for two-storey front and rear extension to dwellinghouse, raising of ridge height and provision of front dormer windows to provide habitable rooms in roof space at 3 Vernon Road Sheffield S17 3QE (Case No 14/01633/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be i) the effect on the character and appearance of the house and the street scene; and ii) the effect on the living conditions of 1 Vernon Road in regards to outlook.

For i) he agreed with the Council that the alterations would result in significant additional bulk would dominate the dwelling which has a prominent location in the street scene. He noted that other examples drawn to his attention by the appellants were in the minority and also that their presence was not justification for allowing harmful proposals here. He concluded that the works would have a significantly harmful effect on the character and appearance of the dwelling and the street scene.

For ii) he noted that although there would be a substantial blank elevation directly facing the rear elevation and garden of 1 Vernon Road, and that this would be at a distance lower than specified in the Council's guidance, he felt that the presence of a substantial outbuilding (garage) already significantly impedes the outlook of the occupants of no1 such that the development would not be harmful. He did not therefore agree with the Council on this point.

The appeal was dismissed owing to the conclusion on item i).

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for 3 x 48 sheet advertising display boards at Land fronting Old Saw Mill Site Savile Street Sheffield (Case No14/00155/HOARD) has been allowed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the local area, bearing in mind the significance of the Grade II listed building(LB).

The Inspector considered the significance of the listed sawmill lies in its contribution to the understanding of the industrial heritage of the River Don corridor.

A hoarding currently bounds the front of the site with an area of scrubby ground between it and the LB. This hoarding will be replaced by 3 hoardings of twice the height with small gaps at over head height and a gap for an access door at one end. As the proposed hoardings will replace an existing one some distance from the structure, the Inspector found that the main impact would be on the setting of the LB..

At present, the relationship of the LB to the river is not perceptible from Savile Street but is clearly visible from the opposite bank and it is considered that this elevation is of crucial importance and a key factor in defining the significance of this heritage asset. This is not the case for the northern elevation where it was considered that the obscuring of a greater proportion would not hinder any interpretation of its former role. The upper part of the LB would still be visible, so its part in the wider street scene would be maintained. This being the case, the Inspector considered the impact on the LB would be neutral.

On the matter of the impact on visual amenity, The Inspector felt that the commercial advertising around the site has a significant influence on the character of the area. It was not felt that he proposal would not be contrary to the established pattern of development in the area. The Inspector also confirmed that the permission is also a temporary one so could be reviewed in future in light of and strategic regeneration priorities.
For the above reasons, the Inspector allowed the appeal

(ii) To report that an appeal against the decision of the Council at its meeting on the 3 June 2014 to refuse planning consent for demolition of fire damaged buildings, levelling of ground and associated filling over extent of former buildings, viewing area and amenity building at Sheffield Ski Village Vale Road Sheffield S3 9SJ (Case No 13/03814/FUL) has been allowed.

Officer Comment:-

The Inspector was of the opinion that the Ski Village would have formed a

noticeable man-made alteration to the wider hillside, albeit one that was welcomed for its recreational value. Now, the application site generally presents an unused, neglected and semi-derelict appearance as a result of fire, arson, vandalism scavenging/theft of metal and illegal fly-tipping. The removal of the remaining fire-damaged and vandalised buildings and structures would improve the appearance of the site.

The depression that is to be filled in is only shallow in nature and partly screened as a result of its elevated hillside position behind the lip of a slope. No significant areas of tree cover or vegetation will be lost. Accordingly, the Inspector considered that the depression cannot be reasonably said to be a feature of prominence or visual value within the wider landscape.

However, the scheme did not include any proposals for landscaping the filled area and it would otherwise be bare and out of keeping with the vegetated appearance and character of the Open Space Area. A landscaping condition would ensure the appeal site continued to contribute to the appearance and character of the Open Space Area.

Accordingly, the Inspector allowed the appeal subject, amongst others, to a condition requiring a landscaping scheme to be agreed.

5.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

5 May 2015

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