

Planning and Highways Committee

Tuesday 26 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
(Subject to any changes at the Annual Council Meeting to be held on 20 May 2015)

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
26 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 5 May 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. Sheffield Conservation Advisory Group Minutes** (Pages 9 - 12)
Minutes of the meeting of the Sheffield Conservation Advisory Group held on 17 March 2015.
- 8. Tree Preservation Order No. 399 - Site of 61 Endcliffe Vale Road** (Pages 13 - 24)
Report of the Director of Development Services.
- 9. Applications Under Various Acts/Regulations** (Pages 25 - 228)
Report of the Director of Regeneration and Development Services
- 10. Enforcement of Planning Control: 14 Market Square, Woodhouse** (Pages 229 - 236)
Report of the Executive Director, Place.
- 11. Enforcement of Planning Control: 352 Sharrow Lane** (Pages 237 - 244)
Report of the Executive Director, Place.
- 12. Record of Planning Appeal Submissions and Decisions** (Pages 245 - 248)
Report of the Director of Regeneration and Development Services

13. Date of Next Meeting

The next meeting of the Committee will be held on 16 June 2015

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 5 May 2015

PRESENT: 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

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

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 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 14 April 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 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 heard representations from the applicant's agent speaking in support of the application, and subject to an amended recommendation to 'grant conditionally subject to legal agreement' and an amended heads of terms for the legal agreement, as outlined in a supplementary report circulated at the meeting,

an application for planning permission for two-storey extension to dwellinghouse (revised scheme) at Bassett House, Bassett Lane (Case No. 15/00813/FUL) be granted, conditionally, subject to legal agreement;

(c) following consideration of a supplementary report circulated at the meeting, applications for listed building consent and planning permission for 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 at Steel City House, West Street (Case Nos. 15/00758/LBC and 15/00757/FUL) be granted, conditionally;

(d) following consideration of (i) representations from two local residents speaking against the application, (ii) subject to an amended address for the development and an amendment to condition 13 to add the words 'T15' after the words 'The Oak Tree', as outlined in a supplementary report circulated at the meeting, and, (iii) subject to the retention of the stone roof at Nos. 46 and 48 Greenhill Main Road, an application for planning permission for conversion of retail units to 1 dwellinghouse, erection of 2 dwellinghouses and alterations and two/single storey rear extension to existing dwellinghouse (No. 44) (Amended plans published 31/3/15) at 44 and curtilage of 44 and site of 46 to 48 Greenhill Main Road (Case No. 14/04673/FUL) be granted, conditionally; and

(e) (i) an advertisement consent application for the retention of a non-illuminated fascia name sign at P Bennett Butchers, 1 Priory Road, Ecclesfield (Case No. 14/03026/ADV) be refused and (ii) the Director of Regeneration and Development Services and Head of Planning be authorised to take all necessary steps including, if necessary, enforcement action to ensure the removal of the sign.

(Note. An application for outline planning permission for the erection of two semi-detached dwellinghouses at land to the rear of 328 Bole Hill Road (Case No. 14/02959/OUT) was withdrawn from consideration to allow officers to assess further information submitted by the applicant).

7. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

7.1 The Committee received and noted a report of the Director of Regeneration and Development Services providing a quarterly update of progress on the work being undertaken by the enforcement team within the City.

8. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE CITY CENTRE AND EAST AREAS OF SHEFFIELD

8.1 The Committee received and noted a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases in the City Centre and East areas of the City.

9. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE SOUTH AREA OF SHEFFIELD

9.1 The Committee received and noted a report of the Director of Regeneration and

Development Services providing an update on the progress of enforcement cases in the South area of the City.

10. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE WEST AND NORTH AREAS OF SHEFFIELD

10.1 The Committee received and noted a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases in the West and North areas of the City.

11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

11.1 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.

12. DATE OF NEXT MEETING

12.1 It was noted that the next meeting of the Committee will be held on Tuesday, 26 May 2015, at 2.00 pm, at the Town Hall.

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SHEFFIELD CONSERVATION ADVISORY GROUP

Meeting held 17th March, 2015

PRESENT:	<u>Name</u>	<u>Organisation</u>
	Dr. Philip Booth (Chair)	Co-opted Member
	Mr. Tim Hale (Deputy Chair)	Sheffield Chamber of Commerce
	Prof. Clyde Binfield	Twentieth Century Society
	Mr. Patrick Burns	Co-opted Member
	Mr. Howard Greaves	Georgian Group Hallamshire Historic Buildings Society
	Mr. Graham Hague	Victorian Society/South Yorkshire Industrial Society
	Dr. Roger Harper	Ancient Monuments Society
	Mr. Stanley Jones	Hunter Archaeological Society
	Dr. Jo Lintonbon	University of Sheffield
	Mr. Bob Marshall	Royal Town Planning Institute
	Mr. Philip Moore	Sheffield Society of Architects
	Dr. Jan Woudstra	Landscape Institute

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1. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr. Lee Barron (Royal Institute of Chartered Surveyors), Mr. Rod Flint (Georgian Group), Mr. Bob Hawkins (Council for the Protection of Rural England) and Mr. Andrew Shepherd (Society for the Protection of Ancient Buildings).

2. **MINUTES**

The minutes of the meeting held on 17th February, 2015 were approved as a correct record, subject to the addition of Mr. Bob Marshall to the attendance and to the substitution:-

(a) in item 7(c) of the words "would need to be satisfied" for the words "were satisfied and the words "staining deterioration" for the word "staining";

(b) in item 7(d) of the words "Wycliffe House" for the words "Wycliff House"; and

(c) in item 8(d) of the words "it had interesting features, especially in the schoolroom to the rear and had significant streetscape quality;" for the words "it had interesting features";

(d) in item 8(f) the words "106 Totley Brook Road, an interesting Arts and Craft house" for the words "106 Totley Brook Road"; and

(e) in item 8(h) of the words "Garden Street, for the words "Broad Lane"; and, arising therefrom, the Group noted that:-

(i) the Institution of Civil Engineers would circulate details of the Group and its meetings to all its members within South Yorkshire, to obtain a nominee to serve as its representative on the Group;

(ii) the scheme for development at Devonshire Street was due to be considered

by a Planning Board. There was little possibility of consideration being given to extending the Town Hall Conservation Area at present, due to the resources implications of doing so;

(iii) the items of business considered by the Sheffield Sustainable Development and Design Panel at its meeting on 12th March last, had not related to heritage matters;

(iv) consideration of the application relating to Cow Mouth Farm was still deferred;

(v) the Water Tower at the Northern general Hospital had been constructed by Newton Chambers and was therefore of considerable local significance. A lot of significant buildings were due to be lost if the proposed demolition on that site went ahead. Mr Greaves had contacted English Heritage regarding the matter and had been informed that none of the buildings was a clear candidate for listing on the site, but he should submit more information regarding the buildings;

(vi) the Head of Planning would report to a future meeting on the condition of Cobnar Cottage and Claremont House, Loxley ;

(vii) enforcement action had been taken regarding the development at the Orchard, Foxhill Crescent, as the wrong type of stone slates had been used;

(viii) the Head of Planning would be meeting representatives of Amey in a fortnight's time, to discuss the restoration of the Webb Sewer Gas Lamps within the City. There were forty six of such Lamps in the world, twenty five of which were in Sheffield and four of those were were fuelled by gas.

3. **SHEFFIELD UNIVERSITY CAMPUS MASTERPLAN**

Mr Keith Lilley, University of Sheffield, gave a presentation on the University's Campus Masterplan, setting out its plans for the next decade in terms of creating the best environment for students and staff within the Central Campus and enhancing its links with local communities and the wider City area, particularly through the Gold Route, which connected the Campus to the City, Sheffield Hallam University and the Railway Station. Mr. Lilley also referred to the University's Advanced Manufacturing Research Centre, which would be the subject of a separate Campus Masterplan.

The Group thanked Mr. Lilley for the presentation and noted the information.

4. **MAJOR CITY CENTRE DEVELOPMENT**

John Morgan, Land Design and Steve Brown, Leonard Design, gave a presentation on a major City centre development scheme.

The Group thanked them for the presentation and noted the information.

5. **CHAIR'S REPORT**

The Group noted that there was nothing to report under this item of business.

6. **HEAD OF PLANNING'S REPORT**

The Group noted that there was nothing to report under this item of business.

7. **SHEFFIELD SUSTAINABLE DEVELOPMENT AND DESIGN PANEL**

The Group noted that, currently, the Sheffield Design Panel was not

scheduled to meet.

8. HERITAGE ASSETS;

The Group considered the following application for planning permission for development affecting Heritage Assets and made the observations stated:-

**Alterations to ground floor of building to form 1x9 bedroomed student cluster flat, alterations and extension to roof height to provide 2x5 student cluster flats on each floor at 2nd and 3rd floor levels and a 9 bedroomed cluster flat in the roof space at Broompark House 200-208 Broomhall Street
(Case Number: 15/00467/FUL)**

The Group felt that the the added height would destroy the proportions of the building. The Group considered that the changes would have a damaging effect on the adjacent St. Silas Church, which was within the Broomhall Conservation Area. The Group recommended the conversion of the roof space, with roof lights, to provide accommodation. The Group felt that the scheme, as presented, was overdevelopment.

9. MISCELLANEOUS ITEMS

Members of the Group reported on developments affecting heritage assets and conservation areas and the Group noted that:-

- a) The Head of Planning (i) had visited Cow Mouth Farm, but had not seen the interior of its barn and felt that there was a case for retaining the barn, at least on the western side and that a new scheme for the site could be available for consideration by the Group at its next meeting, (ii) had (A) visited, with Mr. Hawkins, the site at Greenhill of an application which had been seen by the Group and (B) negotiated a revision of the scheme which retained more of the historic fabric of the buildings, (iii) would report on a building at Regent Street, in the ownership of the University of Sheffield and possibly under threat of demolition, at the next meeting and (iv) had requested the provision of stone fish passes at Kelham Island, Lady's Bridge and Sanderson's Weir ;
- (b) a cottage at Brick House Lane owned by the the Hoffman family, who were well known in the local artistic community, had been demolished;
- (c) Whirlow Grange was due to be demolished, but it was not a listed building or within a conservation area;
- (d) the former G.P.O. Building, Fitzalan Square, had been renovated by a developer and was now ready for use;
- (e) the Victorian Society was considering applying for the listing of the Endcliffe Methodist Church, Ecclesall Road;

- (f) Mr. John Brown, the Chair of the Friends of the Bishops House and a former architect with the City Architect's Department of Sheffield City Council, had died recently;
- (g) the principal obstacle to resiting the Crimean Monument in a suitable location, was obtaining the necessary finance.
- (h) the extension to the Canton Orchard Restaurant, Fulwood Road, had been carried out discreetly; and
- (i) there would be a meeting of the Friends of the Old Town Hall at 6.30 p.m. on 17th March, at the Meeting House, St. James' Street.

(NOTE: these minutes are subject to amendment at a future meeting)



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of Development Services

Date: 16th June 2015

Subject: Tree Preservation Order

Author of Report: Richard Cannon, Legal Services
(on behalf of Andrew Conwill, Planning Division: Urban
Design & Environmental Planning)

Summary: To Confirm Tree Preservation Order 399 at the site of 61
Endcliffe Vale Road, Sheffield, S10 3ET

Reasons for Recommendations

No objections received to the Order.

Recommendations

That no objections having being received, Tree Preservation Order 399 made on 26th February, 2015 in respect of trees on land at the site of 61 Endcliffe Vale Road, Sheffield, S10 3ET, be confirmed as an Unopposed Order.

Background Papers: 1) Tree Preservation Order 399 (includes Order plan)
2) General Location Plan
3) Notification letter sent to interested parties (example)

Category of Report: OPEN

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Tree Preservation Order
Town and Country Planning Act 1990
The Tree Preservation Order No 399 (2015)
61 Endcliffe Vale Road Sheffield S10 3ET

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No 399 (2015) – 61 Endcliffe Vale Road, Sheffield S10 3ET.

Interpretation

2. (1) In this Order “the authority” means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

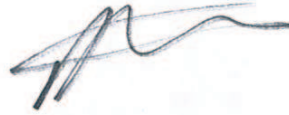
3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(aa) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(bb) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 26th day of February, 2015

EXECUTED AS A DEED)
By Sheffield City Council)
whose common seal was)
hereunto affixed in the presence of)



Duly Authorised Signatory



15/342/1116

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Tilia Species (Lime)	OS Grid Ref: SK 43263862

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
	None	

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

NOTES / REVISIONS:

Notes:

The use of this data acts as agreement to the following statements:
a. Copyright Sheffield City Council. All rights reserved in Chapter IV of the Copyright, Designs and Patents Act 1988 have been generally asserted
© This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Crown copyright and database rights Ordnance Survey 100018516 2015

TREE SCHEDULE

● TREE SPECIFIED INDIVIDUALLY (Encircled in black on the map)

T1 TILIA SPECIES (LIME)

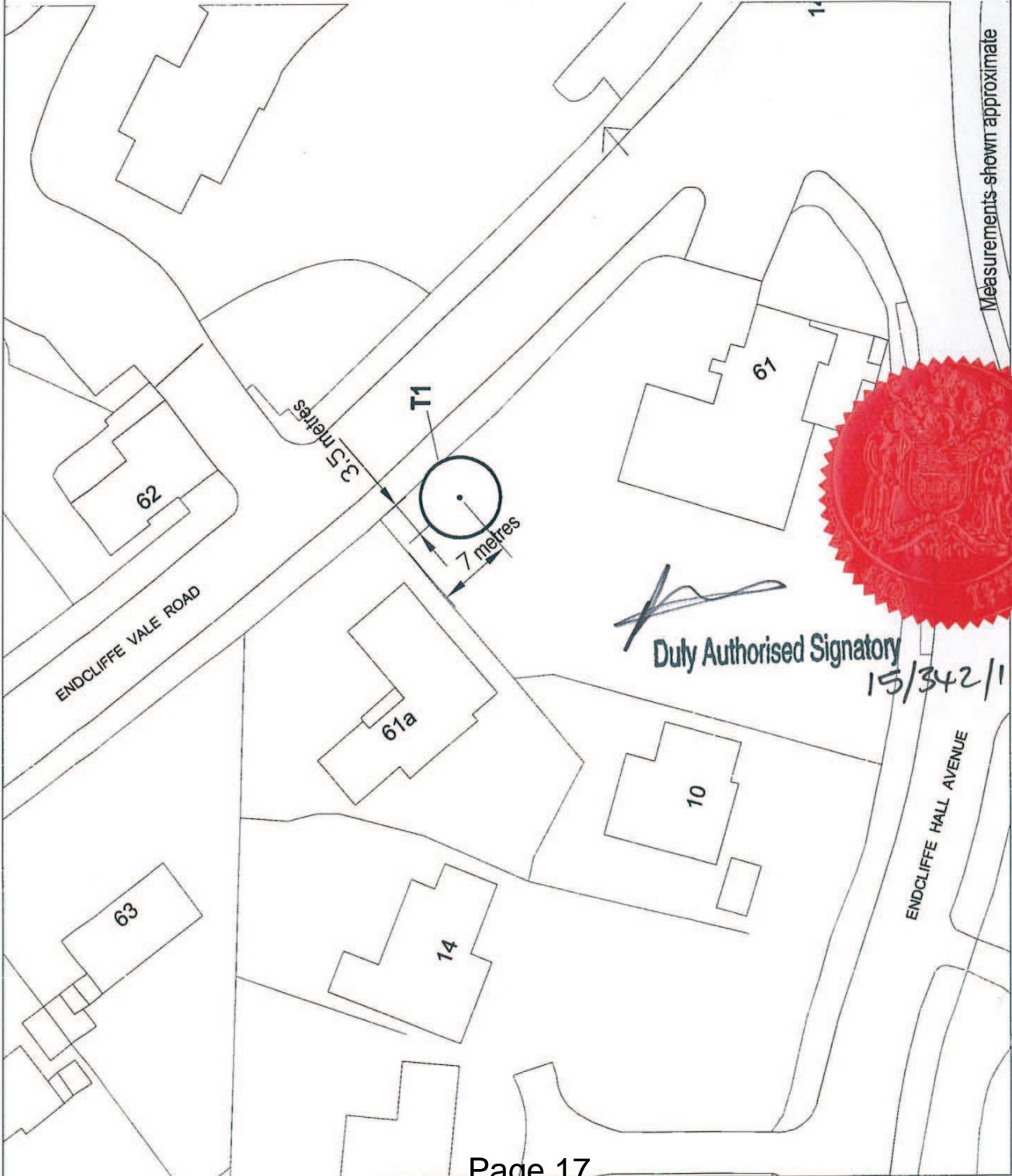
TREES SPECIFIED BY REFERENCE TO A GROUP - None

TREES SPECIFIED BY REFERENCE TO AN AREA - None

TREES SPECIFIED BY REFERENCE TO WOODLAND - None

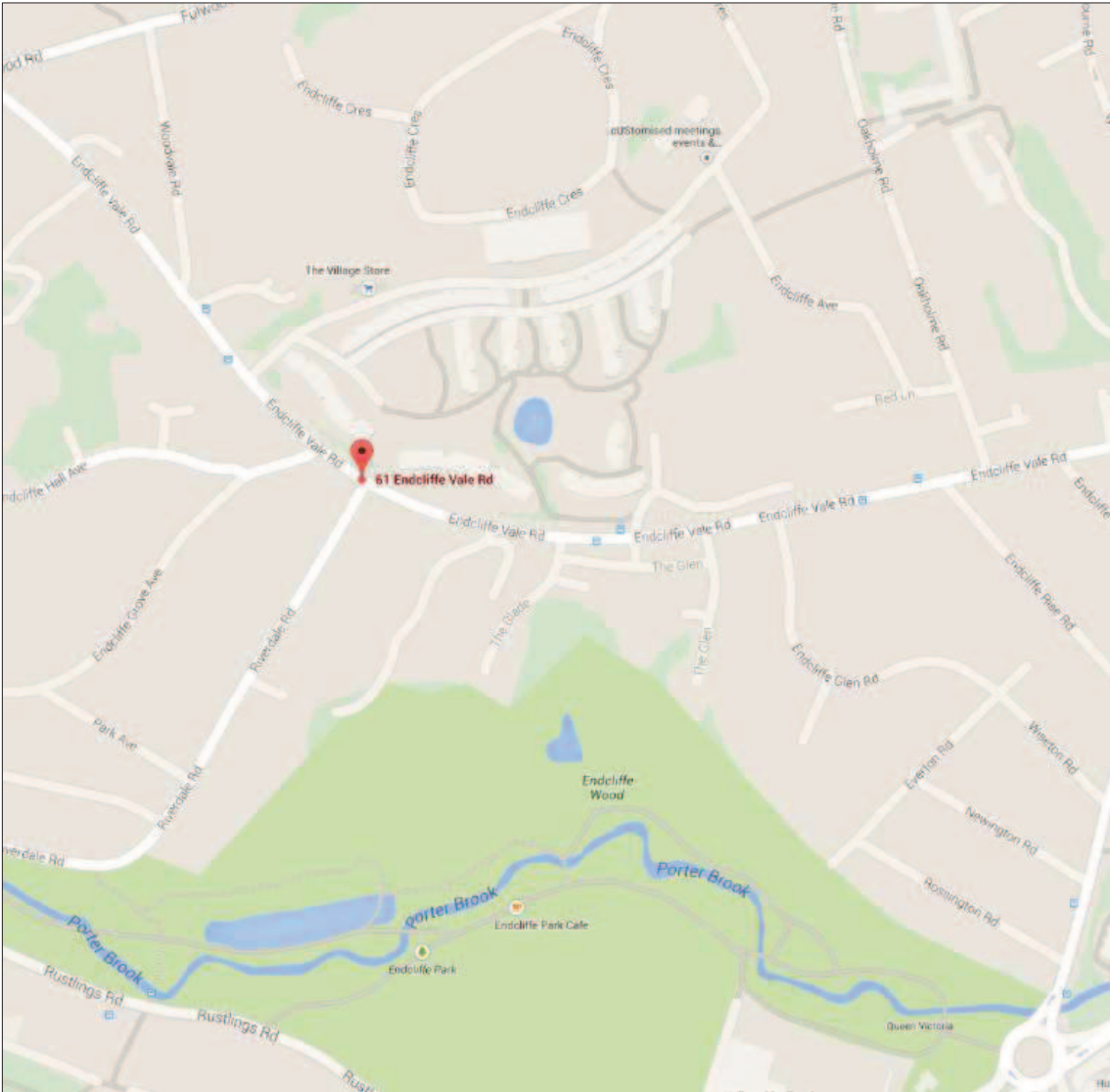
OS Grid Reference SK43263862

SHEFFIELD CITY COUNCIL PLACE	
REGENERATION & DEVELOPMENT SERVICES	
SCHEME TREE PRESERVATION ORDER No. 399	
TITLE 61 ENDCLIFFE VALE ROAD S10 3ET	
SCALE 1:500 @ A4	
Drawn by SK	Checked by Date 23/2/2015
Drawing No. A4/UEJ/808/399	



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61 Endcliffe Vale Road, Sheffield, S10 3ET



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Resources: Legal Services

Interim Director of Legal and Governance: Gillian Duckworth
Town Hall SHEFFIELD S1 2HH DX: 10580 SHEFFIELD
Tel: 0114 2734034 Fax: 0114 2734051
Email: richard.cannon@sheffield.gov.uk
Website: www.sheffield.gov.uk



The Occupier
61a Endcliffe Vale Road
Sheffield
S10 3ET

Your Ref:
Our Ref: LS/RC/71296
Date: 27th February 2015

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Dear Sir/Madam,

**Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012
Tree Preservation Order No 399
61 Endcliffe Vale Road, Sheffield S10 3ET**

THIS IS A FORMAL NOTICE to let you know that on the 26th of February 2015 Sheffield City Council made the above Tree Preservation Order.

In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule of the Order and shown on the map without the Council's consent. A copy of the said Order is available for inspection at the First Stop Reception, Sheffield City Council, Town Hall Pinstone Street, Sheffield S1 2HH during normal office hours or can be viewed on the Council's web site www.sheffield.gov.uk/your-city-council/legal-services/legal-orders/tree-preservation-orders.

Some explanatory guidance on tree preservation orders is given in the leaflet, Protect Trees: A Guide to Tree Preservation Orders, produced by the Department of Communities and Local Government, which can be obtained by telephoning 0114 2734034.

The Council have made the order because:

- 1) The lime tree is visually prominent when viewed from Endcliffe Vale Road, forms part of Endcliffe Vale Road's tree lined character and contributes to the visual amenity of the locality and Endcliffe Conservation Area.

- 2) The lime tree is in the Endcliffe Conservation Area and notice to remove the lime tree has been received. To retain the tree Sheffield City Council as Local Planning Authority is required to serve a Tree Preservation Order.

The Order took effect on a provisional basis, on the 26th of February 2015. It will continue in force on this basis for a further 6 months or until the order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the order have a right to make objections or other representations to the Authority about any of the trees, groups of trees or woodlands specified in the order in accordance with Regulation 6 of the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

It should be noted that any objection or representation with regard to the order must be made in writing to the Legal Services Department, Legal and Governance, Sheffield City Council, Town Hall, Pinstone Street, Sheffield S1 2HH Quoting ref: LS/RC/71296 no later than 1st of April 2015.

All valid objections or representations are carefully considered before a decision on whether to confirm the order is made.

A further notice will be issued when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact me on the above mentioned telephone number.

Yours faithfully,



RICHARD CANNON
Professional Officer

Enc. Copy Order, Copy Order Plan

2012 No. 605

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Tree
Preservation)(England)

Regulations 2012

Objections and representations

6.—(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

(i) delivered to the authority not later than the date specified by them under regulation

5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time

that, in the ordinary course of post, it would be delivered to them not later than that

date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in

respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

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(2) The authority may treat as duly made objections and representations which do not comply

with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance

with those requirements could not reasonably have been expected.

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of Regeneration and Development Services

Date: 26/05/2015

Subject: Applications under various acts/regulations

Author of Report: Chris Heeley/Howard Baxter/Lucy Bond/John Williamson
Tel No 0114 2039183

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.
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15/00257/FUL (Formerly PP-03933514)	Land At Falstaff Crescent, Falstaff Road, Buchanan Road And Collinson Road, Parson Cross Park And Buchanan Road Sheffield S5	122
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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 26/05/2015

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	15/00680/FUL (Formerly PP-04003550)
Application Type	Full Planning Application
Proposal	Alterations to building for A2/B1 use (Professional/Business) including external cladding, new shop front, front canopy and siting of redundant taxi to roof
Location	259 Abbeydale Road Sheffield S7 1FJ
Date Received	24/02/2015
Team	South
Applicant/Agent	Cero Architecture
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

The drawings received and dated 14 April 2015

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. The taxi shall be removed when the company Mr Compensator ceases to operate from the premises.

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

Pre-Occupancy and Other Stage of Development Condition(s)

Other Compliance Conditions

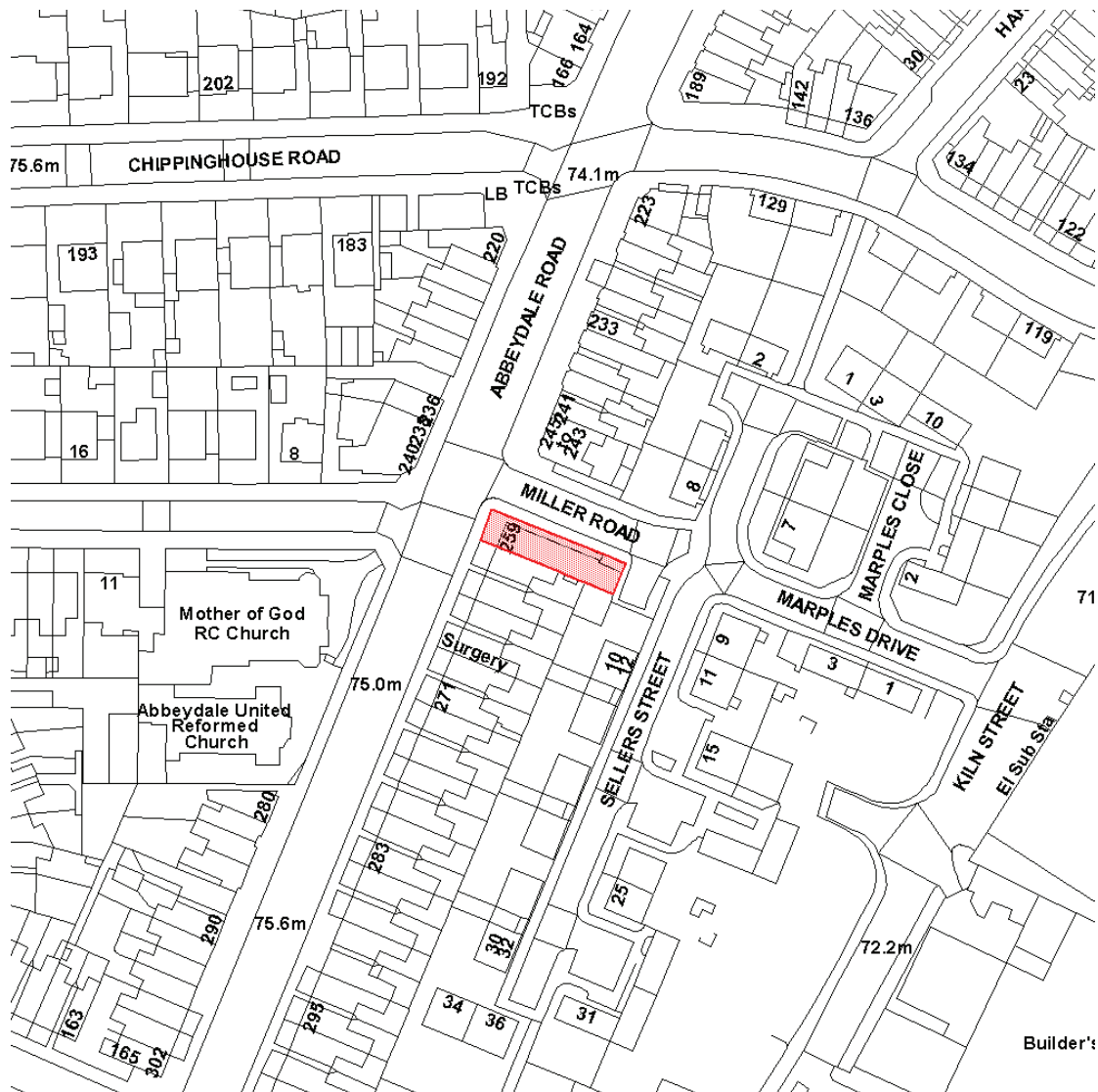
4. The above premises shall be used for the above-mentioned purpose only between 08:00 hours and 20:00 hours on any day.

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

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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LOCATION AND PROPOSAL

The application relates to an irregular shaped retail unit which is set on Abbeydale Road. The property is set on a corner plot and the northern edge of the building faces Millers Road. The property is a single storey flat roofed building which contrasts greatly with the overall built form of the surrounding area. The property is not set within any grounds and is accessed from the public footways of Abbeydale Road and Millers Road.

The building has been painted black and has a significant number of windows along the sides facing Abbeydale Road and Millers Road. The property was last

used as a retail unit selling furniture and was classed as an A1 retail use for planning purposes.

The property is situated within an area that has been designated as a Housing Area within the Local Planning Authority's main planning policy document, the Unitary Development Plan. Although it is set within a Housing Area, the wide road is interspersed with properties which vary in terms of their use. Many retail properties are set along Abbeydale Road in amongst various residential properties and community facilities, such as places of worship. A significant number of retail properties within the area also have residential units above them.

The street comprises of a mixture of property styles and sizes, although a significant number are brick built terraced properties. The subject building is surrounded by a row of unusual three storey terraced properties directly to the south and more traditional two storey terraces to the north and west. To the southwest of the site there is the Mother of God Church, which is addressed as St Ronans Road. This is a Grade II listed building which is set behind a low stone wall and iron railings.

The proposal seeks permission to use the existing flat roofed retail unit for professional offices which are defined as A2/ B1 Use Classes. To facilitate the change of use, the proposal also seeks permission to re-clad the building and install a new shop front. The end user is a compensation claims business who specialises in compensation claims which have involved taxis. Owing to the proposed end use of the building, it is proposed to place a London black taxi on the flat roof.

PLANNING HISTORY

There is no relevant planning history associated with this application.

REPRESENTATIONS

The proposal was advertised in accordance with the Council's Statement of Community Involvement and the immediate neighbouring properties were informed in writing. A site notice was also erected on Abbeydale Road.

The proposal has been the subject of 15 objection letters. The representations can be summarised as having the following planning concerns:

- The taxi on the top of the roof is not in keeping with the local area and it will be nothing but an eye sore and not in keeping with the local area in any way, shape or form;
- Should Mr Compensator move on, this Taxi would be left on the roof of what would become another abandoned building;
- The use of stone is out of character with the surrounding area;
- It would create a significant personal security issue as it is likely to encourage people to climb onto the roof of 259 Abbeydale Road. The adjoining gable end wall has already been subject to vandalism (graffiti) and

- serious concerns are held that a tasteless and grotesque taxi on the subject unit would encourage more of this type of antisocial behaviour;
- The other planned improvements to the area under the Antiques Quarter banner, are all intended to be subtle and in keeping with the character of the neighbourhood.
 - Although there are other businesses in the vicinity that open later than 8pm, I would object to the unit opening until 8pm as it directly adjoins a residential property and may lead to disturbance;
 - The canopy would extend out directly next to a residential front door and the pathway;
 - It could be a distraction to drivers on what is a very busy road for both cars and pedestrians.

The above comments are discussed in more detail in the subsequent planning assessment.

It has also been stated within the comments that have been submitted that overall, the representations object to the siting of the taxi on the roof of the building, not to the use of the building, subject to it having time restrictions imposed on any approval.

The representations have also raised issues which are not material planning concerns and which cannot be given weight in the assessment of the planning application. These include the impact upon the value of the neighbouring properties and the nature of the business which is proposed.

As there are numerous factors which influence the value of a property, it is not the purpose of the planning system to judge whether a proposal would negatively or positively impact upon the value of a neighbouring property. The issue of property values do not hold any weight in this planning assessment.

The comments also state that the presence of a taxi will imply a local taxi firm, as in private hire vehicles and that the business of Mr Compensator would be an undesirable business in an area which is becoming a much loved cultural area. The comments also worry that it would be to the detriment to the up and coming Sheffield Antiques Quarter. These issues are not strictly planning concerns and it is the purpose of this application to determine whether the use is of a scale and nature which can be compatible with the surrounding land uses. The area is being promoted by local traders and the Council as the 'Antiques Quarter', however there is currently no specific land use planning policy protection for this. Whether the use of the building is one which is desirable, in terms of the products/ services supplied, is a question of personal opinion and comments which have raised concerns are given limited weight. The planning application seeks to determine whether the proposed use can be accommodated within an area which is identified in planning policy terms as being a Housing Area.

One objection has also stated that they are in discussions with the Sheffield Antiques Quarter regarding the possible use of their gable end wall for a piece of artwork to promote the quarter and that siting a taxi on the roof of the adjacent building would jeopardise these potential plans. These are not material to the planning application assessment as this has to consider the proposal at hand.

PLANNING ASSESSMENT

Policy issues

The National Planning Policy Framework was introduced in 2012 and was fully adopted one year later. The document was put in place to provide a clear definition of the planning systems remit and it breaks the planning systems role down into three. These roles are defined as social, economic and environmental.

The NPPF makes a presumption in favour of sustainability and provides a wider framework for local planning authorities to create local policies which can address issues which are pertinent to their local communities.

The NPPF seeks to promote high quality developments which reinforce local distinctiveness and do not impact upon the amenities of any local residents. This is supported by local planning policies.

The application seeks permission to use the existing building as an A2/ B1 Use Class office accommodation. The property is set within a Housing Area and opposite a Grade II Listed building. The most relevant planning policies are therefore outlined in UDP policies H10, H14, BE5 and BE19.

As the UDP policy document is currently being replaced by the Sheffield Development Framework (SDF), the policies within the Core Strategy policy document are also relevant. Although the Core Strategy policy document was adopted in 2009, and before the NPPF, the policies are considered to be sound and in line with the overarching aims of the national guidance.

UDP Policy H10 states that residential uses are the preferred use for buildings within Housing Areas. However, it states that other uses may be acceptable provided that they are of a scale and nature which complements and enhances the Housing Area. It states that small scale retail units and A2/B1 offices are acceptable provided that they do not affect the amenities of any local resident. Accordingly, the principle of the use of the building for A2/B1 Use Class purposes is considered to be acceptable with regards to UDP policy H10, subject to the proposal meeting the requirements of all other relevant planning policies.

UDP Policy H14 looks at the general amenities of local residents and seeks to protect amenities such as privacy, light and outlook. It also states that only high quality designs will be acceptable. To support the requirement for high quality designs, policies BE5 and BE19 seek to ensure that the design of any proposal is of the highest quality and does not affect the visual amenities of the area or the setting of any listed buildings.

Core Strategy Policy CS74 reiterates the need for proposals to be designed in a way which respects the built environment within which they will be set. It also places importance upon ensuring that the heritage of the area is preserved and enhanced.

Design Issues

Policy BE5 of the UDP states that proposals should complement the scale, form and architectural style of surrounding buildings.

Policy H14 states that new development should be (a) well designed and in scale and character with neighbouring buildings.

Policy CS74 'Design Principles' states that development should take advantage of the townscape and landscape character of the city's districts and neighbourhoods, with their associated scale, layout and built form, building styles and materials.

Further to the above local planning policies, the National Planning Policy Framework reiterates the need for good design which is sustainable and compatible with its surroundings. However, it states in paragraph 60 that the planning system should not stifle innovative design or impose particular tastes through unsubstantiated requirements to conform to certain development forms or styles.

The NPPF also states within paragraph 66 that designs should take account of the views of the community and those which can demonstrate this should be looked upon more favourably.

The proposal seeks permission to use a flat roofed building as an office and to facilitate this use; modernisation of the unit is required. This application seeks permission to re-clad the building and enhance its overall appearance with the incorporation of a new shop front and a glazed canopy over the front door. The proposal also includes the siting of a full size London black taxi on the roof.

It is proposed to re-clad the building with a stone slip cladding system and create a new shop frontage which would include a glazed canopy over it. The shop frontage has been amended from the original proposal which incorporated a large bi-folding door system. The amended drawings have created entrance doors which are surrounded by a window on either side. The canopy has been reduced slightly in size and the frontage is considered to respect the built form of this building. The building is set on a straight road, and although it is on a corner plot with a small no through road, it is not considered to be overly prominent within the Abbeydale Road streetscene.

The proposal would incorporate a level access and the door width is a suitable width for wheel chair access. The proposal will have to comply with Part M of building regulations and the access to the site for people with disabilities is considered to be acceptable.

It is acknowledged that the building is something of an anomaly within the street and a structure of its scale and built form is not ideal for this location. However, the building pre-dates the current planning policies/ guidance and any further changes to the building should enhance the building's character and appearance. The surrounding area has various architectural styles and the use of stone can be found on the church and other shops within the street. The corner retail unit currently used as a bicycle themed coffee shop should be noted here, given that it has used natural stone on the side extension. The use of a modern stone slip is

considered to be elegant and respectful of the character of the original building and the wider area. Furthermore, the building is completely different to other shop units within the street and is not therefore comparable to any other particular property within the immediate area. As the building is an anomaly with the street, it is not considered that the changes to the building would make the building any more prominent or harmful to the overall character of the street or the setting of the neighbouring listed building. The proposed changes are therefore considered to enhance a building which is in a state of disrepair and are acceptable in terms of Core Strategy policy CS74 and UDP policies H14, BE5 and BE19.

The proposal includes a London black taxi on the existing flat roof. It has been confirmed with the applicant that it is just a black taxi and no further adverts will be sited on it. The building is to be used by a firm that specialises in compensation for accidents which have involved taxis. The proposal is somewhat unusual and therefore has to be assessed on its own merits. The local and national planning policies refer to development which affects the character and settings of listed buildings and the setting of the wider areas. The policies which refer to design refer to issues such as scale, massing, materials and built forms and are design principles which influence architectural practice.

The proposed building is of a scale and massing which is not a strong character of the area and the proposed taxi is considered not to be overly prominent on the building, given the size of the taxi and its setting back from the sides and front of the building.

A land mark planning appeal, which related to a large model shark being sited on the roof plane of a terraced property in Oxford, is a significant case which helps with the interpretation of the current local and national planning policies. The sculpture was refused permission because it was considered to detract from the harmonious appearance of the terrace and thus had a deleterious effect on visual amenity. The Secretary of State concluded, however, that the intention to shock was irrelevant so far as planning issues were concerned and that a lack of harmony with the street did not necessarily equate to visual harm. It was concluded that the proposal was not gravely detrimental to visual amenity.

This particular case has similarities to this landmark case, given that the street has a wide mixture of property styles and sizes. The massing of the structure is proportionate to the building on which it would be sited and it would be dwarfed by the three storey terraces which are adjacent. The size and siting of the structure are therefore considered to be acceptable.

To assess whether the form/ shape of the structure is acceptable, it is worth defining whether the structure is an advert, or a piece of public art and, whether such a feature is appropriate in the context of this location.

The black taxi could be considered to be both an advertisement and a piece of public art. Using the definition of public art as being, 'art in any media that has been planned and executed with the intention of being staged in the public domain, usually outside and accessible to all', the siting of a plain black taxi is an expression and application of human creative imagination that could be considered to fall within the definition of public art. However, it is also considered to be for

identification in that whilst people may not easily recognise the cab as representing Mr Compensator, it will inevitably be associated to the business above which it sits.

Public art is subjective and will split public opinion. It is considered that the proposal is, to a degree, a matter of personal taste whether deemed as a piece of art or an advert and therefore it has to be determined whether it is an incongruous feature within the street. The NPPF states that Local Planning Authorities should not impose any particular tastes or stifle originality. It then states that advertisements should be simple in concept and operation and be subject to control in instances of public amenity and safety. The proposal can be conditioned not to be illuminated nor to be the host of any further advertisement and it is considered that the form of the structure is one which is simple in concept. Subject to conditions ensuring that it remains simple in its form, the proposal is considered to be acceptable in terms of its form and not detrimental to the visual amenity/ character of the street.

The comments made by 14 local residents and business owners consider the siting of the London black cab on the roof of the building as being visually intrusive and harmful to the character of the area. As described above, the change of use and material alterations to the existing building are improvements which are not considered to be harmful to the character of the original building, the wider area and/ or the setting of the listed building which is sited close by. The proposed location of the business is very sustainable and significant weight is therefore given to the presumption in favour of sustainable development as outlined in the NPPF.

The siting of a London black cab on the roof as outlined above is not strictly contrary to the NPPF or the local planning policies which relate to design, given that the scale of the structure is proportionate to the flat roofed building and it is simple in terms of its form. The proposed changes are not considered to be detrimental to the overall character of the street and the changes are considered to facilitate a sustainable use. On balance, the proposal is considered to be acceptable in terms of local and national planning policies which relate to siting and designs of proposals.

Amenity Issues

The property is sited in a Housing Area and policy H14 seeks to protect the amenities of any neighbouring residents. The building is set on a corner plot and close to three storey high terraced properties which have no windows in the side elevations. The external alterations including the siting of the London taxi are not considered to overshadow/ overbear upon any neighbouring property. Furthermore, given that the taxi is set in from the edges of the roof, it is not considered that this element of the proposal would be overbearing to users of the public footpaths. In this respect, the proposal is considered to be fully compliant with UDP policy H14 (c).

All the windows and doors would have the same outlooks as those which are there at present. They do not face any neighbour's private amenity space and do not compromise any existing privacy levels of local residents. This is again, considered to be compliant with UDP policy H14 (c).

The proposal seeks permission to use the building as an office which will be open between 08:00 hours and 20:00 hours. The nature of the building, when compared to the previous use as a shop which sold furniture, is likely to have fewer people coming and going and will potentially be a quieter use than one which could be expected to have larger vehicles removing large items of furniture. Although the hours requested are until 20:00 hours, it is considered that the use would not be a significant generator of noise, especially given that the building is sited on a busy arterial route into the city centre which is used by frequent bus services. The siting, nature and intensity of the use are considered to have a minimal impact upon the area in terms of noise and general disturbance and as such, the proposal is considered to be acceptable in terms of UDP policy H14 (e).

Crime Prevention

Various concerns have been raised that the proposed siting of a London taxi on the roof of the building would be a security issue and a target for crime. It is noted that the gable end of the neighbour's unit has been vandalised in the past. Both the UDP policy H14 (c) and paragraph 69 of the NPPF state that development should not deprive residents of security or undermine the quality of life of residents due to criminal activity or fear of crime. The planning system is limited in what it can achieve in this respect and these policies are aimed at ensuring that developments are laid out and designed to maximise security, where they can.

It is noted that the flat roof of the building does provide a platform to access the gable of the neighbour's property and, that graffiti has been sprayed on this wall. However, as the current building is empty and the side road is poorly lit, the 'broken window' theory would suggest that the lack of natural surveillance at the moment and the run-down appearance of the building, would in itself lead to anti-social behaviour. It is in the interest of any business to maintain the building and keep it secure. Bringing the building back into use and occupied throughout the week is considered to increase natural surveillance and improve the security of the site and the wider area. There is no strong evidence to suggest that the siting of the taxi and the refurbishment of the building would be detrimental to security of the site and on balance, it is considered that the proposal would be acceptable in terms of UDP policy (c).

Highways Issues

The previous use of the building would have had arguably a greater number of people coming and going than the proposed office use which is likely to conduct more of its business through technology rather than face to face. Accordingly, the traffic it will generate is not considered to be greater than the previous use and is not therefore considered to be harmful to traffic safety along Abbeydale Road.

The shop frontage is fairly simple with the large proposed side facing adverts of Mr Compensator having been removed from the scheme. The simplified frontage, with a small area for signage, is considered to be no more intrusive within the street than the current frontage and it is not therefore considered to be a serious distraction to pedestrian and vehicular traffic which could be detrimental to the safe flow of traffic within the highway. Accordingly, the alterations to the shop frontage

and the re-cladding of the building are not considered to be contrary to UDP policy H14.

The full scale London Cab is set back on the roof and away from the shop frontage. The black cab is an iconic vehicle which is easily recognisable and will not be used to display further adverts. The structure will be set in a fairly prominent position, but not in a position whereby vehicles would be able to see it from a significant distance away and which may be considered to be very distracting. The simple form and colour of the cab, together with its easily recognisable design, is considered to ensure that whilst the structure will be striking, it will not be severely distracting to drivers. Furthermore, it is not viewable from far away enough to keep drivers eyes away from the road long enough to be considered to be severely dangerous.

It should be noted that various car dealerships across the country display vehicles in a very similar way to this and these are used to advertise their businesses; moreover, many of these have further adverts across them. Various cases of vehicles being displayed in more prominent places can be found and there is no strong evidence that in itself, locating a vehicle on top of a building would be a hazard to highway safety.

Owing to the nature of the building and the circumstances of this particular applicant, the proposal is not considered to represent a severe hazard to road safety for which planning permission could be refused. The proposal is not considered to significantly increase traffic along this section of Abbeydale Road and the proposed change of use and alterations to the premises are considered to be acceptable in terms of UDP and NPPF policies.

SUMMARY

The proposal seeks permission to change the use of the building from an A1 retail use to a A2/B1 office. The proposal includes alterations to the external shell of the building and these changes, including the alterations to the shop front, are considered to be acceptable subject to conditions being attached to any approval. The proposed changes to the building are considered to be satisfactory and no worse to the visual amenities of the area than the existing unit. Furthermore, such changes are not considered to compromise the amenities of any neighbouring property.

The proposal also includes an advert/ piece of public art in the form of a London taxi to the roof of the building. The proposal does not give rise to any amenity issues regarding overbearing/ loss of privacy issues, but it has provoked reactions from a small number of local residents and business owners. The siting of such an item is not clearly supported by local and national planning policies and this recommendation is therefore based on the individual merits of the application.

The taxi is a black cab which can be conditioned to remain as a plain black cab, with no further advertising on it and to ensure that it is removed when no longer required. It is considered that although it might not be to everyone's taste, it is not strictly out of character with the area as there is nothing comparable within the

local vicinity and the lack of harmony with the street does not necessarily equate to visual harm in planning law. Whilst other 'copy cat' structures may seek planning permission within the locality, these would have to be determined on their own merits and are likely to be very few in number. This application is not therefore a harmful precedent.

The scheme, in its entirety, will bring back into use a building which is currently derelict and that is set within a very sustainable location. The proposal would enhance the existing shabby exterior of the building and arguably improve the quality of the area. The presumption in favour of sustainable development is considered to outweigh the concerns regarding whether the siting of the taxi is appropriate in this location. The proposal is therefore considered to be acceptable in terms of local and national planning policies.

The proposal is considered to be acceptable, on balance, and is therefore recommended for approval subject to conditions being attached to any approval.

Case Number	15/00665/FUL (Formerly PP-04003937)
Application Type	Full Planning Application
Proposal	Residential development including erection of 9 apartments and 83 dwellinghouses, with associated access, parking and landscaping
Location	Land Between Park Grange Road And Beeches Drive Extending To Samuel Drive, Park Grange Drive SheffieldS2 3SF
Date Received	24/02/2015
Team	City Centre and East
Applicant/Agent	PRP Architects (Manchester)
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

Plans:

Bluestones and NP4 Site layout (AA4718_1002 Rev. AH)
B&NP4 Boundary Treatment (AA4718_1011 Rev. H)
B&NP4 3D Images (AA4718_1012 Rev. C)
B&NP4 Kerb Types (AA4718_1013 Rev. K)
B&NP4 Street Elevations (AA4718_1014 Rev. G)
B&NP4 Street Elevations (AA4718_1015 Rev. G)
B&NP4 Street Elevations (AA4718_1016 Rev. G)
B&NP4 Surface Treatment Plan (AA4718_1017 Rev. L)
Boundary Treatment Details (AA4718_1018 Rev. B)
Apartment Elevations (AA4718_1019 Rev. B)
Apartments Plans (AA4718_1020 Rev. B)
Brick Type Layout (AA4718_1021)

Over Door Canopy (AA4718_1022)
 NP4&B Bin and Cycle Store (AA4718_1023)
 Apartment Type 4 (2B4P Corner) (AA4718_1405 Rev. B)
 Apartment Type 1 (2B3P Mobility Corner) (AA4718_1406 Rev. A)
 House Type Elevations - (Type A AA4718_1500 Rev. F)
 House Type Elevations - (Type B (1) AA4718_1501 Rev. F)
 House Type Elevations - (Type C2 (1) AA4718_1502 Rev. G)
 House Type Elevations - (Type E1 AA4718_1503 Rev. F)
 House Type Elevations - (Type E2 AA4718_1504 Rev. F)
 House Type Elevations - (Type F AA4718_1505 Rev. E)
 House Type Elevations - (Type F Alt.AA4718_1506 Rev. F)
 House Type Elevations - (Type J (1of2) AA4718_1507 Rev. G)
 House Type Elevations - (Type J (2of2) AA4718_1408 Rev. H)
 House Type Elevations - (Type O (1of2) AA4718_1509 Rev. H)
 House Type Elevations - (Type O (2of2) AA4718_1510 Rev. H)
 House Type Elevations - (Type B (2) AA4718_1511)
 House Type Elevations - (Type C2 (2) AA4718_1512 Rev. A)
 Bluestones and NP4 Location Plan (AA4718_2000 Rev. B)
 Landscape Details -1214-01 (Norfolk Park 4f) sheet 1 of 4
 Landscape Details 1214-02 (Norfolk Park 4f) sheet 2 of 4
 Landscape Details 1214-03 (Norfolk Park 4f) sheet 3 of 4
 Landscape Details 1214-04 (Norfolk Park 4f) sheet 4 of 4
 Engineering Layout QD906-03-01 - Engineering Layout Rev B
 Highway Construction Layout QD906-07-03 Highway Construction Layout Rev B
 Verge Details (00953_D_09)
 Typical Window Details (SD_2012_021 - Window Details)

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
 - a) Been carried out; or
 - b) Details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the dwellings are brought into use.

Highways Improvements:

1. Park Grange Drive and Beeches Drive - Improvements to street lighting, traffic calming, creation of 20 mph zone, provide lighting and resurfacing for existing carriageways and footways.
- 2.Park Grange Road - Resurfacing of footpath network linking new development with Park Grange Road.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic

on the public highway it is essential that this condition is complied with before any works on site commence.

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

Reason: To ensure that the development can be properly drained.

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

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

6. No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:

- Construction vehicle routes;
- Means of ingress and egress for construction vehicles;
- Parking for vehicles involved in construction;
- Provision for contractor parking; and
- Confirmation of dilapidation survey of the highways immediately adjoining the site, which shall have been carried out and agreed with the Local Planning Authority.

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

7. No development shall commence until full details of measures to protect the existing trees and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development unless otherwise approved.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

8. Prior to the commencement of development, intrusive site investigation works shall be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site.

In the event that the site investigations confirm the need for remedial works to treat the mine entry/areas of shallow mine workings to ensure the safety and stability of the proposed development, then any necessary remedial works shall also be undertaken prior to commencement of the development.

Reason; In the interests of the safety of the development and to identify any risks from previous mining activities.

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

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

Pre-Occupancy and Other Stage of Development Condition(s)

10. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 5 litres per second per hectare. This shall be achieved by sustainable drainage methods where feasible and if this is not possible then evidence must be provided to show why such methods cannot be used. Detailed proposals for surface water disposal, including calculations to demonstrate the reduction and details of long term maintenance of the system for the lifetime of the development (a maintenance plan), shall be submitted to and approved by the LPA prior to commencement of building.

Reason: In order to mitigate against the risk of flooding.

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

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

12. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority. The landscape scheme shall also include details of any street furniture to be used within the public realm.

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

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

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

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

Typical window and doors
Balconies
Entrance canopies
Eaves and verges
Brickwork including textured/ patterned
Mortar and pointing / fixing details
Service meter boxes
Rain water goods
Boundary treatments
Typical retaining structures to be used within garden areas

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

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

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

Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

16. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

17. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been implemented and thereafter retained in accordance with the details set out in the Report No. P15-234-R01v1 April 2015 by Hepworth Acoustics. Such works shall:

a) Be capable of achieving the following noise levels:

Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours); Bedrooms:
LAFmax 45dB (2300 to 0700 hours).

b) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

18. The dwellings shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport

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

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

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

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

The required Validation Testing is separate from, and in addition to, any tests required to comply with Building Regulations in relation to Approved Document E; Resistance to the passage of sound.

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

21. Before the use of the development is commenced, a validation test to demonstrate that the necessary surface water drainage equipment has been installed and that the flow rate has been achieved shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority.

Reason: In order to mitigate against the risk of flooding.

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

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

Other Compliance Conditions

23. The development shall be carried out in accordance with the Flood Risk Assessment carried out by Queensberry Design, dated the 30th July 2014 and the following mitigation measures detailed within the Assessment;
- Finished floor levels shall be a minimum of 150mm above external ground level.
- Reason: In the interests of flood and water management
24. The proposed window details shall be as per those set out on Dwg. No. 2012/SD/021 (Standard Detail: Window Details).
- Reason: In order to ensure an appropriate quality of development.
25. No building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the sewers which cross the site.
- Reason: In order to allow sufficient access for maintenance and repair work at all times.
26. The mobility housing shall not be used unless the access and facilities for people with disabilities shown on the plans have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.
- Reason: To ensure ease of access and facilities for disabled persons at all times.
27. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 .
- Reason: In the interests of the safety of road users.
28. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
- Reason: In order to ensure that any contamination of the land is properly dealt with.
29. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.
- Reason: In order to ensure that any contamination of the land is properly dealt with.

30. The development shall be carried out in line with the recommendations made in the "Ecological Appraisal and Constraints Report" by ECUS Environmental Consultants and their additional letter dated 6th May 2015. Full final details of the proposed bat and bird boxes and lighting scheme for those parts of the site adjacent to the Jervis Lum woodland edge shall be submitted to and approved in writing by the Local Planning Authority. Prior to the development being brought into use such measures shall be implemented and retained thereafter.

Reason: In the interests of biodiversity

Attention is Drawn to the Following Directives:

1. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

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

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

You should apply for a consent to: -

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

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

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

The notice should be sent to:-

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

For the attention of Mr P Vickers

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

4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
5. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
6. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
7. The Applicant is advised that the following mitigation measures would assist in reducing vehicle exhaust emissions and should be adopted where practicable, they include:
 - a) Construction phase - The developer should have regard to the mitigation measures in and adopt the London Councils' Best Practice Guidance, November 2006, "The Control of Dust and Emissions from Construction and Demolition". This Guidance should be used as a guide to evaluate and manage dust emissions during this phase.
 - b) Ensure vehicles delivering to the proposed site to be Euro VI standard minimum or are fitted with exhaust after treatment technologies such as continuously regenerating traps or other non primary NO2 emitting catalysts systems: a recommendation.
 - c) Promote the use of public transport and the need for efficient public transport links into the area: a recommendation.
8. The Applicant is advised that Stagecoach Supertram have raised the following comments:
 - All works during construction and use afterwards should be carried out in accordance with the Supertram Code of Practice for working near or on the Supertram Network.
 - Consideration to be taken of any abnormal loads/vehicles which may have cause to pass over the track or under the overhead line.
 - Debris or potential excess water overspill from the site should not encroach onto the Supertram System.

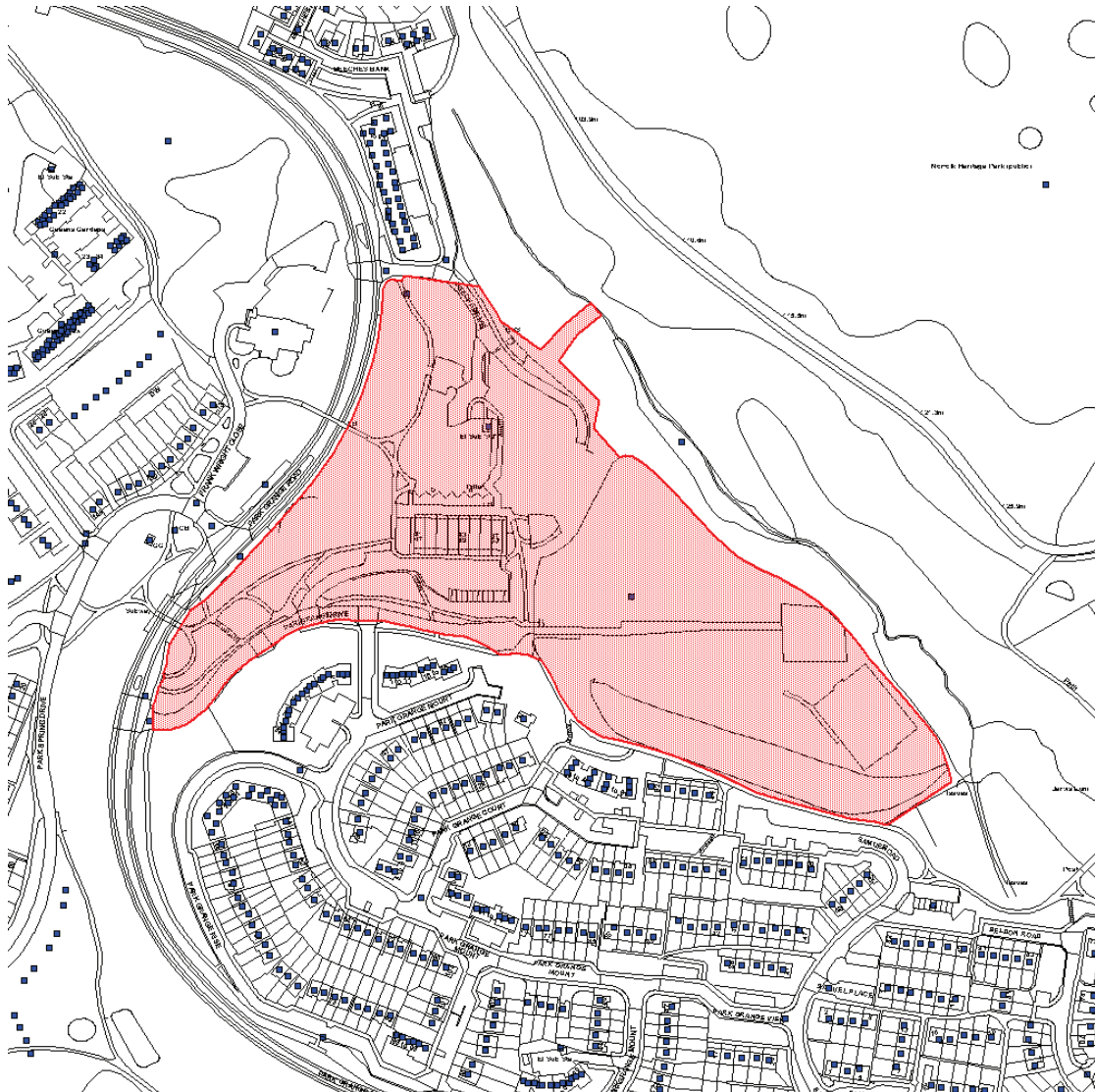
You are advised to contact South Yorkshire Supertram Limited at 11 Arundel Gate, Sheffield, S1 2PN, (Telephone Sheffield (0114) 2728282) to establish whether or not the system is affected.

9. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
10. The applicant is advised that sensitive lighting adjacent to the Jervis Lum woodland edge shall be carried out in accordance with the recommendations of the Bat Conservation Trust document "Artificial lighting and wildlife. Interim Guidance: Recommendations to help minimise the impact of artificial lighting" as proposed by ECUS Environmental Consultants in their letter dated 6th May 2015.
11. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from SCC Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
12. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:
Richard Harris
Ecology Manager
Sheffield City Council
Meersbrook Park
Brook Road
Sheffield
S8 9FL
Tel: 0114 2734481
E-mail: richard.harris@sheffield.gov.uk
13. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

14. 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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LOCATION AND PROPOSAL

Planning permission is sought to construct a modern residential development comprising of 83 dwellinghouses and 9 apartments with associated access, parking and landscaping works. The dwellings vary in size and comprise of 2, 3 and 4 bedrooms units.

The application site is located on the east side of Park Grange Road within the Norfolk Park neighbourhood to the south east of the City Centre. The red line boundary combines two individual sites – Norfolk Park 4 and Bluestones – to create a single development plot which covers an area of 4.23 Hectares and is contained by Beeches Drive (north), Park Grange Drive (south), and Park Grange

Road (west). Also, the north and eastern boundary is shared with the Jervis Lum (ancient woodland) and the Norfolk Heritage Park.

The site, owned by Sheffield City Council, currently appears as an extensive plot of open vacant land, including footpaths, a large area of hardstanding, grassland, a hedgerow and trees. The site is on a north facing slope and falls by approximately 26m in a south-east to north-west direction.

The Norfolk Park 4 element of the site previously contained a neighbourhood centre which was built in the 1960s to support the original estate. It contained a variety of shops and community facilities but the site has been vacant since demolition 2014.

The Bluestones element of the site was previously occupied by the Bluestones Primary School, which was also built in the 1960s. The School was demolished around 2000 and the site has been vacant since.

The character of the surrounding Norfolk Park neighbourhood is currently a series of residential developments set within and around open spaces. Previously dominated by high rise flats (now demolished) and lower density 1960s Radburn housing/layout, the area is now heavily characterised by new homes and apartment blocks. Some of the original Radburn properties (two storey terraces) still exist and these have been integrated alongside the new development.

This application has been submitted by Sheffield Housing Company (SHC), which is a long term regeneration vehicle working across the city to build new homes in Sheffield. The proposals form part of Phase 2 of a unique partnership between Sheffield City Council and Keepmoat Great Places. Overall, the partnership has a 15 year plan to build 2,300 homes in seven of Sheffield's neighbourhoods, including Norfolk Park where over 100 houses are currently being built as part of the first phase of SHC development (Phase 1). Phase 1 is known as The Cutler's View development and it is situated on land off Park Spring Drive and to the west of the application site that is the subject of this application. The new homes are being built to high quality and energy efficient standards.

RELEVANT PLANNING HISTORY

There is no relevant planning history associated with the application site.

SUMMARY OF REPRESENTATIONS

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

Additionally, the Applicant has advised that they have undertaken their own community consultation with local residents about housing development at this location prior to the submission of this application.

Public Representations

Three representations have been received from residents of Park Grange Mount. One is an objection and two are neutral comments (neither objecting nor supporting the application) and in summary state:

Objection Comments:

- As the owner of a property of Park Grange Mount it is considered that insufficient consultation has occurred. As the owner of a property that looks directly over this land, there have been no letters/notifications received in relation to this planning application.
- The new development will impact on the view from the objector's property.
- The development will cause disruption and hamper access.
- Loss of a significant proportion of Green Belt including a number of mature trees.
- What steps have been taken to ensure this development doesn't have a detrimental effect on property values on adjacent development?

Neutral Comments:

Highway Issues

- Access - Pedestrian access should be maintained between Park Grange Drive and the Beeches/Norfolk Park entrance during works and afterwards. Previous developments in the area did not give proper consideration to this. For cyclists, diversion onto Park Grange Road is both hazardous (tram tracks) and inconvenient.
- Cycle Storage - Only one cycle storage space per house/flat is specified, which seems a retrograde step. The site has a sustainable location but car parking seems essential, surely it would be appropriate to do as much as possible to discourage car use and encourage greener forms of transport.

Landscaping Issues

- The retention of a large number of existing mature trees is appreciated however it appears that the mature tree south of the pedestrian footbridge will be felled. Please could this be reconsidered?
- Appropriate exclusion and tree protection zones should be maintained around the existing trees throughout the works.

Open Space Issues

- Given the substantial number of children living in the area now and in the future, it is essential to maintain the playground on the existing site to contribute to a good quality of life and social interaction in the area.

Drainage Issues

- Could permeable surfaces be used instead of block paving? Concerns about environmental impact and flooding to houses and the Jervis Lum.

Protected Species

- The reports suggest that there is no evidence of Protected Species on and around the site however, they have been seen using the area.

Historic England
The Historic Garden Society

Both bodies have been consulted because of the site's proximity to Norfolk Heritage Park, which is a Grade II* Registered Park. Their representations have not been received at the time of writing this report. Members will be updated about any comments received at the Planning Committee meeting.

The Sheffield Sustainable Urban Design Panel

The proposals were presented and reviewed by the Panel during the pre-application process.

PLANNING ASSESSMENT

Land Use Issues – The Principle of Development

The relevant local policy documents are the adopted Unitary Development Plan (UDP, 1998) and the Sheffield Development Framework (SDF) Core Strategy document (2008). The Core Strategy is more up-to-date, providing the overall spatial strategy for the SDF over the period 2009 to 2026.

The application site falls within two policy areas on the UDP proposals map; it is part within a Housing Area, part within a Local Shopping Area (site of the former shops), and part within an Open Space Area (the site of the former school). However owing to changes that have occurred since the UDP was published in 1998, it is the case that this policy designation is now out-of-date and significant policy re-designation is proposed.

'The Sheffield Local Plan Pre Submission Draft City Policies and Sites' Document (SLP) reflects the masterplanning work and regeneration proposals that now exist for the Norfolk Park neighbourhood. As a consequence, it designates the whole area of the application as a 'Housing Area' with housing site allocations to support the forward ambitions of the Sheffield Housing Company. Evidence prepared to support this policy change through the Local Plan process shows that the UDP's 'Open Space' and 'Local Shopping Area' designations are no longer needed at this location. Specifically, the recreation facilities associated with the former Bluestones School (including playing fields and a Multi-Use Games Area were replaced at the new Norfolk Park Primary School, and the former Local Shopping Area is to be replaced in a more central location at Beldon Road (further up Park Grange Road) as part of the overall regeneration of the area.

In light of the above, the SLP proposal map is the most up to date situation, and demonstrates the intended policy direction, however this carries limited weight and

the application should also be assessed against the UDP proposals map and Core Strategy.

Unitary Development Plan (1998, UDP)

Despite the policy re-designation, the principle of the development must be assessed against retained UDP policies for the site's various existing adopted designations.

Housing Area: Policy H10 (Development in Housing Areas) identifies C3 residential uses as the Preferred Use in Housing Areas. Therefore, the proposed development meets the requirements of Policy H10.

Local Shopping Centres: Policy S7 (Development in District and Local Shopping Centres) identifies A1 shop uses as the Preferred Use in these Centres. C3 residential uses are acceptable uses provided that it meets the requirements of Policy S10 (a) (Conditions on Development in Shopping Areas) whereby it is expected that the concentration of uses should not prejudice the dominance of preferred uses in the Area or its principal role as a Shopping Centre.

Because of the evidence to suggest that the site's use as a Local Shopping Centre is no longer required at this location and because an alternative site is proposed to be created elsewhere in the Norfolk Park neighbourhood as well as the future aspiration for housing on the land, it is considered that the application proposal is acceptable in terms of Policy S7 and S10 (a).

Open Space Area: Policy LR5 (Development in Open Space Areas) relates to the contribution that Open Space Areas have on areas and seeks to ensure that development does not damage/detract/harm the character of an area or heritage asset, such as historic buildings or parks.

SDF Core Strategy document (2008)

Open Space Area: Policy CS 47 (Safeguarding Open Space) does not permit development on Open Space unless the spaces are proved to be surplus to requirements. In this instance Open Space will be lost, however because it has already been replaced as part of the new Norfolk Park Primary School. Therefore, the development of this space means that there is no loss in real terms and the principle of building on it is considered acceptable as it will not be detrimental to the existing quantity in the area or the needs of local people.

Policies CS 22 (Scale of the Requirement for New Housing), CS 23 (Locations for New Housing), CS 24 (Maximising the Use of Previously Developed Land for Housing), and Policy CS 25 (Priorities for Releasing Land for New Housing) promote new residential development in Sheffield - at appropriate and sustainable locations - to assist the delivery of suitable sites for housing within the City over future years. The application proposes new housing to assist the current 5-year supply of deliverable sites (as required by Policy CS 22), and it will provide affordable residential development in the urban area. Therefore, it will support

regeneration and make efficient use of land, in accordance with the policies listed and the National Planning Policy Framework.

Informal Planning Advice Notes (IPANs)

IPANs have been prepared by the Planning Service for the Norfolk Park 4 and Bluestones sites. The documents provide advice on policy as well as the development issues and opportunities. They have not been approved by the Planning Committee and have no formal status in their own right, although the policies, and the evidence they are based on, do.

Both IPANs support the principle of redeveloping the site for housing, subject to various material planning considerations and opportunities/constraints being addressed.

National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how it expects them to be applied. The key goal of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles. In regard to the difference between a UDP and SDF aspirations for the site, the NPPF provides guidance. Based on policies set out in the NPPF (paragraph 216), weight should be given to the emerging residential allocation. The UDP allocation relating to the Open Space Areas within the application site is based on a previous development and an out of date planning policy. The NPPF is clear that "where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate the development should be restricted."

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

Land use Issues – Density/Mix

Core Strategy Policy CS 26 (Efficient Use of Housing Land and Accessibility) states that housing development will be required to make efficient use of land but accepts that the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. It sets out appropriate density ranges for different locations depending on accessibility and states that exceptions can be made to the density range where the proposal achieves good design, reflects the character of an area or protects a sensitive area.

The site is near to the Supertram route with stops immediately adjacent to its eastern boundary on Park Grange Road; therefore, the appropriate density range should be 40 - 60 dwellings per hectare. Omitting the required environmental buffers, the stated net area shown on the planning layout is 2.5 hectares and so the proposal for 92 homes represents a density of 37 dwellings per hectare, which is below the requirement in the policy. The application's Design and Access Statement considers the proposed density to be the best use of the land with the layout and massing in keeping with its surroundings. It justifies the density shortfall on the site's character, namely the shape and levels.

Given the character of the site and the quality of the proposed development's layout, it is considered that the proposed shortfall in density can be accepted under the caveats of Policy CS 26.

Core Strategy Policy CS 41 (Creating Mixed Communities) encourages development of housing to meet a range of housing needs.

The proposal is for a mix of house types – including houses and flats containing a variety of bedroom numbers. In this location, this contributes towards achieving the objective of creating mixed and balanced communities, as it introduces varied housing into the area.

For the reasons given above, it is concluded that the proposal complies with Policies CS 26 and CS41.

Viability Issues

As mentioned previously the application has been submitted by the Sheffield Housing Company which is a joint venture between various partners and is a long term regeneration vehicle. The application is one of four that have been submitted at similar times and are all due to be decided at this committee meeting. The applications relate to the sites at Falstaff CDEFOPQ and R, Earl Marshall, Norfolk Park 4 Bluestones and Norfolk Park 5C.

The Housing Company is proposing to deliver development in some marginal areas where ordinarily there would be no market response. In order to do this in financial terms there are "positive sites" such as those at Norfolk Park which will cross fund "negative sites" such as Falstaff.

A full independent costing exercise has been carried out on behalf of the Housing Company in relation to the four sites identified above. As a result of this the company have concluded that the schemes are not viable without certain dispensations to reduce the costs associated with the development. These are summarised below:

- The developments are not capable of making any Section 106 contributions or 10% renewable energy provision.
- 25% mobility housing will be provided at Norfolk Park 4 Bluestones and Norfolk Park 5C, however for viability reasons only 10% and 23% mobility housing is proposed for Earl Marshall and Falstaff respectively

The financial information has been reviewed by the District Valuation Office which accepts that the developments when combined are not financially viable. Indeed, the District Valuer's Report concludes that "Adding to the financial burden of the project, by imposing additional S.106 obligations/conditions which will impact further on already marginal viability, risks the project not proceeding at all."

It is noted that it is unusual to consider the combined viability of four schemes together in this way. However, given the marginal nature of some of the sites and lack of mature housing markets in the area it is considered acceptable and will allow the development of sites which would otherwise be unviable.

The proposed dispensations are not ideal and will be discussed further in the relevant sections below along with any positive elements of the proposal which may act as some compensation.

Design Issues

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

Policy BE21 (Historic Parks and Gardens) states that the character, setting and appearance of Historic Parks and Gardens will be protected.

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

Appearance and Scale

The development will comprise of a mix of two and three-storey contemporary dwellings and a three-storey apartment block with inset balconies. The dwellings are predominately semi-detached but there is a small quantity of detached and short terraced units proposed. The scale of the proposed buildings is considered to be consistent with surrounding buildings and therefore acceptable.

All properties will be constructed from brick and there will be two contrasting colours used throughout the scheme, which will help to tie the development together, express architectural features and create a sense of place. Large window openings will be utilised throughout the scheme to both maximise visual interest and natural light to habitable rooms. The roofs will be pitched gables and this will reflect the evolving character of the area. Whilst there are flat roofed properties in the surrounding area, these are considered to be of their time and not a design feature that should continue to be replicated moving forward.

Overall it is concluded that the proposed architecture is acceptable and, if executed with satisfactory detailing (to be secured by condition), it will be a positive addition to the site and the surrounding area.

Layout

The new houses will be arranged around retained areas open spaces and laid out in 5 square blocks and one linear block. These areas will be connected and accessed off one linear 'spine' road, which will run along the south section of the site and be an extension to the existing Park Grange Drive. Private driveways are proposed as vehicle access to some of the properties. There will also be a network of pedestrian footpaths connecting through the site and also providing/retaining links to surrounding existing infrastructure (i.e. Supertram stops and footpath networks).

The layout seeks to match the dwellings to the changing character of the site. The taller three-storey properties and the apartment block are predominantly located on the western half of the site (Norfolk Park 4) in order to reflect the urban character of Park Grange Road. The development is denser here. The smaller two storey properties are predominant on the eastern portion of the site (Bluestones) so as to create a more suburban character, adjacent to the woodland area of the Jervis Lum and Norfolk Heritage Park. It is considered that this approach is appropriate for the setting.

All of the proposed properties (excluding the apartment block) have their own front door, enclosed rear garden areas and in curtilage car parking provision.

The large quantity of semi-detached houses proposed has enabled many of the new car parking spaces to be positioned to their side elevations. This has resulted in less hardstanding to front curtilage areas and facilitated the inclusion of front gardens and dedicated pedestrian approaches to front doors. This arrangement is welcomed, as it will reduce the amount of car dominated frontages, thus having a positive impact on the appearance of the streetscenes and the quality of the development overall.

The applicant has provided an assessment in accordance with the Historic England's guidance note on 'The Setting of Heritage Assets' (2012). This assessment considers the potential impact on the setting of Norfolk Heritage Park. It concludes that the impact on the setting will not be adverse impact because of the natural features of the site (i.e. mature woodland and land levels) which effectively screen the site

Furthermore, the scheme includes a generous landscape buffer along the northern section of the site to protect and provide an appropriate setting for the ancient woodland existing with the Jervis Lum and the Norfolk Heritage Park beyond. The extent of the buffer (15m deep) is considered to be acceptable and consistent with the IPANS requirements. The perimeter blocks have arranged to ensure that the new dwellings respond and interact with the adjacent woodland rather than ignoring it.

Overall, the design approach (including appearance, scale and massing) and proposed layout are considered to be acceptable in principle. The new buildings will sit well within the local context as well as creating their own sense of place and character. For this reason, these details are considered to be satisfactory and compliant with regard to the aims of the Policies BE5, BE21 and CS 74, described above.

Sustainability Issues

Policy CS64 of the Core Strategy deals with climate change and the sustainable design of developments. This says that development should achieve a high standard of energy efficiency, make the best use of solar energy, passive heating and cooling, natural light and ventilation and minimise the impact on existing renewable energy installations.

With regard to the proposed design and construction, it is confirmed that the new buildings will be designed to minimise energy consumption, as required by Policy CS 64. Several sustainability features have also been incorporated into the scheme and include the provision of water butts in the gardens and the provision of bicycle stores.

The submission confirms that the development will achieve Code for Sustainable Homes Level 3, as required by Policy CS 64. However, Members are informed that this planning requirement has been scrapped by the Government with elements of the code now being incorporated into Building Regulations instead of Planning. Therefore, the necessity to achieve under Policy CS 64 is no longer relevant. Notwithstanding this, it is considered that the applications previous commitment to achieving the Level 3 will ensure that the new buildings will be built in a manner to ensure that resources are used sustainably to help mitigate climate change and to withstand its effects, as required by Policy CS 64.

Policy CS65 of the Core Strategy says that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy, if feasible and viable.

In terms of viability, Paragraph 96 of the NPPF states that, in determining planning applications, local planning authorities should expect new development to “comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.”

The applicant’s viability issues have been assessed by the District Valuation Office, which has confirmed that the scheme does not achieve acceptable levels of viability. Therefore, there are no proposals to the 10% renewable energy provision as part of the application. Given the conclusions of the District Valuation Office, and the viability dispensations of Policy CS 65 and the NPPF, this is considered to be sufficient evidence to justify non-compliance in this instance.

Notwithstanding the above, SHC has stated that it does aspire to providing an element of photovoltaic provision on the site. Therefore, it is confirmed should the

finances improve sufficiently as a result of the tender process, or an alternative means of funding the equipment be found over the forthcoming months, then SHC will seek to introduce this retrospectively. Furthermore, it is confirmed that the roofs of the buildings will be designed to be structurally capable of accommodating photovoltaics to enable retrospective installation.

Overall, the proposed development is considered to be comply with the guidance of the NPPF and the requirements of Core Strategy Policies CS64 and CS65.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into all large scale developments. There are no green roofs provided as part of this development but given the other design considerations and the viability issues discussed, the failure to include a green roof is not considered to be a reason to refuse the application.

Amenity Issues

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

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

Amenity for Existing Residents

In terms of the impact on existing residents' amenity, it is considered that the new development will be acceptable and the new buildings will not have a detrimental impact on the closest surrounding properties, including the closest houses and flats on Park Grange Drive, Park Grange Mount, Park Grange Court, Samuel Road and Beeches Drive. It is considered that the existing land levels and position of the site as well as the proposed layout, scale and design of the new development are such to ensure that existing properties will not be overlooked, over-dominated or overshadowed in an unsatisfactory manner and existing residential amenity standards will not be compromised.

Given the scale of development proposed, it is acknowledged that the development will be very visible from some existing properties and as a result their view from habitable room windows will change. However, such changes in outlook are not considered to be detrimental to existing amenity standards given their relationship to the application site and layout/arrangement proposed. Furthermore, it is the case that implications resulting from a change in view (with no other amenity issues) are not material planning considerations.

For the reasons above, it is concluded that the amenity environment for existing residents will be acceptable.

Amenity for Future Residents

It is considered that the main issues relate to privacy, outdoor garden provision and the surrounding environment.

Privacy

The privacy distances achieved throughout the site are acceptable. Given that most of the proposed gardens exceed 9 – 10m in length, it is considered that the separation distances achieved between the main habitable elevations and main/side elevations are acceptable in light of the site constraints and density requirements.

Outdoor garden provision

The shapes, sizes and levels of garden spaces vary across the site – but it is advised that all of the new dwellings will achieve more than 50 square metres of private space, which would normally be expected for nature of housing (i.e. family orientated). The proposed apartments are all served by private external balcony areas.

The size of new gardens for the dwellings varies due to the arrangement of the buildings; this will provide variety and options to a range of occupiers. A number of the gardens will have to be built over different levels because of the topography changes across of the land but this is considered to unavoidable due to the nature of the site. Some gardens will rise upwards or slope downwards and access between levels will be achieved through the inclusion of steps. All properties are designed with patio areas and level spaces immediately adjacent to their rear elevations for the enjoyment of occupiers.

Surrounding Environment

A Noise Impact Assessment accompanies the application and identifies that the key source of noise impacting upon the development will be from road traffic and the Supertram using Park Grange Road. Accordingly appropriate consideration has been given towards the mitigation measures required to ensure a commensurate level of protection against noise for future residents. These include a higher specification of glazing and acoustic provisions to the habitable rooms of the apartments closest to Park Grange Road and with a view of the road. For all other rooms/dwellings in the development, standard well-sealed thermal double glazing and standard non-acoustic trickle ventilation is recommended.

The Council's Environmental Protection Service is satisfied with the methodologies, findings and recommendations of the Noise Impact Assessment. It is essential that dwellings are designed to adequately attenuate against the surrounding noise sources and provide suitable internal noise levels, as proposed. Therefore, a condition is recommended to be attached to this approval to ensure that the proposed mitigation measures are put in place to achieve the internal noise levels.

Overall, it is concluded that the proposed residential environment will be acceptable at this location and the development is consistent with the aspirations of UDP Policy H15.

Highway Issues

It is expected that new development provides safe access to the highway network and appropriate off-street parking and does not endanger pedestrians.

The new houses will access the public highway via the existing streets of Beeches Drive and Park Grange Drive which exist in the north-west and south-west corners of the site, respectively. Park Grange Drive will be extended and become the main 'spine' road within the scheme. As a consequence, traffic will filter onto Park Grange Road via the existing junctions and infrastructure. The new roads within the development will be of residential estate roads with speed calming measures provided every 40m, including trees, parking and crossing build-outs.

The application's Transport Assessment concludes that local junctions will continue to operate satisfactorily and that the level of activity associated with the development will not be of significance to the wider road network. It states that the proposal will not have substantial implications for the road network and there are no highway concerns.

The use of the existing junctions, the proposed road layout and content of the Transport Assessment are considered to be acceptable from a highway point of view.

Car parking provision will be provided at no less than 1 space per dwelling plus visitor parking. Specifically, the 2 bed apartments and some 2 bed houses are designated 1no. space (plus visitor) and the remaining 2, 3 and 4 bedroom houses will all have 2 spaces (plus visitor). The visitor parking is to be provided at 25% throughout the scheme and all spaces to the houses will have the capability of being enlarged to 3.3m wide. The spaces are provided in a number of different ways - on plot in front of the properties, and single or tandem spaces between or at the side of properties. The level of parking is considered acceptable for the scale of scheme and is in accordance with the Council's Parking Guidelines.

The main concern raised from a highway point of view is the arrangement of the parking spaces in front of Plots 23 – 26 and the substantial length of vehicular footway access, which could potentially impact on pedestrian safety. This matter has been raised with the applicant but the layout has not been changed owing to the impact that this would have on the development, including the loss of one property. A justification has been provided. In light of this, a decision must be made as to whether this issue is so significant to warrant the refusal of this application and, following consideration, it is believed that refusal could not be justified for this reason alone.

It is concluded that the proposed highway environment resulting from this development will be satisfactory and in accordance with relevant policy.

Air Quality Issues

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

An Air Quality Assessment has been submitted in support of this application. It is a combined assessment relating to all of the Phase 2 developments (including the Norfolk Park 5C being assessed under application 15/00663/FUL).

The Assessment predicts that the associated impact on Nitrogen Dioxide and PM10/PM2.5 concentrations respectively in the local area are not likely to be significant. It also determines that three of the 'risk of impacts' categories during the construction phase (Earthworks, Construction and Trackout) in the local area are Medium for Dust Soiling and Low for Human Health. Further, it is advised that the health-based annual average air pollution standards of 40µg.m-3 for these pollutants and the 24hour mean standard for PM10 are not breached at this local area / location, 'with' or 'without' the proposed development.

Although air quality standards will not be breached, it remains the desire of the Council to achieve air quality impact neutrality where possible, especially as Sheffield has an urban Air Quality Management Area. The development will result in dust and traffic generation during the construction phase, which is likely to have an impact on the local air quality. Therefore, in accordance with the recommendations of the Air Quality Assessment, it is recommended that some mitigation measures be followed to assist in reducing the impact of the construction phase. The measures will be secured by directive.

Public Art Issues

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

Sheffield Housing Company has a Public Art strategy to outline a mechanism for combining monies from the Phases at each location to achieve meaningful public art projects in the neighbourhoods, where the new developments are being built. The creation of the strategy was a conditional requirement of the Phase 1 developments.

At Norfolk Park, the strategy's current outline proposals are – 1) Wayfinding/ links project connecting the various development sites around Park Grange Road to local amenities, and 2) Focal piece(s) within public open space or enhancement of/integration with landscape features in key areas of the site.

Phase 2 (including this application) will allocate further fundings to achieving the Public Art strategy. However, given the viability issues surrounding the Phase 2

projects (as confirmed by the District Valuation Office) it is considered that the contribution per dwelling that has been committed to as part of the Phase 1 works (£175) may not be achievable.

In light of the above, it is considered appropriate to deal with Public Art provision by condition with the expectation that SHC put forward their strategy proposal, albeit with possible changes in value per dwelling, before development commences with implementation expected before occupation. This approach would satisfy the requirements of Policy BE12.

Ecology Issues

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

An Ecological Assessment has been submitted in support of the application. The Council's Ecology Unit has assessed its content and confirms that there are no major ecological constraints to prevent the development.

With regard to the potential implications for protected species, it is considered that they should not be a constraint to this development. The possibility of their presence is deemed to be low to medium. However, it is recommended that it would be prudent to have their habitats checked just before building work commences to ensure that they are not present in the area where works will take place. Furthermore, any vegetation clearance should take place outside of bird breeding season (March to end of August) but that which cannot be avoided during this period should be supervised (by a qualified person) to ensure that there is no bird breeding activity.

More generally, it is expected that new landscaping and sustainable drainage scheme include native species to help enhance the nature conservation value of the development. Bat and bird boxes with the development are also expected and a sensitive lighting plan should be developed for the woodland boundaries to ensure that artificial light spillage does not disrupt the natural behaviour of animals using the area.

Overall, the application is considered to be compliant with Policy GE11, subject to the recommendations and expectations of the Ecology Unit being secured by condition.

Mobility Housing

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

It is confirmed that there will be 23 mobility units (24.4%). These are identified as being two and three bedroom houses as well as two bedroom apartments, which provide a mixture of options across the site. Therefore, it is concluded that the requirements Policy H7 are met.

Archaeological Issues

UDP Policy BE22 relates to (Archaeological Sites and Monuments) and states that sites of archaeological interest will be preserved, protected and enhanced. Where disturbance is unavoidable, the development will be permitted only if (a) an adequate archaeological record of the site is made; and (b) where the site is found to be significant, the remains are preserved in their original position.

The South Yorkshire Archaeological Service has confirmed that because of present and previous land use of the site there will be no archaeological implications resulting from the proposed development. The requirements of Policy BE22 are therefore satisfied.

Flood Risk & Drainage Issues

Core Strategy Policy CS67 relates to (Flood Risk Management) and, in part, seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding. It also promotes sustainable drainage techniques and management where feasible and practical.

A Flood Risk Assessment (FRA) confirms that the site falls within Flood Zone 1, which means it has a low risk of flooding. As a consequence, the Environment Agency has no objection to the application subject to a condition requiring finished floor levels being raised 150mm above adjacent ground level, as recommended by within the FRA to prevent flooding from hardstanding areas during periods of heavy rain.

A Water Scoping Study states that the site's surface water management objectives will be delivered through the use of sustainable drainage systems where possible. Ground investigations have concluded that the site will not be suitable for infiltration, therefore a surface water outfall into the adjacent watercourse is proposed which will be at an agreed rate. The Study also states that sustainable drainage infrastructure (consisting of swales, porous paved driveway and roads and underground attenuation) will be used, where practical, and that use of Norfolk Park's existing drainage network will be a last option for surface water disposal. This approach is accepted by the Lead Local Flood Authority, subject to conditions securing the appropriate surface water runoff rates and drainage methods.

For the reasons given above, the proposal is considered to satisfy the flood risk and drainage the requirements of Policy CS 67.

Coal Mining Legacy

The application site falls within a Development High Risk Area, therefore within the application site and surrounding area there are coal mining features which must be considered. The applicant has obtained appropriate and up-to-date coal mining

information for the site and included this within their Geo-environmental Appraisal Report and Remediation Strategy. The Coal Authority concurs with the recommendations of these documents and has no objection, subject to a condition requiring intrusive site investigation works prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

Affordable Housing

Core Strategy Policy CS 40 (Affordable Housing) states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. The Affordable Housing Interim Planning Guidance (IPG) was updated in 2014 and it should be read alongside Policy CS40.

IPG Guideline 2 identifies the site as being located within the “Manor/Arbournthorn/Gleadless” Affordable Housing market Area and there is now no contribution required towards affordable housing provision. A contribution is not proposed and it is intended that all of the properties be made available for market sales.

The proposal complies with the aspirations of Policy CS 40 and the IPG.

Open Space Issue

UDP Policy H16 (Open Space in New Housing Developments) requires that the Applicant makes an appropriate contribution towards the provision or enhancement of public space on or within the vicinity of the application site.

Core Strategy Policy CS 45 (Quality and Accessibility of Open Space) states that safeguarding and improvement of open space will take priority over creation of new areas. Policy CS 46 (Quantity of Open Space) encourages that as opportunities arise, new open space will be created where a quantitative shortage of open space is identified and where it is required for extending the City's Green Network. Finally, Policy CS 47 (Safeguarding Open Space) sets out the criteria where the loss of open space will or will not be permitted. It is considered vital to ensure that there is sufficient quantity of open space within an area to meet the needs of local people. The Open Space Assessment for the site shows that there is sufficient informal open space in the local area, although there is a shortage of formal outdoor sports provision. There is also one formal children's play facility within 400m at Norfolk Park, which requires investment. Therefore, under UDP Policy H16 the developer is required to make a contribution of £167,075.20 towards the provision or improvement of recreation space in the catchment of the site.

In light of the viability issues discussed earlier in this report, the SHC is seeking dispensation to make no S106 financial contributions towards Open Space provision, which is contrary to Policy H16.

The failure to provide an Open Space contribution to improve Open Space provision for existing and future residents is disappointing. In spite of the District Valuation Office's conclusions, Members are reminded that Policy H16 has no

'feasible or viable' clause and, therefore, we must decide whether to refuse the application because of the failure to meet the open space needs of residents.

On a positive note, the development is strongly characterised by large areas of landscaping, which will be retained/arranged around the new housing. The landscaping accounts for approximately 29% of the overall site area and includes public open space at the western end, a formal parkland character to the western half of the housing area, a woodland fringe character to the eastern half and a focal green space close to the centre. On the northern boundary there is also a 15m ecological buffer that is proposed to act a protection to the adjacent Jervis Lum and Norfolk Heritage Park. Such areas are considered to be of informal recreation space character (as defined in Box 1 of the Open Space Provision in New Housing Development Supplementary Planning Guidance, 2014). It is anticipated that the spaces will have a woodland/parkland "feel" and include pedestrians paths within/adjacent as well as some formal/informal seating. It is anticipated that the quality of the landscaping and the integration with the new housing will improve the use and quality of the open space areas on the site.

In light of the circumstances surrounding this application and the overriding need to stimulate housing development in this area as well as facilitate development elsewhere, it is considered that the open space shortfall on this specific project should not be an obstacle to the grant of planning permission. Whilst technically contrary to the aspirations of the IPAN and policies H16, and CS 46, the overall merits of this affordable scheme provide sufficient justification to outweigh the failure to provide informal open space on this site.

Education Provision

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

The Council's School Organisation Project Team has supplied details about the schools potentially affected by the proposed development. The site is within the catchment of Norfolk Park NIJ School (primary level) and Sheffield Springs Academy (secondary level).

At primary level, it is confirmed that the School is full and the additional children yielded from this development will exacerbate the shortage of provision locally and there is a claim for primary level contributions from this development.

At secondary level, it is confirmed that Sheffield Springs Academy is currently operating with surplus. Therefore, the additional children yielded from this development would be able to be accommodated within the school and there is no claim for secondary level contributions from this development.

In light of the viability issues discussed earlier in this report, the SHC is seeking dispensation to make no S106 financial contributions towards education provision, which is contrary to Policy CF5.

The failure to provide an education contribution to assist education provision for the local schools is disappointing. In spite of the District Valuation Office's conclusions, Members are reminded that Policy CF5 has no 'feasible or viable' clause and, therefore, we must decide whether to refuse the application because of the failure to contribute towards education in the catchment area.

In light of the circumstances surrounding this application and the overriding need to stimulate housing development in this area as well as facilitate development elsewhere, it is considered that the open space shortfall on this specific project should not be an obstacle to the grant of planning permission. Whilst technically contrary to the aspirations of the IPAN and Policy CF5, the overall merits of this housing scheme provide sufficient justification to outweigh the failure to provide towards education in the area.

RESPONSE TO REPRESENTATIONS

It is considered that the many of the representations received have already been addressed in the relevant sections of the report. The outstanding items are addressed below.

Disruption

The disruption caused during the construction process is unfortunate but it is a necessary short term inconvenience to allow development to proceed. Such concern is not a reason to refuse this application

Loss of Green Belt

The application site does not contain any Green Belt land. The relevant policy position and justification to support this application has been addressed in the assessment.

Impact on Property Values

The impact of development on the value of surrounding properties is not a material planning consideration.

Pedestrian Access

Given the layout of the development, the new roads and footpaths within the development will maintain some pedestrian access throughout the area. It is considered that this will not be to the detriment of existing amenity.

Loss of Trees

A small number of trees will be removed to facilitate the development. Whilst unfortunate, it is considered that the amount of mature trees to be retained and new planting/landscaping proposed are sufficient to ensure that the proposed removal does not have a detrimental impact on the amenity of the area or setting of the Jervis Lum and the Norfolk Heritage Park.

Appropriate tree protection zones will be expected from this development and secured by condition.

SUMMARY AND RECOMMENDATION

The proposed development will provide 92 new dwellings on a large and prominent site on the outskirts of the City Centre. The current proposals are considered to have an acceptable and contemporary architectural style and will provide mixed tenure housing, with 25% of the overall provision also being built to mobility housing standards. Furthermore, sustainable drainage techniques are proposed in order to achieve the Council's required run-off rate from the site, which is 5 litres per second per hectare.

The scheme is not considered to have a detrimental impact on the setting of the existing Norfolk park neighbourhood and the implications for existing residents in terms of overlooking, overshadowing etc. will not be unacceptable owing to their relationship with the application site, the levels on the site and the arrangement of the new houses.

The proposed relationship to the Jervis Lum and Norfolk Heritage Park is considered to be acceptable and provisions are made within the layout of the scheme to ensure that there is a sufficient buffer between these areas and the new built form. The setting of these existing assets will not be compromised.

There are considered to be no significant highway implications generated by the proposal and the air quality impact is not a concern. Furthermore, the site is considered to have a very sustainable location with excellent public transport links to trams and buses.

In terms of landscaping, the loss of existing trees is unfortunate but many are being retained within dedicated areas of open space. Furthermore, landscaping will be incorporated into the new development, which will include replacement trees and planting. The response to the ecology on the site is considered to be acceptable and the public art strategy as part of the neighbourhood's wider redevelopment is welcomed.

In amenity terms, it is considered necessary to acknowledge that the site is on the edge of a major city centre and a busy road which contains car, bus and Supertram traffic during the day and night. Therefore, the environment for the residential occupiers at this site will reflect this. Occupiers will experience some noise disturbance but mitigation measures are proposed and this circumstance will be no worse than other edge of city environments – or indeed – the existing residential properties in Norfolk Park.

The failure to provide a financial contribution towards the provision of new open space and education facilities as well as not achieving the 10% renewable energy targets are all negative aspects of the development. However, the applicant has been very clear about the viability issues surrounding the SHC Phase 2 development projects and their case has been independently assessed and

verified by the District Valuation Office, which has confirmed that imposing additional S.106 obligations/conditions will impact further on already marginal viability, which risks the project not proceeding at all. Despite these shortcomings it is considered that the benefits of the provision of much needed housing and the wider benefits of developing this vacant site in a part of the city requiring regeneration outweighs these deficiencies.

Overall, it is believed that the benefits generated by this proposal outweigh the shortfalls identified and it is concluded that it will make a positive contribution to the site and the surrounding area. Members are therefore recommended to grant planning position, subject to the proposed conditions.

Case Number	15/00663/FUL (Formerly PP-04003238)
Application Type	Full Planning Application
Proposal	Erection of 24 apartments in 1 x 3 storey block with associated car parking and landscaping
Location	Site Of Park Grange Old Peoples Home 100 Park Grange Road SheffieldS2 3RA
Date Received	24/02/2015
Team	City Centre and East
Applicant/Agent	PRP Architects
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

Plans:

NP5c Site layout - Apartments (AA4718_1201 Rev. S)
NP5c Apartment Plans G&1st (AA4718_1211 Rev. E)
NP5c Elevations (AA4718_1212 Rev. E)
NP5c Surface Treatment Plan (AA4718_1213 Rev. E)
NP5c Boundary and Kerb Types (AA4718_1214 Rev. D)
NP5c Apartment Plans 2nd&Roof (AA4718_1215 Rev. A)
NP5c Boundary Details (AA4718_1216)
NP5c Bin and Cycle Store (AA4718_1217)
Apartment Type 3 (2B4P) (AA4718_1400 Rev. B)
Apartment Type 2 (2B3P Mobility) (AA4718_1402 Rev. A)
Apartment Type 4 (2B4P Corner) (AA4718_1405 Rev. B)
Apartment Type 1 (2B3P Mobility Corner) (AA4718_1406 Rev. A)
NP5c Norfolk Park 5c Location Plan (AA4718_2001 Rev. A)

Landscape Details (1214-31b)
Typical Window Details (SD_2012_021 - Window Details)
Engineering Layout (QD907-03-01 - Engineering Layout Rev. C)
Engineering Highway Construction Layout (QD907-07-02 - Highway Construction
Layout Rev B)

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

4. No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:
 - Construction vehicle routes;
 - Means of ingress and egress for construction vehicles;
 - Parking for vehicles involved in construction;
 - Provision for contractor parking; and
 - Confirmation of dilapidation survey of the highways immediately adjoining the site, which shall have been carried out and agreed with the Local Planning Authority.

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

5. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

6. No development shall commence until details of the implementation, adoption, maintenance and management of the sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation, and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

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

Reason: To ensure that the development can be properly drained.

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

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

9. Prior to the commencement of development, intrusive site investigation works shall be undertaken in order in order to establish the exact situation regarding coal mining legacy issues on the site.

In the event that the site investigations confirm the need for remedial works to treat the mine entry/areas of shallow mine workings to ensure the safety and stability of the proposed development, then any necessary remedial works shall also be undertaken prior to commencement of the development.

Reason; In the interests of the safety of the development and to identify any risks from previous mining activities.

10. No development shall commence until full details of measures to protect the existing trees and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development unless otherwise approved.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

11. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in

writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

Pre-Occupancy and Other Stage of Development Condition(s)

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

Typical Windows and doors
Entrance canopies
Balconies
Eaves and verges
Brickwork including textured/ patterned
Mortar and pointing / fixing details
Rain water goods
Boundary treatments

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

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

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

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

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

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

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

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

16. The apartments shall not be used unless the car parking accommodation for 30 cars (24 resident spaces and 6 visitor spaces) 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.

17. The apartments shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

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

18. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

19. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been implemented and thereafter retained in accordance with the details set out in the Report. Such works shall:

a) Be capable of achieving the following noise levels:

Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours); Bedrooms:
LAFmax 45dB (2300 to 0700 hours).

b) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

a) Be carried out in accordance with an approved method statement.

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

The required Validation Testing is separate from, and in addition to, any tests required to comply with Building Regulations in relation to Approved Document E; Resistance to the passage of sound.

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

21. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

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

Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

Other Compliance Conditions

23. The proposed window details shall be as per those set out on Dwg. No. 2012/SD/021 (Standard Detail: Window Details).

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

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

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

25. The development shall be carried out in accordance with the Flood Risk Assessment carried out by Queensberry Design, dated the 30th July 2014 and the following mitigation measures detailed within the Assessment;

Finished floor levels shall be a minimum of 150mm above external ground level.

Reason: In the interests of flood and water management

26. No building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the sewers which cross the site.

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

27. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the

development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

28. The development shall be carried out in line with the recommendations and mitigation proposals made in the "Ecological Appraisal" by ECUS Environmental Consultants (December 2014). Full final details of the proposed bat and bird boxes and any lighting scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to the development being brought into use such measures shall be implemented and retained thereafter.

Reason: In the interests of biodiversity.

Attention is Drawn to the Following Directives:

1. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

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

2. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
3. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
4. The Applicant is advised that the following mitigation measures would assist in reducing vehicle exhaust emissions and should be adopted where practicable, they include:

a) Construction phase - The developer should have regard to the mitigation measures in and adopt the London Councils' Best Practice Guidance, November 2006, "The Control of Dust and Emissions from Construction and Demolition". This

Guidance should be used as a guide to evaluate and manage dust emissions during this phase.

b) Ensure vehicles delivering to the proposed site to be Euro VI standard minimum or are fitted with exhaust after treatment technologies such as continuously regenerating traps or other non primary NO₂ emitting catalysts systems: a recommendation.

c) Promote the use of public transport and the need for efficient public transport links into the area: a recommendation.

5. The Applicant is advised that Stagecoach Supertram have raised the following comments:

- All works during construction and use afterwards should be carried out in accordance with the Supertram Code of Practice for working near or on the Supertram Network.
- Consideration to be taken of any abnormal loads/vehicles which may have cause to pass over the track or under the overhead line.
- Debris or potential excess water overspill from the site should not encroach onto the Supertram System.

You are advised to contact South Yorkshire Supertram Limited at 11 Arundel Gate, Sheffield , S1 2PN, (Telephone Sheffield (0114) 2728282) to establish whether or not the system is affected.

6. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
7. The applicant is advised that sensitive lighting should be use in accordance with the recommendations of the Bat Conservation Trust document "Artificial lighting and wildlife. Interim Guidance: Recommendations to help minimise the impact of artificial lighting".
8. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from SCC Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
9. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt

with in compliance with the EIR. Should you have any queries concerning the above, please contact:

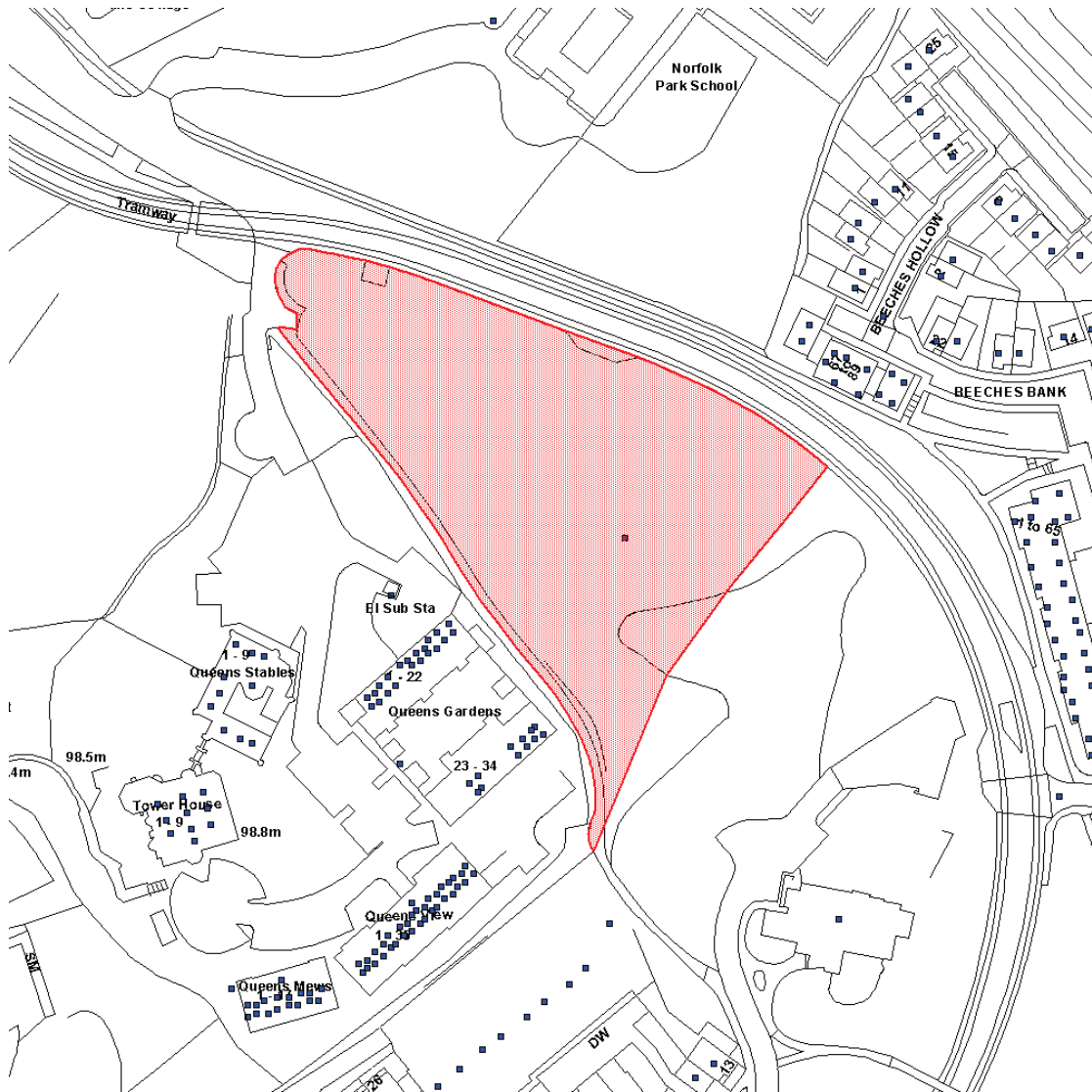
Richard Harris
Ecology Manager
Sheffield City Council
Meersbrook Park
Brook Road
Sheffield
S8 9FL
Tel: 0114 2734481
E-mail: richard.harris@sheffield.gov.uk

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

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

11. 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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LOCATION AND PROPOSAL

Planning permission is sought to construct a modern apartment building containing 24 apartments with associated car parking and landscape works. The apartments are all 2 bedroom units.

The application site – known as Norfolk Park 5C – is located on the south side of Park Grange Road within the Norfolk Park neighbourhood to the south east of the City Centre. The red line boundary covers an area of 0.79 Hectares and it is a

roughly triangular shaped parcel of land. The site is on a north facing slope and falls in a south-east to north-west direction.

Park Grange Road – a main road running through the Norfolk Park neighbourhood – is situated along the northern border of the site and is positioned at a lower level than the site. Beyond Park Grange Road, behind mature trees, there is the Norfolk Park School and beyond this Norfolk Heritage Park (Grade II* Registered Park).

Bordering the site to the immediate south and west is the Queen's Tower residential development, which includes Grade II Listed Buildings. These are of a crenellated gothic style and date back to the 1839. The site was converted to a gated apartment complex in 2004 and includes old and new buildings, car parking and landscaped gardens within its walls.

A bank of existing mature trees borders the site's eastern boundary and there is the former Health Centre beyond. This is being currently being used as a site office for the construction company building the new Cutler's View residential housing further to the south and south-east of the application site (see below).

Access to the application site is currently taken from the shared access with the Queen's Tower development, which connects to Park Grange Road at the north-west corner of the site.

The site, owned by Sheffield City Council, currently appears as an extensive plot of open vacant land, characterised by a footpath along the southern boundary and areas of rough grassland and clusters of trees. The site previously contained a 2/3 storey care home for the elderly but this was demolished several years ago and the site has been vacant for a number of years now.

The character of the surrounding Norfolk Park neighbourhood is currently a series of residential developments set within and around informal open spaces. Previously dominated by high rise flats (now demolished) and lower density 1960s Radburn housing/layout, the area is now heavily characterised by new homes and apartment buildings. Some of the original Radburn properties (two storey terraces) still exist and these have been integrated alongside the new development.

This application has been submitted by Sheffield Housing Company (SHC), which is a long term regeneration vehicle working across the city to build new homes in Sheffield. The proposals form part of Phase 2 of a unique partnership between Sheffield City Council and Keepmoat Great Places. Overall, the partnership has a 15 year plan to build 2,300 homes in seven of Sheffield's neighbourhoods, including Norfolk Park where over 100 houses are currently being built as part of the first phase of SHC development (Phase 1). Phase 1 at Norfolk Park includes The Cutler's View development, which is situated on land off Park Spring Drive (as described above) and contains houses being built to high quality and energy efficient standards.

RELEVANT PLANNING HISTORY

There is no relevant planning history associated with the application site.

15/00665/FUL: Residential development including erection of 9 apartments and 83 dwellinghouses, with associated access, parking and landscaping.

This application is currently part of SHC's Phase 2 projects and it is being recommended for approval on this Planning Committee agenda.

SUMMARY OF REPRESENTATIONS

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

No representations from the public have been received.

Historic England (formerly, English Heritage)

The application site lies within the setting of Norfolk Heritage Park (Grade II* Registered Park) and it is adjacent to a number of Grade II Listed Buildings, including Queen's Tower.

Given the site's elevated position above Park Grange Road and Norfolk Heritage Park, there is concern that the Design & Access Statement does not adequately assess the potential impact of the development on the setting of Norfolk Heritage Park, including views from the Park and associated monument to the site or any designed views from the Park to the Queen's Tower.

Therefore, Heritage England has advised that an appropriate assessment is carried out in accordance with the guidance note on 'The Setting of Heritage Assets' (2012).

The Historic Garden Society

The Society has been consulted but a representation has not been received at the time of writing this report. Members will be updated about any comments received at the Planning Committee meeting.

The Sheffield Sustainable Urban Design Panel

The proposals were presented and reviewed by the Panel during the pre-application process.

PLANNING ASSESSMENT

Land Use Issues – The Principle of Development

The relevant local policy documents are the adopted Unitary Development Plan (UDP, 1998) and the Core Strategy document (2008). The Core Strategy is more up-to-date, providing the overall spatial strategy for the SDF over the period 2009 to 2026.

Unitary Development Plan (1998, UDP)

The application site falls within a Housing Area on the UDP proposals map. UDP Policy H10 (Development in Housing Areas) identifies C3 residential uses as the Preferred Use in Housing Areas. Therefore, the proposed development meets the requirements of Policy H10 and is concluded to be acceptable in principle.

The Sheffield Local Plan Pre Submission Draft City Policies and Sites (SLP)

The application site falls within a Housing Area on the SLP and is included within Site Allocation (P00336), where housing (C3) or residential institutions (C2) are identified as required uses and delivery through the SHC.

Core Strategy document (2008)

Policies CS 22 (Scale of the Requirement for New Housing) sets out the requirement for new housing in Sheffield and indicates that a 5-year supply for deliverable sites will be maintained at all times. The application proposes new housing to assist the current supply of deliverable sites and it will provide new residential development in the urban area.

Policies CS 23 (Locations for New Housing), CS 24 (Maximising the Use of Previously Developed Land for Housing), and Policy CS 25 (Priorities for Releasing Land for New Housing) all promote efficient use of land and infrastructure to assist the delivery of sustainable housing sites in Sheffield. Maximising the use of previously developed land for new housing is encouraged by policy and it is expected that housing on greenfield sites will only be developed if specific criteria are met.

Despite the application site formerly containing an old people's home, this was some time ago and it has now largely re-vegetated and now appears to be vacant greenfield land. Policy CS 24 allows housing to be developed on greenfield sites where it is essential for the effective regeneration of an area (part a) and where it is a sustainably located larger site within or adjoining the urban areas and larger villages, if annual monitoring shows that there is less than a 5-year supply of deliverable sites. In this instance, the proposed development will assist the regeneration of the Norfolk Park neighbourhood, it is part of a larger site with a sustainable location, and Sheffield can only demonstrate around a 3.5 year supply of deliverable sites at the current time. Therefore, new housing on this site is considered to be acceptable.

For the reason given above, it is concluded that the application proposal is compatible with the expectations of Policies CS 22, 23, 24 and 25.

Informal Planning Advice Notes (IPANs)

An IPAN has been prepared by the Planning Service for this site. The document provides advice on policy as well as the development issues and opportunities. It has not been approved by the Planning Committee and has no formal status in its own right, although the policies, and the evidence it is based on, do.

The IPAN supports the principle of redeveloping the site for housing, subject to various material planning considerations and opportunities/constraints being addressed.

National Planning Policy Framework (NPPF)

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

The proposal is supported by national and local policies (including draft policies) and project work. Therefore, the principle of residential development at this location is concluded to be acceptable.

Land Use Issues - Density

Core Strategy Policy CS 26 (Efficient Use of Housing Land and Accessibility) states that housing development will be required to make efficient use of land but accepts that the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. It sets out appropriate density ranges for different locations depending on accessibility and states that exceptions can be made to the density range where the proposal achieves good design, reflects the character of an area or protects a sensitive area.

The site is near to the Supertram route with stops immediately adjacent to its eastern boundary on Park Grange Road; therefore, the appropriate density range should be 40 - 60 dwellings per hectare. As a large area of the site is to be retained as green space, it is appropriate to calculate density using a net site area of around 0.45 hectares and this would result in a density of 53 dwellings per hectare. This is considered to be acceptable under the Policy CS 26.

Viability Issues

As mentioned previously the application has been submitted by the Sheffield Housing Company, which is a joint venture between various partners and is a long term regeneration vehicle. The application is one of four that have been submitted at similar times and are all due to be decided at this committee meeting. The applications relate to the sites at Falstaff CDEFOPQ and R, Earl Marshall, Norfolk Park 4 Bluestones and Norfolk Park 5C.

The Housing Company is proposing to deliver development in some marginal areas where ordinarily there would be no market response. In order to do this in financial terms there are "positive sites" such as those at Norfolk Park, which will cross fund "negative sites" such as Falstaff.

A full independent costing exercise has been carried out on behalf of the Housing Company in relation to the four sites identified above. As a result of this the Company have concluded that the schemes are not viable without certain dispensations to reduce the costs associated with the development. These are summarised below:

- The developments are not capable of making any Section 106 contributions or achieving 10% renewable energy provision.
- 25% mobility housing will be provided at Norfolk Park 4 Bluestones and Norfolk Park 5C, however for viability reasons only 10% and 23% mobility housing is proposed for Earl Marshall and Falstaff respectively

The financial information has been reviewed by the District Valuation Office which accepts that the developments, when combined, are not financially viable. Indeed, the District Valuer's Report concludes that "Adding to the financial burden of the project, by imposing additional S.106 obligations/conditions which will impact further on already marginal viability, risks the project not proceeding at all."

It is noted that it is unusual to consider the combined viability of four schemes together in this way. However, given the marginal nature of some of the sites and lack of mature housing markets in the area it is considered acceptable and will allow the development of sites which would otherwise be unviable.

The proposed dispensations are not ideal and will be discussed further in the relevant sections below along with any positive elements of the proposal, which may act as some compensation.

Design Issues

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

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

Appearance and Scale

The new development is a single apartment building comprising of three rectangular shaped blocks that are joined together in a 'U' shape arrangement. Whilst there are taller apartment blocks in the surrounding area, it is considered that the intention to provide a three storey building at this location is acceptable as it takes account of the site's elevated position above Park Grange Road, its relationship to the historic Queen's Tower complex, and the constraints of the overall developable area to provide associated infrastructure (i.e. car parking).

The building will be constructed from a single brick type, which is intended to be a light buff colour. The submission indicates that single brick is proposed in an attempt to reflect/respect the adjacent Queen's Tower development. It is intended to use brick patterning and recessed panels to add subtle variation to the elevations, rather than an alternative brick or material.

The building has a flat roofed design, which is considered to be acceptable. Alternative options have been considered but discounted. The roofs types across Norfolk Park vary, the majority are now pitched gables but there are a variety of others including flat and mono-pitched. The chosen roof design will also limit the height and mass of the building when viewed on approach and from surrounding areas.

The proposed elevations are quite simple. Large window openings will be utilised across all elevations to help maximise their visual interest and the natural light to habitable rooms. The windows are arranged in a consistent rhythm across the elevations with some grouped within recessed panels in order to add architectural detail and interest. There are recessed private balconies proposed at each corner of the building to provide external amenity space and define them.

Overall it is concluded that the proposed architecture is acceptable and, if executed with satisfactory detailing (to be secured by condition), it will be a positive addition to the site and the surrounding area.

Layout

The new building will be built on the western portion of the site where there is a flat plateau that the care home was previously built on. It will be accessed off a single road running from the north east corner. The remainder of the land surrounding the site will be generously landscaped space, including existing mature trees and new tree/shrub/grass planting.

The 'U' shaped layout of the building has allowed a large amount of the car parking space to be provided internally within the blocks and this reduces the amount of roads/infrastructure required around the public elevations of the building. The car park will be secure by electric gated entry.

Within the private courtyard space there is a deck access at first floor level, which runs around the internal elevations of the building and provides external access to the apartments from the resident staircores and lift. There is also a small first floor amenity area, which will extend from part of the first floor terrace and a large pergola in the car park area; both these items serve to screen/cover some of the car parking.

All of the proposed apartments have their own front door located within the internal courtyard space.

Overall, the design approach (including appearance, scale and massing) and proposed layout are considered to be acceptable in principle. The new buildings will sit well within the local context as well as creating their own sense of place and

character. For this reason, these details are considered to be satisfactory and compliant with regard to the aims of the Policies BE5 and CS 74, described above.

Impact on Listed Buildings

UDP Policy BE19 (Development Affecting Listed Buildings) states that proposals for development that would affect its setting will be expected to preserve the character and appearance of the building and its setting.

UDP Policy BE21 (Historic Parks and Gardens) states that the character, setting and appearance of Historic Parks and Gardens will be protected.

Following Historic England's consultation comments, the applicant has provided a further response and assessment in accordance with the guidance note on 'The Setting of Heritage Assets' (2012). This assessment considers - 1) any potential impact on the setting of Norfolk Heritage Park and views from the Queens Tower, and 2) the impact on the collection of listed buildings at the Queen's Tower. It concludes that the impact on the setting will not be adverse for the following reasons:

- The proposal will not have a detrimental impact on Norfolk Park or distant views from it because of the natural features of the site (i.e. mature woodland and land levels) to effectively screen views across Park Grange Road onto the site.
- The proposal has been deliberately sited in a similar position to the former care home that last occupied the site and, therefore, it is argued that the relationship of built form will be similar to the previous state. Furthermore, whilst the site itself is immediately adjacent to and clearly visible from Park Grange Road, the Queen's Tower development is set back from Park Grange Road and only the gables of the extended windows of Queens Gardens are readily available through the trees. The Queens Tower building is set further back still and is not visible from Park Grange Road when viewed from the north east of the site.
- The close proximity between the two sites means that there will be some visual impact but it is considered that this will not be detrimental to the listed buildings. The design and siting of the new development will add positively to the wider area whilst retaining key landscape elements and features, thereby protecting the character of the area.

The assessment is considered to provide sufficient justification to support the proposal. Your officers are therefore satisfied that the effect on the surrounding heritage assets will not be a negative one; the proposal will preserve their character, appearance and setting in accordance with UDP Policy BE19 and BE21.

Sustainability Issues

Policy CS64 of the Core Strategy deals with climate change and the sustainable design of developments. This says that development should achieve a high standard of energy efficiency, make the best use of solar energy, passive heating

and cooling, natural light and ventilation and minimise the impact on existing renewable energy installations.

With regard to the proposed design and construction, it is confirmed that the new buildings will be designed to minimise energy consumption, as required by Policy CS 64. Several sustainability features have also been incorporated into the scheme and include the provision of water butts in the gardens and the provision of bicycle stores.

The submission confirms that the development will achieve Code for Sustainable Homes Level 3, as required by Policy CS 64. Positively, the pre-assessment sets out a strategy to achieve Level 4. However, Members are informed that this planning requirement has been scrapped by the Government with elements of the code now being incorporated into Building Regulations instead of Planning. Therefore, the necessity to achieve under Policy CS 64 is no longer relevant. Notwithstanding this, it is considered that the applicant's commitment to achieving at least Level 3 will ensure that the new buildings will be built in a manner to ensure that resources are used sustainably to help mitigate climate change and to withstand its effects, as required by Policy CS 64.

Policy CS65 of the Core Strategy says that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy, if feasible and viable.

In terms of viability, Paragraph 96 of the NPPF states that, in determining planning applications, local planning authorities should expect new development to "comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable."

The applicant's viability issues have been assessed by the District Valuation Office, which has confirmed that the scheme does not achieve acceptable levels of viability. Therefore, there are no proposals to the 10% renewable energy provision as part of the application. Given the conclusions of the District Valuation Office, and the viability dispensations of Policy CS 65 and the NPPF, this is considered to be sufficient evidence to justify non-compliance in this instance.

Notwithstanding the above, SHC has stated that it does aspire to providing an element of photovoltaic provision on the site. It is confirmed should the finances improve sufficiently as a result of the tender process, or an alternative means of funding the equipment be found over the forthcoming months, then SHC will seek to introduce this retrospectively.

Overall, the proposed development is considered to be comply with the guidance of the NPPF and the requirements of Core Strategy Policies CS64 and CS65.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into all large scale developments. There are no green roofs provided as part of this development but

given the other design considerations and the viability issues discussed, the failure to include a green roof is not considered to be a reason to refuse the application.

Amenity Issues

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

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

Amenity for Existing Residents

There are existing residential apartments on the adjacent land at the Queens Tower development. The closest units are those at No.1 – 34 Queens Gardens but owing to their design and orientation they do not have any main habitable room windows overlooking the application site.

In terms of the impact on existing residents' amenity, it is considered that the new development will be acceptable and the new buildings on the land will not have a detrimental impact on the closest properties identified. It is considered that the existing land levels and position of the site as well as the proposed layout, scale and design of the new development is such to ensure that existing properties will not be overlooked, over-dominated or overshadowed in an unsatisfactory manner. Therefore, existing residential amenity standards will not be compromised.

The new development will be visible from some of the surrounding flats however the changes in outlook for these existing properties will not be detrimental to their amenity standards given their relationship to the application site and its design (including retention of tree planting and landscape setting).

For the reasons above, it is concluded that the amenity environment for existing residents will be acceptable in terms of Policy H15.

Amenity for Future Residents

It is considered that the main issues relate to privacy, outdoor garden provision and the surrounding environment.

Privacy

The privacy distances achieved throughout the site are acceptable. All of the living room and bedroom windows have their own windows with outward facing outlook across the immediate adjacent landscaped space. There are proposed to be toilet and kitchen windows facing internally within the scheme but the arrangement and

distance between the individual blocks is considered to be acceptable for a development of this nature.

Outdoor garden provision

The amount of private external amenity space proposed as part of the scheme is limited because of the apartment nature of this application. There will be 6 apartments served by small private balconies but the remainder will not have any outdoor amenity. There will be an external terrace area at part of the first floor level but realistically it is envisaged that this will only probably be used by those apartments situated adjacent to the space.

The landscape grounds around the building are quite extensive and the submission states that the future residents will have the opportunity to make use of this space for amenity purposes. It is hoped that this will help to generate levels of human activity and a sense of place/ownership.

Surrounding Environment

A Noise Impact Assessment accompanies the application and identifies that the key source of noise impacting upon the development will be from road traffic and the Supertram using Park Grange Road. Accordingly appropriate consideration has been given towards the mitigation measures required to ensure a commensurate level of protection against noise for future residents.

The report finds that a comprehensive scheme of works is required to mitigate noise. These include a range of glazing and acoustic ventilation provisions for the development dependent upon the distance from Park Grange Road. For all other rooms/dwellings in the development, standard well-sealed thermal double glazing and standard non-acoustic trickle ventilation is recommended.

The Council's Environmental Protection Service is satisfied with the methodologies, findings and recommendations of the Noise Impact Assessment. It is essential that dwellings are designed to adequately attenuate against the surrounding noise sources and provide suitable internal noise levels, as proposed. Therefore, a condition is recommended to be attached to this approval to ensure that the proposed mitigation measures are put in place to achieve the acceptable levels.

Overall, it is concluded that the proposed residential environment will be acceptable at this location and the development is consistent with the aspirations of UDP Policy H15.

Highway Issues

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

Access to the application site will be from an access shared with the Queen's Tower development, which connects to Park Grange Road at the north-west corner of the site. The access will be a tarmac roadway for the majority of its length and there is a pedestrian footpath on the northern side. It has a turning head at the end of this route which has the ability to accommodate a 12.2m long bin lorry. There are no objections to the proposed access, however due to the gradient of the access road it will be necessary for a grit bin to be provided as part of the development.

With regard to car parking ratios, there will be 30 spaces provided as part of this development. There will be 24 car parking spaces available for new residents within a secure car parking area, which equates to a ratio of 1 space per dwelling. There are 6 visitor car parking spaces proposed outside the resident parking area along the main access road, which equates 25% of the overall provision (or 1 space per 4 units). The level of parking proposed is considered to be acceptable in this location, primarily due to the proximity of the site to Supertram.

Finally, it is advised that the proposed car parking spaces have been designed to minimum standards, however the tracking submitted demonstrates that vehicular manoeuvring is acceptable.

Overall, it is confirmed that there are no objections to the proposal from a highways point of view. The estimated traffic generated by the proposal is not of a magnitude to have a material impact on the adjacent highway network. The development is acceptable in terms of Policy H14.

Air Quality Issues

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

An Air Quality Assessment has been submitted in support of this application. Whilst not required for an application of this size, it is a combined assessment relating to all of the Phase 2 developments (including the Norfolk Park 4 and Bluestones sites being assessed under application 15/00665/FUL). Therefore, it is considered appropriate to address here.

The Assessment predicts that the associated impact on Nitrogen Dioxide and PM10/PM2.5 concentrations respectively in the local area are unlikely to be significant. It also determines that three of the 'risk of impacts' categories during the construction phase (Earthworks, Construction and Trackout) in the local area are Medium for Dust Soiling and Low for Human Health. Further, that the health-based annual average air pollution standards of 40µg.m⁻³ for these pollutants and the 24 hour mean standard for PM10 are not breached at this local area / location, 'with' or 'without' the proposed development.

Although air quality standards will not be breached, it remains the desire of the Council to achieve air quality impact neutrality where possible, especially as Sheffield has an urban Air Quality Management Area. The development will result in dust and traffic generation during the construction phase, which is likely to have an impact on the local air quality. Therefore, in accordance with the recommendations of the Air Quality Assessment, it is recommended that some mitigation measures be followed to assist in reducing the impact of the construction phase. These measures will be recommended by directive.

Public Art Issues

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

Sheffield Housing Company has a Public Art strategy to outline a mechanism for combining monies from the Phases at each location to achieve meaningful public art projects in the neighbourhoods, where the new developments are being built. The creation of the strategy was a conditional requirement of the Phase 1 developments.

At Norfolk Park, the strategy's current outline proposals are – 1) Wayfinding/ links project connecting the various development sites around Park Grange Road to local amenities, and 2) Focal piece(s) within public open space or enhancement of/integration with landscape features in key areas of the site.

Phase 2 (including this application) will allocate further funding to achieving the Public Art strategy. However, given the viability issues surrounding the Phase 2 projects (as confirmed by the District Valuation Office) it is considered that the contribution per dwelling that has been committed to as part of the Phase 1 works (£175) may not be achievable.

In light of the above, it is considered appropriate to deal with Public Art provision by condition with the expectation that SHC put forward their strategy proposal, albeit with possible changes in value per dwelling, before development commences with implementation expected before occupation. This approach would satisfy the requirements of Policy BE12.

Ecology Issues

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

An Ecological Assessment has been submitted in support of the application. The Council's Ecology Unit has assessed its content and confirms that there are no major ecological constraints to prevent the development.

With regard to the potential implications for protected species, it is considered that they should not be a constraint to this development. Despite the potential of their presence being low, it is recommended that it would be prudent to have their habitats checked just before building work commences to ensure that they are not present in the area where works will take place. Furthermore, any vegetation clearance should take place outside of bird breeding season (March to end of August) but where this cannot be avoided it should be supervised (by a qualified person) to ensure that there is no bird breeding activity.

More generally, it is expected that new landscaping should include native species (trees and shrubs) to increase the nature conservation value of the development. Bat and bird boxes with the development are also expected to be erected on suitable trees to increase nesting and roosting opportunities.

Overall, the application is considered to be compliant with Policy GE11, subject to the recommendations and expectations of the Ecology Unit being secured by condition.

Mobility Housing

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

It is confirmed that there will be 6 mobility units (25%). These are identified as being at ground floor level – they will be fully accessible to wheelchair users and served by 6 disabled car parking spaces, which are positioned closest to the apartment entrances. The layout of the mobility apartments and the facilities within the development are considered to be acceptable. There will also be lift access provided to the first floor flats to aid the access for residents and their visitors. It is concluded that the requirements of Policy H7 are met.

Archaeological Issues

UDP Policy BE22 relates to (Archaeological Sites and Monuments) and states that sites of archaeological interest will be preserved, protected and enhanced. Where disturbance is unavoidable, the development will be permitted only if (a) an adequate archaeological record of the site is made; and (b) where the site is found to be significant, the remains are preserved in their original position.

The South Yorkshire Archaeological Service has confirmed that because of present and previous land use of the site there will be no archaeological implications resulting from the proposed development. The requirements of Policy BE22 are therefore satisfied.

Flood Risk & Drainage Issues

Core Strategy Policy CS67 relates to (Flood Risk Management) and, in part, seeks to ensure that more vulnerable uses (including housing) are discouraged from

areas with a high probability of flooding. It also promotes sustainable drainage techniques and management where feasible and practical.

A Flood Risk Assessment confirms that the site falls within Flood Zone 1, which means the site is classified as having a risk of flooding from rivers and sea less than 1 in 1000 years and it has a low risk of flooding in flood classification terms. Therefore, it is concluded that there are no mitigation measures required.

Due to the Flood Zone 1 designation and size of the development site (less than 1 ha) consultation with the Environment Agency is not.

A Water Scoping Study states that the site's surface water management objectives will be delivered through the use of sustainable drainage systems where possible. Ground investigations have concluded that the site will not be suitable for infiltration due to the deep made ground and clay sub soils. Furthermore, surface water outfall into the adjacent watercourse has been proven to be un-feasible and, therefore, the only option is to discharge to the public sewers. It is advised that the current and future water supply has been reviewed which concludes that there is sufficient water capacity in the Norfolk Park area to serve the development.

Sustainable drainage infrastructure consisting of swales and porous paved driveway and roads will be used where practical.

This approach is accepted by the Lead Local Flood Authority and Yorkshire Water, subject to conditions.

For the reasons given above, the proposal is considered to satisfy the flood risk and drainage the requirements of Policy CS 67.

Coal Mining Legacy

The application site falls within a Development High Risk Area, therefore within the application site and surrounding area there are coal mining features which must be considered. The applicant has obtained appropriate and up-to-date coal mining information for the site and included this within their Geoenvironmental Appraisal Report and Remediation Strategy. The Coal Authority concurs with the recommendations of these documents and has no objection, subject to a condition requiring intrusive site investigation works prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

Affordable Housing

Core Strategy Policy CS 40 (Affordable Housing) states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. The Affordable Housing Interim Planning Guidance (IPG) was updated in 2014 and it should be read alongside Policy CS40.

IPG Guideline 2 identifies the site as being located within the "Manor/Arbournthorn/Gleadless" Affordable Housing market Area and there is now

no contribution required towards affordable housing provision. A contribution is not proposed and it is intended that all of the properties be made available for market sales.

The proposal complies with the aspirations of Policy CS 40 and the IPG.

Open Space

UDP Policy H16 (Open Space in New Housing Developments) requires that the Applicant makes an appropriate contribution towards the provision or enhancement of public space on or within the vicinity of the application site.

Core Strategy Policy CS 45 (Quality and Accessibility of Open Space) states that safeguarding and improvement of open space will take priority over the creation of new areas. Policy CS 46 (Quantity of Open Space) encourages that as opportunities arise, new open space will be created where a quantitative shortage of open space is identified and where it is required for extending the City's Green Network. Finally, Policy CS 47 (Safeguarding Open Space) sets out the criteria where the loss of open space will or will not be permitted. It is considered vital to ensure that there is sufficient quantity of open space within an area to meet the needs of local people.

The application site currently has two distinctive areas of informal open space – on the north part there is land identified as Park Grange Road in the Open Space Audit (2009) and to the south of the site is the Tower Drive open space. The Audit classes the Park Grange Road open space as being of average quality amenity greenspace and the Tower Drive as amenity greenspace of poor quality. Circumstances have not changed since the audit. The open space assessment has shown that overall there is sufficient open space in the local area however, it is the case that this is almost all informal open space and there is a shortage of formal provision.

As the informal open spaces are surplus for their current functions, it is considered that their loss could be accepted if they could not be used to fulfil other unsatisfied open space needs (such as allotments, children's play, and outdoor sport). The potential of the open spaces being used for these functions was considered by the IPAN, and it was concluded that the pieces of land in question would not be suitable for these alternative open space uses. Therefore, the loss of this open space as part of this development would comply with CS47 (f (ii)).

UDP Policy H16 requires a contribution to providing or improving open space in the local area rather than on-site provision. In light of the above, the developer is required to make a contribution of £36,091.20 towards the provision or improvement of recreation space in the catchment of the site.

For the viability reasons, as discussed above, the Housing Company is seeking certain dispensations as part of its Phase 2 application in order to make all of its schemes developable and this includes making no S106 financial contributions towards Open Space provision, which is contrary to Policy H16.

The failure to provide an Open Space contribution to improve Open Space provision for future residents is disappointing. In spite of the District Valuation Office's conclusions, Members are reminded that Policy H16 has no 'feasible or viability' clause and, therefore, we must decide whether to refuse the application because of the failure to contribute towards Open Space in the catchment area.

On a positive note, the development is strongly characterised by large areas of landscaping, which will be retained/arranged around the new housing. The landscaping accounts for approximately 43% of the overall site area and includes most of the space surrounding the apartments and car park area. The landscaped areas include the Park Grange Road and Tower Drive amenity greenspaces and will be of informal recreation space character (as defined in Box 1 of the Open Space Provision in New Housing Development Supplementary Planning Guidance, 2014).

It is anticipated that the quality of the landscaping and the integration with the new housing will improve the use and quality of the open space areas on the site.

In light of the circumstances surrounding this application and the overriding need to stimulate housing development in this area as well as facilitate development elsewhere, it is considered that the open space shortfall on this specific project should not be an obstacle to the grant of planning permission. Whilst technically contrary to the aspirations of the IPAN and policies H16, CS and CS 46, the overall merits of this affordable scheme provide sufficient justification to outweigh the failure to provide informal open space on this site.

Education Provision

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

The Council's School Organisation Project Team has supplied details about the schools potentially affected by the proposed development. The site is within the catchment of Norfolk Park NIJ School (primary level) and Sheffield Springs Academy (secondary level).

At primary level, it is confirmed that the School is full and the additional children yielded from this development will exacerbate the shortage of provision locally and there is a claim for primary level contributions from this development.

At secondary level, it is confirmed that Sheffield Springs Academy is currently operating with surplus. Therefore, the additional children yielded from this development would be able to be accommodated within the school and there is no claim for secondary level contributions from this development.

In light of the viability issues discussed earlier in this report, the SHC is seeking dispensation to make no S106 financial contributions towards education provision, which is contrary to Policy CF5.

The failure to provide an education contribution to assist education provision for the local schools is disappointing. In spite of the District Valuation Office's conclusions, Members are reminded that Policy CF5 has no 'feasible or viable' clause and, therefore, we must decide whether to refuse the application because of the failure to contribute towards education in the catchment area.

In light of the circumstances surrounding this application and the overriding need to stimulate housing development in this area as well as facilitate development elsewhere, it is considered that the open space shortfall on this specific project should not be an obstacle to the grant of planning permission. Whilst technically contrary to the aspirations of the IPAN and Policy CF5, the overall merits of this housing scheme provide sufficient justification to outweigh the failure to provide towards education in the area.

SUMMARY AND RECOMMENDATION

The proposed development will provide 24 apartment dwellings on a vacant and prominent site on the outskirts of the City Centre. The current proposals are considered to have an acceptable and contemporary architectural style and will provide 25% of the overall provision also being built to mobility housing standards. Furthermore, sustainable drainage techniques are proposed where possible.

The scheme is not considered to have a detrimental impact on the setting of the adjacent Listed Buildings and the existing Norfolk park neighbourhood. The implications for existing residents in terms of overlooking, overshadowing etc. will not be unacceptable owing to their relationship with the application site, the levels on the site and the arrangement of the new buildings.

The proposed relationship to Norfolk Heritage Park (a Grade II* registered park) is considered to be acceptable and provisions are made within the layout of the scheme to ensure that landscaped spaces will be retained to help maintain the open space character of the site and ensure the setting of the existing assets will not be compromised.

There are considered to be no significant highway implications generated by the proposal and the air quality impact is not a concern. Furthermore, the site is considered to have a very sustainable location with excellent public transport links to trams and buses.

In terms of landscaping, the removal of some existing trees will occur but many identified as having high amenity value are going to be retained and areas of informal open space will be enhanced and managed around them. Furthermore, landscaping will form a key element of the new development, which will include some replacement tree and shrub planting. The response to the ecology on the site is considered to be acceptable and the public art strategy as part of the neighbourhood's wider redevelopment is welcomed.

In amenity terms, it is considered necessary to acknowledge that the site is on the edge of a major city centre and a busy road which contains car, bus and Supertram traffic during the day and night. Therefore, the environment for the residential

occupiers at this site will reflect this. Occupiers will experience some noise disturbance but mitigation measures are proposed and this circumstance will be no worse than other edge of city environments – or indeed – the existing residential properties in Norfolk Park.

The failure to provide a financial contribution towards the provision of new open space and education facilities as well as not achieving the 10% renewable energy targets are all negative aspects of the development. However, the applicant has been very clear about the viability issues surrounding the SHC Phase 2 development projects and their case has been independently assessed and verified by the District Valuation Office, which has confirmed that imposing additional S.106 obligations/conditions will impact further on already marginal viability, which risks the project not proceeding at all. Despite these shortcomings it is considered that the benefits of the provision of much needed housing and the wider benefits of developing this vacant site in a part of the city requiring regeneration outweighs these deficiencies.

Overall, it is believed that the benefits generated by this proposal outweigh the shortfalls identified and it is concluded that it will make a positive contribution to the site and the surrounding area. Members are therefore recommended to grant planning position, subject to the proposed conditions.

Case Number	15/00659/FUL (Formerly PP-04003070)
Application Type	Full Planning Application
Proposal	Erection of 59 dwellinghouses with associated access roads, footpaths, car parking accommodation and landscaping works including sustainable urban drainage system (SUDS) storage pond
Location	Land Between Earl Marshal Road And Barnsley Road Adjacent Fir Vale School Playing Fields Earl Marshal Road Sheffield S4 8LA
Date Received	23/02/2015
Team	West and North
Applicant/Agent	John Thompson And Partners
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

Drawings numbered:

00921_S_01 Rev.B
00921_S_02 Rev.P
00921_S_03 Rev.J
00921_S_04 Rev.A
00921_S_05 Rev.E
00921_S_06 Rev.C
00921_S_07 Rev.B
00921_S_08 Rev.E
00921_S_09

00921_S_10 Rev.D
00921_S_11 Rev.D
00921_S_12 Rev.D
00921_S_13 Rev.D
00921_S_14 Rev.A
00921_S_15 Rev.A
00921_S_16 Rev.A
00921_S_17 Rev.A
00921_S_18
00921_S_20
00921_S_21
00921_S_22
00921_SE_01 Rev.G
00921_SE_02 Rev.G
00921_X_01 Rev.A
00921_X_02 Rev.A
00921_D_01
00921_D_02
00921_D_03
00921_D_04
00921_D_05
00921_H_SS
00921_HT_B_01
00921_HT_B_02
00921_HT_C2_01
00921_HT_C2_02
00921_HT_C2_03
00921_HT_E1_01
00921_HT_E1_02
00921_HT_F1_01
00921_HT_F1_02
00921_HT_F2_01
00921_HT_H_01
00921_HT_H_02
00921_HT_H_03
00921_HT_H_04
00921_HT_K_01
00921_HT_K_02
00921_HT_K_03
00921_HT_K_04
00921_HT_N_01
00921_HT_P_01
EX/04522/3001

Reason: In order to define the permission.

Pre-Commencement Condition(s)

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

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

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

5. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

6. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

7. Prior to the commencement of development, details of measures to prevent protected species from being trapped in open excavations, trenches and pipes shall have been submitted to and agreed in writing by the Local Planning Authority and such measures shall remain in place until the development is complete. The measures may include
 - a) creation of sloping escape ramps
 - b) open pipework greater than 150mm outside diameter being blanked off at the end of each working day.

Reason: In the interests of biodiversity.

Pre-Occupancy and Other Stage of Development Condition(s)

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

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

9. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of the approved noise survey Hepworth Acoustics, Noise Impact assessment Report No. P15-233-R01v1 April 2015.
 - b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms and Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40 dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

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

Other Compliance Conditions

10. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

11. The dwellings shall not be used unless the access and facilities for people with disabilities shown on the plans have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

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

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

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

Reason: To ensure that the local planning authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

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

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

15. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance

with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

16. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

17. The development shall be carried out in accordance with the approved Flood Risk Assessment Revision A (FRA) compiled by Queensbury Design dated 30 January 2015 and the following measures detailed within the FRA:

- Flood flow routing and raising finished floor levels to be incorporated into the site as detailed in the FRA.

The measures shall be fully implemented prior to occupation of the dwellings in accordance with the timing and phasing of occupation of dwellings as may subsequently be agreed in writing by the Local Planning Authority.

Reason: In order to mitigate against the risk of flooding.

18. Prior to the commencement of development, details of the location and design of bird and bat boxes shall have been submitted to and agreed in writing by the Local Planning Authority and such agreed details shall be implemented prior to the completion of the development.

Reason: In the interests of biodiversity.

Attention is Drawn to the Following Directives:

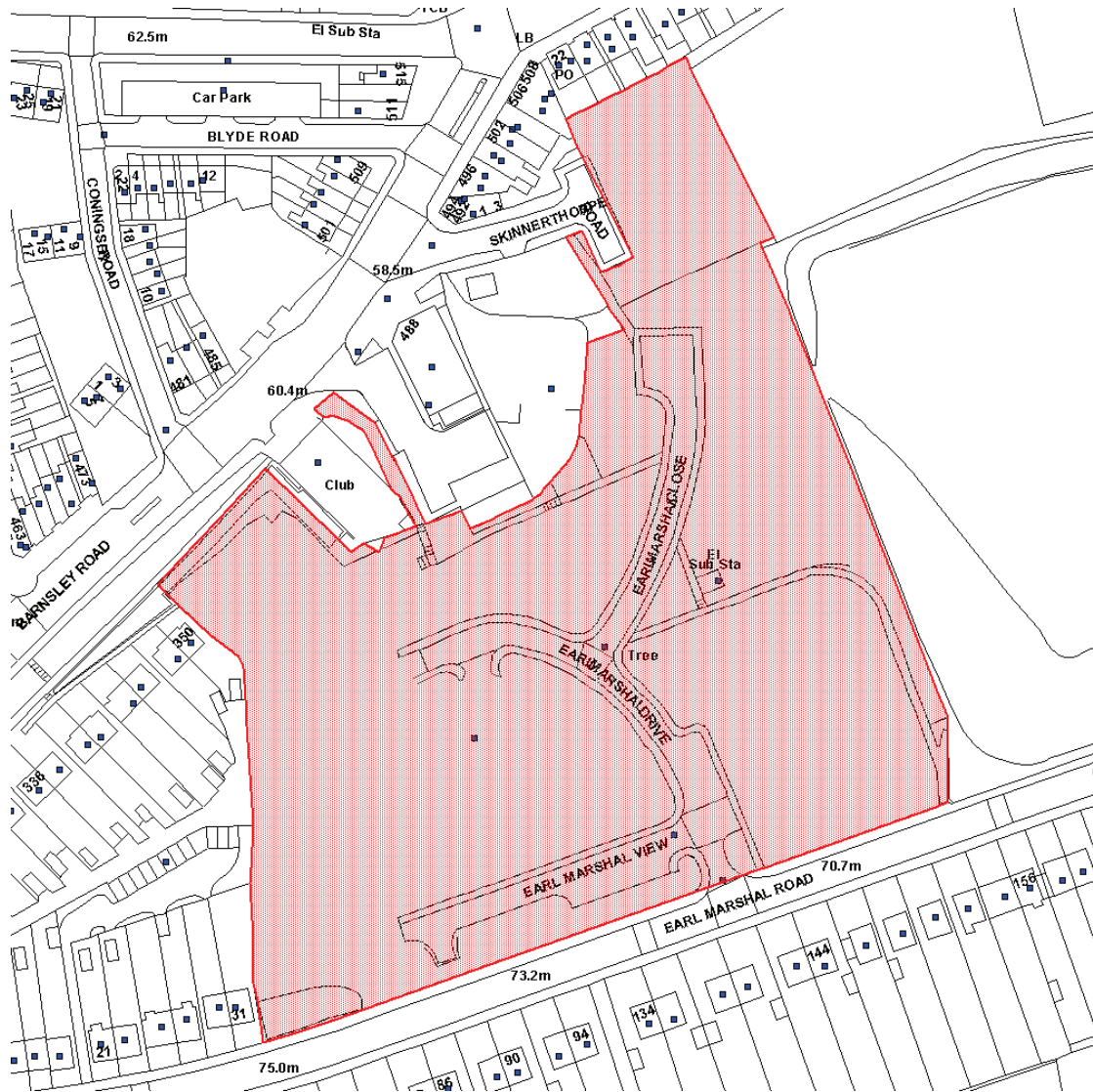
1. Japanese Knotweed has been identified on the site and an invasive non-native species protocol should be submitted to and approved by the Council which details the containment, control and removal of the plant.
2. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:

Richard Harris
Ecology Manager
Sheffield City Council

Meersbrook Park
Brook Road
Sheffield
S8 9FL
Tel: 0114 2734481
E-mail: richard.harris@sheffield.gov.uk

3. 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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LOCATION AND PROPOSAL

The application site is located within the Fir Vale neighbourhood in the north east of Sheffield. The site was formerly used for housing but this was cleared in 1995 and the site has been vacant since then becoming neglected and has attracted anti-social behaviour.

Along the southern boundary at the highest point runs Earl Marshall Road and the land slopes quite markedly to the north from this edge. To the west is two storey housing and a garage court and to the east is open space. To the south is mixed development that fronts on to Barnsley Road and Skinnerthorpe Road comprising

housing, shopping, commercial and a school with the Northern General Hospital beyond this. Fir Vale shopping centre lies close by to the north east.

The site is vacant but the former road layout is still in place with vehicle and pedestrian access taken from a central position along Earl Marshall Road. There is a footpath link from Earl Marshall Road through the site to Skinnerthorpe Road which is well used by local people to gain access to the school and shops.

A stone wall lies along the boundary of the site with Earl Marshall Road and there are a number of trees within the site, particularly along the western edge and at the lower end close to Skinnerthorpe Road. Within the site is a small electricity sub-station.

This application, as amended, seeks detailed planning permission for 59 houses with associated car parking, landscaping, access roads, foot and cycle paths, open space provision and sustainable drainage including a pond.

SUMMARY OF REPRESENTATIONS

Nine letters have been received from five local residents and the content of these can be summarised as follows:

Support is expressed for the inclusion of the pond and sustainable drainage within the site but there is some concern about this possibly attracting anti- social behaviour.

The park should benefit existing people as well as future residents.

The only access into the site is from Earl Marshall Road and it would ease congestion if there was a second access from Skinnerthorpe Road at the lower end of the site. A significant amount of traffic uses Earl Marshall Road and this development would substantially add to this.

On the assumption that each house has two cars, there would be 118 extra cars using the roads.

There is a considerable walking distance from the Barnsley Road end of Earl Marshall Road and people jump over the wall as a short cut. There is potential for this to continue.

There is one letter of support for the development and other letters note that the site has been vacant since 1995 and has an air of neglect which attracts anti-social behaviour.

There are concerns about the access for construction vehicles and plant.

Prior to the submission of this application, the applicants and their design team organised a Community Design Workshop during May 2014 where local residents were given the opportunity to find out more about this proposal and contribute to the design development.

PLANNING ASSESSMENT

Planning Policy.

National Planning Policy Framework (NPPF)

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

The adopted Unitary Development Plan shows that the site is designated as a housing policy area and policy H10 confirms that housing is the preferred use in such areas. The broad principle of housing on the site is, therefore, acceptable.

Core Strategy policy CS24 seeks to maximise the use of previously developed land for housing. This site was previously used for housing and its re-use for new housing fully complies with this policy.

Informal Planning Advice Notes (IPANs)

An IPAN has been prepared by the Planning Service for the Earl Marshall site. The document provides advice on policy as well as the development issues and opportunities. They have not been approved by the Planning Committee and have no formal status in their own right, although the policies, and the evidence they are based on, do.

The IPAN supports the principle of redeveloping the site for housing, subject to various material planning considerations and opportunities/constraints being addressed.

Land Use - Density

Core Strategy Policy CS 26 (Efficient Use of Housing Land and Accessibility) states that housing development will be required to make efficient use of land but accepts that the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. It sets out appropriate density ranges for different locations depending on accessibility and states that exceptions can be made to the density range where the proposal achieves good design, reflects the character of an area or protects a sensitive area.

The site is near to a high frequency bus route and therefore the appropriate density range is 40 to 60 dwellings per hectare (dph). Taking into account the areas of open space within the site, the net site area is 1.8 ha and the proposal for 59 houses represents a density of 33 dph which is below the appropriate range so falls below the threshold for appropriate efficiency. However, exceptions can be

made to the density ranges set out in policy CS26 where the proposal achieves good design and reflects the character of the area.

Viability Issues

As mentioned previously the application has been submitted by the Sheffield Housing Company which is a joint venture between various partners and is a long term regeneration vehicle. The application is one of four that have been submitted at similar times and are all due to be decided at this committee meeting. The applications relate to the sites at Falstaff CDEFOPQ and R, Earl Marshall, Norfolk Park 4 Bluestones and Norfolk Park 5C.

A full independent costing exercise has been carried out on behalf of the Housing Company in relation to the four sites identified above. As a result of this the company have concluded that the schemes are not viable without certain dispensations to reduce the costs associated with the development. These are summarised below:

- The developments are not capable of making any Section 106 contributions
- At present 10% renewable energy provision is incorporated, however the company would like to reserve its position on this element subject to a retrospective viability test should an alternative means of funding the renewable element not be found, or if costs rise further as part of the tender process
- 25% mobility housing will be provided at Norfolk Park 4 Bluestones and Norfolk Park 5C, however for viability reasons only 10% and 23% mobility housing is proposed for Earl Marshall and Falstaff respectively

The financial information has been reviewed by the District Valuation Office who is in agreement that the developments when combined are not financially viable. Indeed, the District Valuer's Report concludes that "Adding to the financial burden of the project, by imposing additional S.106 obligations/conditions which will impact further on already marginal viability, risks the project not proceeding at all."

It is noted that it is unusual to consider the combined viability of four schemes together in this way. However, given the marginal nature of some of the sites and lack of mature housing markets it is considered acceptable and will allow the development of sites which would otherwise be unviable.

The proposed dispensations are not ideal and will be discussed further in the relevant sections below along with any positive elements of the proposal which may act as some compensation.

Design, Layout and External Appearance.

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

UDP policy H14 (Conditions on Housing Development) says that new buildings should be well designed and in scale and character with neighbouring buildings.

Core Strategy Policy CS74 (Design Principles) reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city. Amongst other items, this includes views and vistas to landmarks and skylines into and out of the City Centre and across the city to the surrounding countryside.

The layout and design closely represents that put forward during pre-application discussions and the scheme is considered to be of good quality and is acceptable.

The site slopes from Earl Marshall Road at the top down to Skinnerthorpe Road and the layout allows the houses to step down the slope similar to the arrangement of existing houses. The existing road layout within the site that used to serve the cleared housing has largely been retained. A central access point along the Earl Marshall Road frontage allows vehicle and separate pedestrian access into the site. The road layout is a mix of surfaces with footways adjacent to the tarmac road but this gives way to block paved shared surfaces which would break up the hard surfaced areas.

The house types are a mix of two and three storey semi-detached houses with pitched roofs all with gable ends. The external material is predominantly red brick to match existing houses although some would be of dark grey brick. All roof tiles and window frames would be dark grey with black doors and rainwater goods. This level of consistency throughout the scheme regarding materials would closely reflect existing houses in the neighbourhood.

Surrounding housing tends to be two storeys but 15 of the houses would be three storeys high. These would be in the central and lower areas of the site which would limit their impact and it is noted that across Barnsley Road there are a number of buildings that rise above two storeys.

The existing semi-detached houses facing the site from across Earl Marshall Road are all two storeys high and built in red brick. The existing layout is closely reflected in the houses that would front the road as part of this application. Pairs of red brick semi-detached houses would face the existing houses with the exception of the two pairs either side of the site entrance. One semi would face the road either side of the entrance but each pair would be of grey brick providing clear identification of where the entrance is.

A stone wall runs along the Earl Marshall Road site frontage and the most of this would be retained as part of this proposal. However, vehicle access would mean the loss of short sections and either side of the site entrance an alternative treatment of hedge and railings is proposed to emphasise the entrance.

There is a line of attractive trees along the western boundary where there is an embankment and these would be retained as part of the scheme reflecting the line of trees on the other side of the site just over the site boundary. In the centre of the site, a triangle of open space would be included which would be landscaped

with bench seats. At the lower end next to the Skinnerthorpe Road pedestrian access point, there would be another small area of open space with a pond which would also form part of the sustainable drainage system (SUDS) on the site.

As well as shared vehicle and pedestrian surfaces within the scheme, there would also be a separate footpath linking Earl Marshall Road with Skinnerthorpe Road, Barnsley Road and the new school at the lower end of the site. At the lower end this would also allow cycles as the path broadens at the end of the cul-de-sac. There is already a footpath between these two points and the new path would broadly follow the line of this. Local residents have raised concerns about people continuing to jump over the stone wall on Earl Marshall Road to take a short cut to the footpath but the housing layout would prevent this and pedestrians would have to access the site at the main entrance.

The garden sizes are all acceptable being at least 10 metres deep with many being considerably larger. The boundary treatments would be a mix of the retained stone wall, red brick walls, wooden fences and low hedges.

Sustainability Issues.

Policy CS64 of the Core Strategy deals with climate change and the sustainable design of developments. This says that development should achieve a high standard of energy efficiency, make the best use of solar energy, passive heating and cooling, natural light and ventilation and minimise the impact on existing renewable energy installations.

With regard to the proposed design and construction, it is confirmed that the new buildings will be designed to minimise energy consumption, as required by Policy CS 64.

The submission confirms that the development will achieve Code for Sustainable Homes Level 3, as required by Policy CS 64. Positively, the pre-assessment sets out a strategy to achieve Level 4 and it remains the aspirations of Sheffield Housing Company, subject to viability. However, Members are informed that this planning requirement has been scrapped by the Government with elements of the code now being incorporated into Building Regulations instead of Planning. Therefore, the necessity to achieve under Policy CS 64 is no longer relevant. Notwithstanding this, it is considered that the applications previous commitment to achieving the Level 3 will ensure that the new buildings will be built in a manner to ensure that resources are used sustainably to help mitigate climate change and to withstand its effects, as required by Policy CS 64.

Policy CS65 of the Core Strategy says that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

At present there are no details supplied in relation to renewable energy proposals. It is the case that the Housing Company would like to reserve its position on this element subject to a retrospective viability test should an alternative means of

funding the renewable energy not be found or if costs rise further as part of the tender process.

In terms of viability, Paragraph 96 of the NPPF states that, in determining planning applications, local planning authorities should expect new development to "comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable."

Furthermore, CS65 does specifically have a viability clause. As such and given that the scheme has found to be unviable by the District Valuer it would seem reasonable to accept the proposed approach to the provision of renewable energy. It is therefore recommended that these element of the scheme be conditioned with relevant "viability and feasibility" clauses inserted.

Overall, the proposed development is considered to be acceptable with regards the aims of the NPPF and Policies CS64 and CS65.

Amenity for Existing and Future Residents.

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

UDP policy H14 endorses this policy and Core Strategy policy CS74 says that new development should contribute to the creation of attractive, sustainable and successful neighbourhoods.

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

With respect to existing residents, there are houses across the application site on Earl Marshall Road and also to the west beyond the line of trees and embankment. The distances between proposed and existing houses and the fact that those across Earl Marshall Road involve the public domain means that the amenities of existing residents would not be significantly affected.

The arrangement and distribution of houses within the proposed layout means that there would be no overlooking between future houses. Planning guidelines indicate that there should be minimum distances between facing windows across private space of at least 21 metres and 12 metres between windows and a blank wall. These have been achieved throughout the site.

Although the site does slope significantly down from Earl Marshall Road, there are no issues with overdominance between proposed houses.

A Noise Impact Assessment accompanies the application and identifies that there would be noise impacting upon the development from road traffic and activities associated with shopping and commercial uses on Skinnerthorpe Road and Barnsley Road. Accordingly appropriate consideration has been given towards the mitigation measures required to ensure a commensurate level of protection against noise for future residents.

The report finds that a comprehensive scheme of works is required to mitigate noise particularly where affected by traffic noise.

The Council's Environmental Protection Service is satisfied with the methodologies, findings and recommendations of the Noise Impact Assessment. It is essential that dwellings are designed to adequately attenuate against the surrounding noise sources and provide suitable internal noise levels, as proposed. Therefore, a condition is recommended to be attached to this approval to ensure that the proposed mitigation measures are put in place to achieve the acceptable levels.

Overall, it is concluded that the proposed residential environment will be acceptable at this location and the development is consistent with the aspirations of UDP Policy H15.

Highways, Parking, Access and Transportation.

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

Core Strategy policies CS51 and CS53 seek to prioritise travel priorities and management.

Core Strategy policy CS55 seeks to improve and develop Sheffield's cycle network.

Access to the application site will be from Earl Marshall Road which will be a tarmac roadway for the first part of its length and there is a pedestrian footpath on one side. It has a turning head at the end of this route which has the ability to accommodate a 12.2m long bin lorry. There are no objections to the proposed access, however due to the gradient of the access road it will be necessary for a grit bin to be provided as part of the development.

With regard to car parking, each house would have two spaces and there would be additional visitor parking provided as of this development. The level of parking proposed is considered to be acceptable in this location.

It is advised that the proposed car parking spaces are minimum dimensions, however the tracking submitted demonstrates that vehicular manoeuvring is acceptable.

The site is within easy walking distance to Fir Vale shopping centre, a school and the Northern General Hospital by way of the footpath link through the site. There are also very good bus links on the road network around the site.

The cycle route through the site is not included on any of the routes specifically mentioned in policy CS55 but the inclusion of the separate route through the application site will improve such provision in the locality.

Overall, it is confirmed that there are no objections to the proposal from highways point of view. The estimated traffic generated by the proposal is not of a magnitude to have a material impact on the adjacent highway network. The development is acceptable in terms of Policy H14.

Landscape Proposals.

UDP policy GE15 (Trees and Woodland) encourages the retention and provision of mature trees and landscaping in new development.

A Tree Survey has been carried out by the applicant in support of the proposal and this notes that a significant amount of tree management and maintenance has occurred in recent years. Some trees have been crown lifted and others felled.

In this case, existing trees within the site, particularly along the western boundary, would be retained along with some at the centre and next to the new pond. Additional trees would be introduced along the main access road and next to the pond which would replace those which would be lost as part of the proposal. Many of the trees that would be felled are of poor quality and none are such good specimens as to have a detrimental impact on the area. Tree loss has been kept to a minimum and root protection measures will be taken during construction to ensure that trees would not be harmed.

Air Quality.

UDP Policy GE23 (Air Pollution) states that development will be permitted only where it would not locate sensitive uses where they would be adversely affected by sources of air pollution.

Furthermore, Core Strategy Policy CS 66 'Air Quality' encourages action to improve air quality in all areas of the City, particularly where residents in road corridors with high levels of traffic will be exposed to levels of pollution above national targets.

An Air Quality Assessment has been submitted in support of the application and this concludes that the construction works have the potential to create dust. Even with a dust management plan in place it may be the case that existing residents experience occasional short term dust annoyance.

The impact of extra traffic on both Earl Marshall Road and Barnsley Road generated by the development has been assessed and it is concluded that there would be no significant increases associated with the proposal. Consequently, the

increases would not be significant and there would be no conflict with policies GE23 or CS66.

Public Art.

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

Sheffield Housing Company has a Public Art strategy to outline a mechanism for combining money from the phases at each location to achieve meaningful public art projects in the neighbourhoods, where the new developments are being built. The creation of the strategy was a conditional requirement of the Phase 1 developments and should be continued.

It is considered appropriate to deal with Public Art provision by condition with the expectation that SHC put forward their strategy proposal, albeit with possible changes in value per dwelling, before development commences with implementation expected before occupation. This approach would satisfy the requirements of Policy BE12.

Ecology.

A key principle of the NPPF is to conserve and enhance the natural environment.

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

An Ecological Assessment has been submitted in support of the application. The Council's Ecology Unit has assessed its content and confirms that there are no major ecological constraints to prevent the development.

More generally, it is expected that new landscaping should include native species (trees and shrubs) to increase the nature conservation value of the development. Bat and bird boxes within the development are also expected to be erected on suitable trees to increase nesting and roosting opportunities. The inclusion of the SUDS scheme is welcomed and an aquatic/marginal planting scheme should be included

Overall, the application is considered to be compliant with Policy GE11, subject to the recommendations of the Ecology Unit being secured by conditions which would include an ecological management plan, bat boxes and measures to be put in place to ensure that protected species do not become trapped in culverts, pipes or trenches.

Mobility Housing

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

In this instance, the significant gradients associated with developing the site means that only 6 dwellings would be built to mobility standards which equates to about 10% which is well short of what is normally required. However, because of the site constraints, this proportion of units is acceptable.

Each of the units would allow for wheelchair movement within and footpaths, landings, canopies and all internal features and fittings would be suitably designed and fitted.

It is concluded that the requirements of Policy H7 are met.

Archaeological Issues

UDP Policy BE22 relates to (Archaeological Sites and Monuments) and states that sites of archaeological interest will be preserved, protected and enhanced. Where disturbance is unavoidable, the development will be permitted only if (a) an adequate archaeological record of the site is made; and (b) where the site is found to be significant, the remains are preserved in their original position.

The South Yorkshire Archaeological Service has confirmed that because of present and previous land use of the site there will be no archaeological implications resulting from the proposed. The requirements of Policy BE22 are therefore satisfied.

Flood Risk & Drainage Issues

Core Strategy Policy CS67 relates to (Flood Risk Management) and, in part, seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding. It also promotes sustainable drainage techniques and management where feasible and practical.

A Flood Risk Assessment confirms that the site falls within Flood Zone 1, which means the site is classified as having a risk of flooding from rivers and sea less than 1 in 1000 years and it has a low risk of flooding in flood classification terms. Therefore, it is concluded that there are no mitigation measures required.

Due to the Flood Zone 1 designation and size of the development site (less than 1 ha) consultation with the Environment Agency has not been required.

The site's surface water management objectives will be delivered through the use of sustainable drainage systems (SUDS) where possible. This will include a pond at the lowest end of the site to control surface water and this will also function as an amenity/environment asset.

Sustainable drainage infrastructure consisting of swales and porous paved driveways and roads will be used where practical.

This approach is accepted by Yorkshire Water, subject to conditions.

For the reasons given above, the proposal is considered to satisfy the flood risk and drainage the requirements of Policy CS 67.

Affordable Housing

Core Strategy Policy CS 40 (Affordable Housing) states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. The Affordable Housing Interim Planning Guidance (IPG) was updated in 2014 and it should be read alongside Policy CS40.

The application site lies within an area of north Sheffield where there is now no contribution required towards affordable housing provision. However, the applicant is proposing that, as part of the scheme, four units would be affordable housing, all at an affordable, social rent. In addition, it is intended that properties on the estate be available in a variety of tenures, including private ownership and affordable for rent options (managed by Great Places Registered Social Landlord), to create a mixed community.

The proposal complies with policy CS 40 and the IPG.

Open Space

UDP Policy H16 (Open Space in New Housing Developments) requires that the applicant makes an appropriate contribution towards the provision or enhancement of public space on or within the vicinity of the application site.

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

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

Policy CS 47 (Safeguarding Open Space) sets out the criteria where the loss of open space will or will not be permitted. It is considered vital to ensure that there is sufficient quantity of open space within an area to meet the needs of local people.

An assessment of open space provision in the area around the application site concludes that informal space and formal sports provision is below the minimum required level and children's play is above the minimum.

UDP Policy H16 requires a contribution to providing or improving open space in the local area rather than on-site. In light of the above, the developer is normally required to make a financial contribution towards the provision or improvement of

recreation space in the catchment of the site. In this instance, open space improvements would be carried out to Osgathorpe Park.

For the viability reasons, as discussed above, the Housing Company is seeking certain dispensations as part of its Phase 2 application in order to make all of its schemes developable and this includes making no S106 financial contributions towards Open Space provision, which is contrary to Policy H16.

The failure to provide an Open Space contribution to improve Open Space provision for existing and future residents is disappointing. In spite of the District Valuation Office's conclusions, Members are reminded that Policy H16 has no 'feasible or viable' clause and, therefore, we must decide whether to refuse the application because of the failure contribute towards Open Space in the catchment area.

On a positive note, the applicant has included two modest areas of informal open space within the site which would offset the lack of improvements to Osgathorpe Park.

In light of the circumstances surrounding this application and the overriding need to stimulate housing development in this area as well as facilitate development elsewhere, it is considered that the open space shortfall on this specific project should not be an obstacle to the grant of planning permission. Whilst technically contrary to the aspirations of the IPAN and policies H16, CS 45 and CS 46, the overall merits of this affordable scheme provide sufficient justification to outweigh the failure to provide informal open space on this site.

Education Provision

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

The Council's School Organisation Project Team has supplied details about the schools potentially affected by the proposed development. A financial contribution towards the provision of education would normally be expected for a development of this nature.

In line with details provided before, the SHC does not proposing to provide any financial contributions towards the provision/enhancement of education in the local area, owing to the financial constraints of the Phase 2 schemes. Technically, is contrary to Policy CF5.

The failure to provide an education contribution to assist education provision for the local schools is disappointing. In spite of the District Valuation Office's conclusions, Members are reminded that (as per Policy H16) Policy CF5 has no 'feasible or viable' clause and, therefore, we must decide whether to refuse the application because of the failure contribute towards education in the catchment area.

In light of the circumstances surrounding this application and the overriding need to stimulate housing development in this area as well as facilitate development elsewhere, it is considered that the open space shortfall on this specific project should not be an obstacle to the grant of planning permission. Whilst technically contrary to the aspirations of the IPAN and Policy CF5, the overall merits of this housing scheme provide sufficient justification to outweigh the failure to provide towards education in the area.

RESPONSE TO REPRESENTATIONS.

Some of the concerns of local residents have already been addressed earlier in this report but some comments still require a response.

The small areas of open space within the site would be available for use by existing residents. They would both be well served by footpath links across the site.

With respect to the need for a second access into the site, the single point of access from Earl Marshall Road is considered to be safe and suitable and would not endanger pedestrians.

It is very unlikely that every household would have two cars. Studies show that in this part of Sheffield, car ownership is much less.

People would not be able to continue jumping over the stone wall along Earl Marshall Road to take a short cut to the path across the site because new housing along the frontage would prevent this.

SUMMARY AND RECOMMENDATION

The proposed development will provide 59 houses on a vacant site in the Fir Vale neighbourhood. The proposal has an acceptable and contemporary architectural style and will provide much needed housing on a brown field site. Sustainable drainage, including a pond would and two small areas of open space would be included within the scheme.

The car parking provision would be acceptable and the surrounding road network can absorb the likely increases in traffic that would be generated by the scheme. Mature trees along the western edge and within the site would be retained and additional tree planting would supplement this.

The failure to provide the required level of mobility housing, a financial contribution towards the provision of new open space and education facilities as well as potential future viability implications about achieving the 10% renewable energy targets are all negative aspects of the development. However, the applicant has been very clear about the viability issues surrounding the SHC Phase 2 development projects and their case has been independently assessed and verified by the District Valuation Office, which has confirmed that imposing additional S.106 obligations/conditions will impact further on already marginal viability, which risks the project not proceeding at all. Despite these shortcomings it

is considered that the benefits of the provision of much needed housing and the wider benefits of developing this long vacant site in a part of the city requiring regeneration outweighs these deficiencies.

It is also the case that the density of the scheme is below what is normally required under policy CS26 but this is acceptable because of site constraints, principally the significant slope down from Earl Marshall Road

It is considered that the benefits generated by this proposal outweigh the shortfalls identified and it is concluded that it will make a positive contribution to the surrounding area.

The application is acceptable and Members are therefore recommended to grant planning permission subject to conditions.

Case Number 15/00257/FUL (Formerly PP-03933514)

Application Type Full Planning Application

Proposal Erection of 122 houses with associated roads, footpaths landscaping and drainage works accross sites referred to as C, D, E, F, O, P, Q, R

Location Land At Falstaff Crescent, Falstaff Road, Buchanan Road And Collinson Road, Parson Cross Park And Buchanan Road
SheffieldS5

Date Received 24/01/2015

Team West and North

Applicant/Agent John Thompson And Partners

Recommendation Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

00924_S_01 Rev X
00924_S_02 Rev W
00924_S_03 Rev F
00924_S_04 Rev C
00924_S_05 Rev H
00924_S_06 Rev E
00924_S_07 Rev G
00924_S_08 Rev B
00924_S_09 Rev B
00924_S_10 Rev B
00924_S_11 Rev B
00924_S_12 Rev B
00924_S_13 Rev B
00924_S_14 Rev B

00924_S_15 Rev B
00924_S_16 Rev A
00924_S_17 Rev A
00924_S_18
00924_S_19
00924_S_20
00924_S_21
00924_S_22
00924_S_23
00924_S_24
00924_S_25
00924_SE_01
00924_SE_02
00924_SE_03
00924_SE_04
00924_SX_01
00924_SX_02
00924_SX_03
00924_SX_04
00924_SX_05
00924_SX_06
00924_X_01
00924_X_02
00924_X_03
00924_H740_01 Rev A
00924_HT_953_01 Rev A
00924_HT_953_02 Rev A
00924_HT_H953_03 Rev A
00924_HT_1031_01 Rev A
00924_HT_1031_02 Rev A
00924_HT_A_01 Rev B
00924_HT_A_02 Rev B
00924_HT_A_03 Rev B
00924_HT_A_04 Rev B
00924_HT_B_01 Rev A
00924_HT_B_02 Rev A
00924_HT_B_03 Rev A
00924_HT_B_04 Rev A
00924_HT_B_05 Rev A
00924_HT_B_06 Rev A
00924_HT_C2_01 Rev A
00924_HT_C2_02 Rev A
00924_HT_C2_03 Rev B
00924_HT_C3_01 Rev B
00924_HT_D_01 Rev A
00924_HT_E1_01 Rev A
00924_HT_E2_01 Rev A
00924_HT_S_24 Rev A
00924_HT_F1_01 Rev A
00924_HT_H_01 Rev A
00924_HT_H_02 Rev A
00924_HT_J1_01 Rev A
00924_HT_J1_02 Rev A
00924_HT_K_01 Rev A
00924_HT_L_01 Rev A

00924A_B_F_01
00924A_B_F_02

Reason: In order to define the permission.

Pre-Commencement Condition(s)

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

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

4. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

5. The development shall be carried out in line with the recommendations made in the "Ecological Appraisal and Constraints Report" by ECUS. Details of bat and bird boxes and a lighting scheme for the sites which back onto Parson Cross park shall be submitted to and approved in writing by the Local Planning Authority and prior to the development being brought into use such measures shall be implemented.

Reason: In the ecological interests of the site.

6. No development shall commence until full details of measures to protect the existing trees and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development unless otherwise approved.

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

7. No development shall commence until details of the design, landscaping, adoption and maintenance of the sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority.
The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation and a maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

Reason: In the interests of flood and water management.

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

Reason: To ensure the development can be properly drained

Pre-Occupancy and Other Stage of Development Condition(s)

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

Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

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

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

11. 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:

- Windows and doors including
- Entrance canopies
- Window reveals
- Mortar and pointing/fixing details
- Service meter boxes
- Rain water goods
- Boundary treatments

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

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

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

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

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

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

14. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

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

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

16. The dwellings shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport

17. Details of the new park entrance and public footpath to link with the existing path in the park shall be submitted to and approved in writing prior to that part of the development commencing.
Thereafter the development shall proceed in accordance with the approved plans

Reason: in the interests of the visual amenity of the locality

18. Unless otherwise approved in writing by the Local Planning Authority, no construction of building or other structures shall take place until measures to divert or otherwise formally close the sewers and water main that are laid within the site have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority

Reason: in the interest of satisfactory and sustainable drainage and to maintain the public water supply.

Other Compliance Conditions

19. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, or any Order revoking or re-enacting that Order, no enlargement, improvement or other alteration or extension of the dwellings; which would otherwise be permitted by Class A to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 shall be carried out without prior planning permission.

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

20. The development shall be carried out in accordance with the approved Flood Risk Assessment carried out by Queensberry Design, dated the 26th January 2015 and the following mitigation measures detailed within the FRA;

Finished floor levels shall be a minimum of 150mm above ground level

Reason: In the interests of flood and water management

21. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

22. The development shall be constructed
In line with the mitigation measures identified in section 7 of the Air Quality Assessment prepared by Air Quality Consultants Lid and dated December 2013.

Reason: In the interest of air quality.

Attention is Drawn to the Following Directives:

1. As the proposed development will involve the closing/diversion of a footpath(s) you are advised to contact the City Solicitor and Head of Administration, Town Hall, Sheffield, S1 2HH, as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the footpath(s) under Section 257 of the Town and country Planning Act 1990.
2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

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

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

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

The notice should be sent to:-

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

For the attention of Mr P Vickers

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

4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
5. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:
Richard Harris
Ecology Manager
Sheffield City Council
Meersbrook Park
Brook Road
Sheffield
S8 9FL

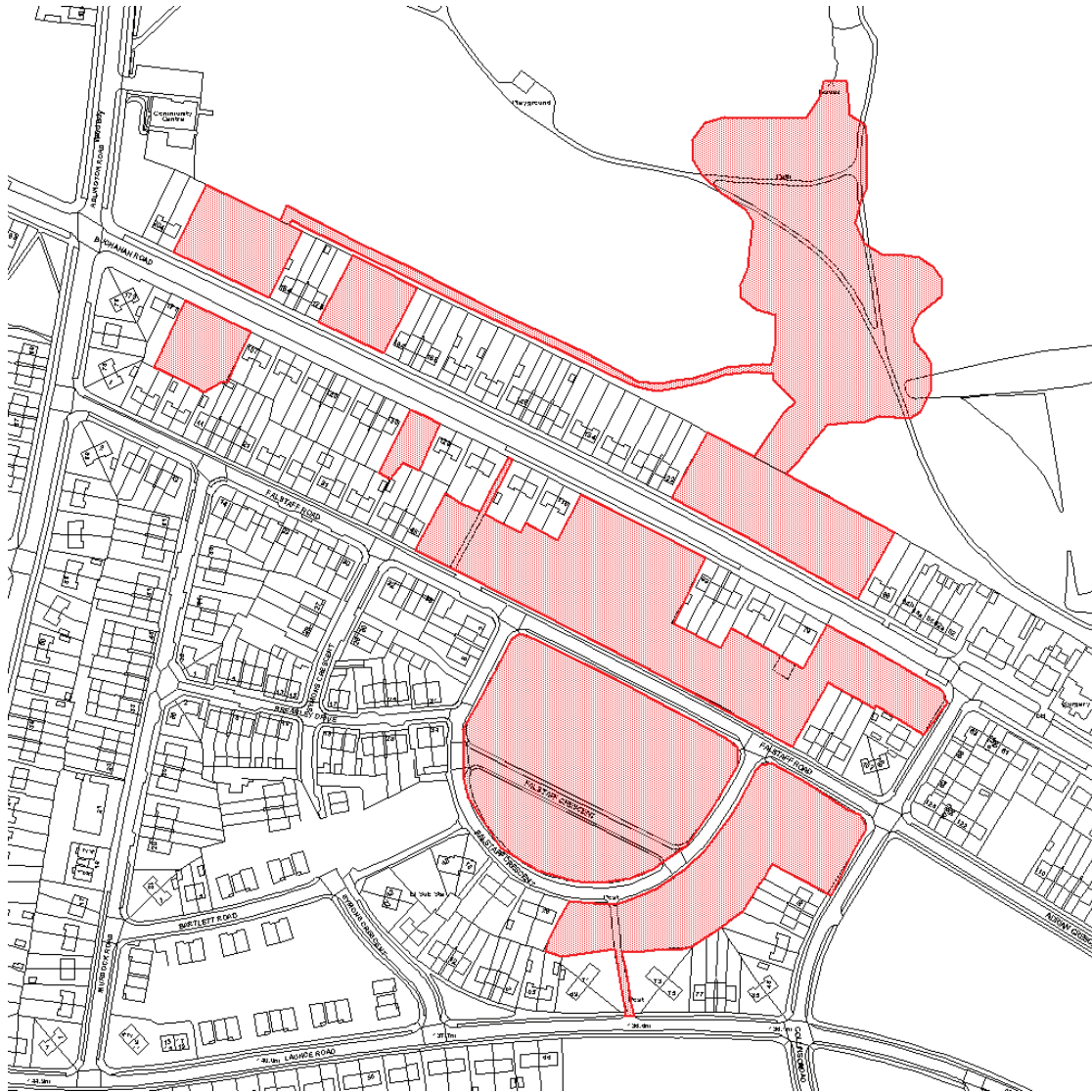
Tel: 0114 2734481
E-mail: richard.harris@sheffield.gov.uk

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

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

7. 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

The application has been submitted by Sheffield Housing Company (SHC), which is a long-term regeneration vehicle set up to deliver high quality sustainable homes for sale and rent. The SHC is a partnership between Sheffield City Council, Keepmoat and Great Places and aims to deliver high quality homes which contribute to regeneration and to the development of attractive and sustainable neighbourhoods and communities. The dwellings have been designed to be spacious and adaptable and the majority are designed to meet Lifetime Homes and National Housing Federation Standards. The development has also been designed with reference to the Sheffield Sustainable Communities Framework

Manual which sets 8 criteria relating to sustainability issues such as energy, community and place shaping.

The application forms part of SHCs second phase of development which comprises approximately 550 homes in total across this site and others in Norfolk Park and Earl Marshall. Work is currently underway on Phase 1 one of SHCs development at Falstaff Phase 1, Shirecliffe and Norfolk Park.

LOCATION AND PROPOSAL

The application relates to eight separate sites located along Falstaff Road, Falstaff Crescent, Collinson Road and Buchanan Road, the combined sites have a gross area of 3.5 hectares. Historically the sites accommodated social housing which was built in the 1930s on former open farmland. However a programme of demolition has been ongoing since 2000 to clear dilapidated areas of social housing, these cleared areas are the subject of this current application.

Following clearance works the sites have reverted to grassland which appears to be regularly maintained. Generally the land slopes down from south to north with a level difference of approximately 14 metres. All sites have a gentle slope down from south to north and there is a degree of infill and excavation on the majority of sites.

The surrounding area is wholly residential and characterised by areas of social housing dating from the 1930s and characterised by semi-detached and terraced red brick and rough cast render dwellings with small areas of amenity space to the front and the main amenity space to the rear. There are also modern dwellings which are currently being constructed as part of Falstaff Phase 1 which comprises 142 dwellings located on land bounded by Falstaff Road, Murdock Road and Launce Road. These dwellings are a mixture of semi-detached and detached properties which are mainly two-storey in height and constructed from red brick or grey brick and white render. Parson Cross Park is located immediately to the north of the site beyond Buchanan Road whilst the Chaucer District Centre is located approximately 400 metres to the west of the site.

Planning permission is sought for the erection of 122 dwellings on eight sites and range from just 2 dwellings per site (site O) to 32 (site C). The dwellings will be a mixture of largely semi-detached and terraced properties with just one detached dwelling proposed. The dwellings would be mainly 2 storeys with some (a total of 14) 2.5 and 3 storey properties. Of the units 25 are 4 bedroomed homes, 52 are 3 bedroomed and 46 are 2 bedroomed. The scheme also proposes a large area of public open space in the form of a village green and a green link from this area through to Parson Cross Park. A Sustainable urban Drainage (SuDs) pond is proposed in the village green and this will link through to three SuDs ponds in the park which are also part of this application.

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

The application has been advertised by way of neighbour consultation letters which were sent to 118 properties. Several site notices were also displayed at various points across the site and a notice published in the Sheffield Telegraph. One letter of representation has been received. This questions whether the gennel between Buchanan Road and Falstaff Road will be closed off and if so how will it impact on adjacent properties. Concerned that the gennel will be used for fly tipping and query how the privet hedge will be cut and the gennel kept clean. The applicant has engaged in community consultation by way of a community design workshop in June 2014 and a public pre-planning consultation event in August 2014, both were held in Parson Cross Library.

PLANNING ASSESSMENT

Land Use Policy

The relevant local policy documents are the adopted Unitary Development Plan (UDP, 1998) and the Sheffield Development Framework (SDF) Core Strategy document (2008). The Core Strategy is more up-to-date, providing the overall spatial strategy for the SDF over the period 2009 to 2026.

The sites fall within a Housing Area as allocated in the adopted Sheffield Unitary Development Plan (UDP). They are similarly designated as Housing Areas in the Sheffield Local Plan Pre Submissions Proposals Map.

Policy H10 "Development in Housing Areas" states that in these areas housing will be the preferred use. The development of the site for housing is therefore acceptable in principle.

The site was previously developed for housing and is therefore considered to be a brownfield site. Core Strategy Policy CS24 prioritises building on brownfield sites and requires that no more than 12% of dwelling completions will be on greenfield sites between 2004/05 and 2025/26. The proposed development will help to achieve this policy requirement.

Core Strategy Policy CS26 aims to make efficient use of land for new housing and sets out appropriate density ranges dependent on location and accessibility.

These sites all fall within 400m of a high frequency bus route and therefore the appropriate density range is 40 - 60 dwellings per hectare. However, the density of new developments should also be in keeping with the character of the area and support the development of sustainable and balanced communities. In calculating the density the areas of open space comprising the village green and green link have been removed, leaving a site area of 3.05 hectares. This gives a net density of approximately 40 dwellings per hectare and therefore is in accordance with Policy CS26.

In terms of creating mixed communities CS41 promotes a mix of housing including homes for larger households, especially families. As detailed previously, the development proposes a mix of 2, 3 and 4 bedroomed homes and so meets the aims of this policy.

Viability

As mentioned previously the application has been submitted by the Sheffield Housing Company which is a joint venture between various partners and is a long term regeneration vehicle. The application is one of four that have been submitted at similar times and are all due to be decided at this committee meeting. The

applications relate to the sites at Falstaff CDEFOPQ and R, Earl Marshall, Norfolk Park 4 Bluestones and Norfolk Park 5C.

The company is proposing to deliver development in some marginal areas where ordinarily there would be no market response. In order to do this in financial terms there are "positive sites" such as those at Norfolk Park which will cross fund "negative sites" such as Falstaff.

A full independent costing exercise has been carried out on behalf of the Housing Company in relation to the four sites identified above. As a result of this the company have concluded that the schemes are not viable without certain dispensations to reduce the costs associated with the development. These are summarised below:

- The developments are not capable of making any Section 106 contributions or providing renewable energy
- 25% mobility housing will be provided at Norfolk Park 4 Bluestones and Norfolk Park 5C, however for viability reasons only 10% and 23% mobility housing is proposed for Earl Marshall and Falstaff respectively

The financial information has been reviewed by the District Valuation Office who is in agreement that the developments when combined are not financially viable. The final report from the District Valuation Office states that "adding to the financial burden of the project, by imposing additional S.106 obligations/conditions which will impact further on the already marginal viability, risks the project not proceeding at all".

It is noted that it is unusual to consider the combined viability of four schemes together in this way. However, given the marginal nature of some of the sites and lack of mature housing markets it is considered acceptable and will allow the development of sites which would otherwise be unviable.

The proposed dispensations are not ideal and will be discussed further in the relevant sections below along with any positive elements of the proposal which may act as some compensation.

Design

Policy CS74 "Design Principles" of the Core Strategy states that high quality development will be expected which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods. It also states that development should contribute to place making and contribute to a healthy, safe and sustainable environment which promotes the city's transformation and helps to transform the character of physical environments that have become run down and are lacking in distinctiveness. Development should also enable all people to gain access safely and conveniently, providing, in particular for the needs of families, children, disabled and elderly people and should contribute towards creating attractive, sustainable and successful neighbourhoods.

Unitary Development Plan Policy BE5 "Building Design and Siting" states that good design and the use of high quality materials will be expected in all new buildings.

Policy H14 "Conditions on Development in Housing Areas" states that new development will be permitted provided that new buildings are well designed and in scale and character with neighbouring buildings.

The proposal has been designed to sit comfortably in the local context of existing housing whilst also forming a distinctive and contemporary development. The scheme will link with Falstaff Phase 1 and build upon the success of this scheme resulting in the creation of a distinctive new destination and hopefully leading to further regeneration in the area.

The scheme has been designed around the concept of creating a "village green" and a green link from this through to the park to the north of the sites. The village green will be sited directly adjacent to the Phase 1 development site and will provide links through from the "village street" which similarly was the focal point for the previous development. The green will be a landscaped area with a pond and will provide a focal point for the development as well as an easily accessible open space for the local community.

The development proposes two different character areas. The first of these is the area around the village green and linear green link (parts of site C, E and F) where dwellings have been designed to create a sense of place and a feeling of enclosure and overlooking to the pedestrian areas. The dwellings here are constructed from white render and black brick and will be a continuation of this material palette from the "village street" in phase 1. The dwellings around the village green are 2.5/ 3 storeys high and have been designed in this way to offer a greater sense of enclosure and also to maximise views over the park. The materials palette of white render and black brick continues through the linear park however the houses here are two-storey high. Houses have been orientated so that they front the linear park, thus allowing for natural surveillance of this area and increased security. When viewed in conjunction with phase 1 of the development there is a clear focal point to the developments that being the village street which flows into the village green and beyond this the linear park and the character of properties in these areas are harmonious.

The dwellings in this character area have a bold appearance largely owing to the contrasting materials palette proposed. Whilst the materials palette is not characteristic of the traditional properties in the area, it provides a new contemporary approach to development and links with Phase 1, as such it is acceptable. The dwellings have been designed with uncluttered crisp elevations with large openings. There are some mono-pitch roof features in the area and these reflect the mono pitch roofs used in phase one. However, the roofs are predominantly gables with some asymmetrical gables used mainly to signify the start/end of a block. The use of asymmetrical roofs is somewhat unusual and there is nothing similar within the locality. Concern has been raised that these roofs are awkward in appearance and result in difficult roof junctions. The applicant was asked to amend the asymmetrical roofs and replace them with simple symmetrical gables, however they have been unwilling to do this as they consider the approach taken to provide a distinctive character to the area. However, the architect has improved the appearance of several of the dwellings by reducing the step in height between adjoining properties and therefore improving the roof arrangements which were of particular concern. Whilst the inclusion of the asymmetrical roofs is not ideal they are not considered to be a reason for refusal.

The second character area comprises the remainder of the sites (F, O, P, Q, R and parts of C, D and E) and represents a more traditional approach to infilling the gaps within the existing street scenes. These properties are to be of a scale commensurate to adjoining existing dwellings and are to be semi-detached or rows of three or four dwellings with gennels providing access through from the street to the central properties.

In these areas the properties will benefit from a front garden with a larger private amenity space to the rear and off-street parking to the front and sides of the dwellings

These dwellings will be constructed from redbrick with grey interlocking tiled roofs. Generally, the properties have a simple design with recessed entrances providing articulation in the front elevation and large modern fenestration detailing. The scale and layout of these dwellings reflects that of the surrounding area, however they offer a more contemporary form of development. As with the first character area the dwellings in the second character area also include a mixture of traditional gable roofs and some asymmetrical roofs mainly at the start/finish of blocks. Again, concern is raised about the appearance of these roofs but they are not considered to be a reason for refusal.

Residential amenity

Policy H14 "Conditions on Development in Housing Areas" states that new schemes should not lead to overdevelopment, deprive residents of light, privacy or security and provide adequate amenity space. Policy H14 is also supplemented by an adopted Supplementary Planning Guidance on Designing House Extensions which sets out more detailed guidance on subjects such as design, overbearing and privacy. Whilst this document relates to house extensions, the guidance and in particular separation distances are a useful tool in determining the appropriateness of new housing development.

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

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

The development has been designed to ensure that there are adequate separation distances to prevent overlooking and a loss of privacy. In particular, there is over 21 metres between main facing windows and at least 12 metres between main windows and blank gable elevations. Amendments have been received showing the dwelling on plot 202 realigned so that it does not break a 45 degree line with the windows in the rear elevation of the property on plot 164.

Generally the dwellings achieve a minimum garden size of 50 square metres and a distance to the rear garden boundary of 10 metres, in accordance with relevant guidance. However, there are several instances where the achievement of these parameters has not been possible. In particular plots 167 and 168 have gardens which are 9 metres in length as do plots 181 and 183. In these cases the architect has confirmed that there is no scope to increase the garden lengths owing to the overall site layout. Whilst not ideal the garden lengths are only marginally less than 10 metres and will still provide adequate useable space and will not lead to an unacceptable loss of privacy to neighbouring residents.

In several cases where new dwellings sit next to existing housing there are windows in the side elevations of existing properties which serve kitchens which may experience a degree of overshadowing from the new developments. However, it is highlighted that the new properties replace existing housing and that the impact on these windows will be no worse than previously.

The dwellings are to be located in an existing residential area where the level of noise is commensurate with such an area. As such it is considered that the sites will provide adequate conditions with regards to noise levels. It is considered that the proposal does not represent an overdevelopment of the site and the proposed development would not be harmful to the amenity of occupiers of existing neighbouring properties or occupiers of the development itself. In these respects the proposal would accord with UDP Policy H14 and H15.

Landscape

Unitary Development Plan Policy BE6 seeks to ensure that good landscaping design is provided in all new developments.

A landscape statement has been submitted with the application which demonstrates how both the hard and soft landscaped areas are to be treated. At present the sites are covered with mown grassland following demolition of existing housing, this is of little ecological value. There are a small number of semi-mature and mature trees across the sites which will be retained where possible and incorporated into gardens. Plot F benefits from a belt of trees along the northern boundary which are within the park; care must be had to protect the root protection zones of these trees. Furthermore, the hedges along the north boundary but within the park provides ecological value and will be retained with the exception of the new park entrance.

The development will provide a central village green and a linear park, a new public footpath will be provided through these open spaces and will through from the "village street" in phase 1 to a new entrance to Parson Cross Park to the north. A new path will also be provided in the park to link the new entrance with existing footpaths.

The village green is the largest public open space within the development and will provide the main amenity space for informal public use. A large area of grassland will dominate the space bounded by large tree species and low colourful shrub/perennial planting. The Green will also incorporate a large permanent SUDs pond for the attenuation of storm water. This will act as a focal point and provide a habitat for wildlife.

The linear park has been designed to be a transitional space with limited opportunity for congregation. Housing overlooks this area and is set back and bounded by low hedges. Generally planting across the scheme will include a mix of trees, grassland bulbs and flowers to provide a variety of habitats across the site and improve biodiversity.

The proposal seeks to retain as many existing trees as possible (although it is noted that there are very few trees within the sites). A tree report has been submitted with the application and shows how trees will be adequately protected through fencing off of root protection zones.

The Housing Company were asked to amend the landscape proposals to include more diverse planting, larger trees and more deciduous varieties. Unfortunately these suggestions have been unable to be incorporated owing to a combination of viability issues, concern that deciduous species would be bare for half the year and issues regarding tree species/sizes and proximity to foundations and sewers. Nevertheless, the landscape planting scheme is deemed to be acceptable and the provision of well overlooked open spaces with new pedestrian links to the phase one development and Parson Cross park is desirable.

Boundary treatments are to be kept low to the front of properties (0.9 metres) but vary by location. Railings are proposed along traditional infill plot elevations whilst walls with railings are proposed to the front corners of plots which are at the junctions of the open space areas with highways and low hedging is proposed to the front of plots overlooking the open space areas. The high quality low boundary treatments to the front of plots are welcomed and will ensure sufficient interaction with the street. Timber fencing either 1.5 or 1.8 metres high is proposed alongside and rear boundaries and will ensure adequate privacy levels are provided. Where rear gardens are adjacent to the highway a 1.8m high boundary wall is proposed. In terms of the impact upon the streetscene this is considered to be preferable to a timber fence and will afford occupants of the corner properties a private rear garden.

Highways

UDP Policy H14 sets out that development will be permitted provided it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

Policy CS53 of the Core Strategy deals with management of travel demand and says that good quality public transport and pedestrian routes will be promoted, the best use of existing road capacity will be made and maximum car parking standards will be applied to manage the provision of private parking spaces.

The existing highway network is to be used. In curtilage parking is provided with the exception of sites O and P, where the topography of the site makes the provision of a driveway problematic. In these cases unallocated on street parking is provided to the front, given that this arrangement only applies to a total of 6 dwellings then it is considered acceptable and will not lead to on-street parking problems.

The rest of the dwellings benefit from curtilage parking either to the front of the site or up the side of the dwellings. Each property is to have at least one off-street parking space (with many properties having 2 spaces). The dwellings will also benefit from secure cycle parking facilities in the rear gardens.

The level of parking provision is deemed to be acceptable and will ensure that the area does not have on-street parking problems.

A new public footpath is proposed to run through the green spaces located centrally within the scheme and will provide a pedestrianised link between Falstaff Crescent and Parson Cross Park. The path will provide a level hard surface which will be 2 metres wide and will be well overlooked by dwellings ensuring that a secure environment is provided. The path will not be a shared pedestrian/cycle path as the costs associated with the widening of the path to allow for this are prohibitive. The path will cross the highway at two points, at both of these junctions raised tables are to be provided to highlight the crossing points and will act to slow vehicles down.

It is proposed to close two footpaths, the first between Falstaff Road and Buchanan Road and the second between Falstaff Crescent and Launce Road, no objections are raised to this. However, the developer will need to go through the Legal Closure process and this is open to objections from users and locals.

The development is in a sustainable location close to high frequency bus routes and within walking distance of the Chaucer District Centre and the local amenities that this centre offers.

The proposal complies with UDP Policy H14 and CS53 and therefore considered acceptable with regards to highway and pedestrian safety.

Disabled Access and Mobility Homes

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

The development will provide 23% of homes designed in accordance with Mayor of London's Wheelchair Housing Best Practice Guidance; these standards are more onerous than the Mobility Housing SPG. Whilst it is noted that the scheme does not quite achieve the 25% mobility housing target it is very close and the applicant has sited viability reasons for this shortfall as detailed previously. Furthermore, it is highlighted that the majority of houses will achieve the Lifetime Homes standard ensuring that homes are flexibly designed to respond to occupants changing needs over their lifetime. This is a desirable standard and is in excess of current planning requirements.

On balance and despite the small shortfall in mobility housing the development is deemed to be acceptable with regards to Policy H7.

Sustainability

Policy CS64 of the Core Strategy deals with climate change and the sustainable design of developments. This says that development should achieve a high standard of energy efficiency, make the best use of solar energy, passive heating and cooling, natural light and ventilation and minimise the impact on existing renewable energy installations.

With regard to the proposed design and construction, it is confirmed that the new buildings will be designed to minimise energy consumption, as required by Policy CS 64. Several sustainability features have also been incorporated into the scheme and include the provision of water butts in the gardens and the provision of bicycle stores.

The submission confirms that the development will achieve Code for Sustainable Homes Level 3, as required by Policy CS 64. However, Members are informed that this planning requirement has been scrapped by the Government with elements of the code now being incorporated into Building Regulations instead of Planning. Therefore, the necessity to achieve under Policy CS 64 is no longer relevant. Notwithstanding this, it is considered that the applications previous commitment to achieving the Level 3 will ensure that the new buildings will be built in a manner to ensure that resources are used sustainably to help mitigate climate change and to withstand its effects, as required by Policy CS 64.

Policy CS65 of the Core Strategy says that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

In terms of viability, Paragraph 96 of the NPPF states that, in determining planning applications, local planning authorities should expect new development to "comply with adopted Local Plan policies on local requirements for decentralised energy

supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable."

The applicant's viability issues have been assessed by the District Valuation Office who has verified that the scheme does not achieve acceptable levels of viability. Therefore it is not proposed to provide the 10% renewable energy requirements as part of the application. Given the conclusions of the District Valuation Office and the viability dispensations of Policy CS65 and the NPPF this is considered to be sufficient justification for non-compliance in this instance.

Notwithstanding the above, SHC has stated that it does aspire to providing an element of photovoltaic provision on the site. Therefore, it is confirmed should the finances improve sufficiently as a result of the tender process, or an alternative means of funding the equipment be found over the forthcoming months, then SHC will seek to introduce this retrospectively. Furthermore, it is confirmed that the roofs of the buildings will be designed to be structurally capable of accommodating photovoltaics to enable retrospective installation.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into all large scale developments. There are no green roofs provided as part of this development but given the other design considerations and the viability issues discussed, the failure to include is not considered to be a reason to refuse the application.

Flood Risk and Drainage

Core Strategy Policy CS67 deals with flood risk management and requires the use of Sustainable Drainage Systems on all sites where feasible and practical. The NPPF requires a site specific flood risk assessment for proposals of 1 hectare or greater in flood zone 1 and states that such assessment "...must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."

In accordance with the above a Flood Risk Assessment has been submitted with the application. This identifies the site as being in a flood zone 1 with a low probability of flooding of 1 in 1000 in any one year. The development of housing in flood zone 1 is acceptable.

The Environment Agency have raised no objections to the scheme subject to the addition of conditions.

At present the site comprises predominantly permeable areas (3.267 hectares) with only small amounts of impermeable areas (0.233hectares) consisting mainly of existing highways which drain into the combined sewer network.

The proposed development will increase the amount of impermeable areas within the site but also retain some permeable areas such as private garden areas and public amenity space. Overall the amount of surface water generated within the site will be increased when compared to the pre-development conditions.

It is proposed to incorporate Sustainable Urban Drainage systems (SUDs) across the site to ensure that the final surface flow rates do not exceed the sites Greenfield run-off rate. On-surface attenuation features are proposed across the development and include a village pond within the village green which will be a

maximum of 600mm deep and will discharge into a new deeper sewer within Falstaff Road. All flows will then discharge into Parson Cross Park where the new sewer will break ground and discharge into a swale. The swale will then follow the existing ground profile where it will discharge into a series of three basins within the park. The first basin will follow the design of the village green pond and is sized for 1 in 1 year flows and will be a permanent wet feature and will treat the first flush of contaminates exiting the new system. On storms over 1 in 1 year return periods this pond will be full and flows will exit down a channel into the second basin. This second stage of attenuation will be an informal depression in the park and will accommodate flow for storms between 1 in 2 and 1 in 5 years. The third basin will also be an informal depression which will attenuate up to a 100 year plus climate change event. Using this series of basins will help to maintain the existing ground profile in the park as the basin depressions run along the existing gradient there will be very little cut and fill.

The piped drainage system will be adopted and maintained by Yorkshire Water. The village green SUDS feature will be maintained by a Management Company using funds from the service charge paid by leaseholders. The SUDS features located off-site will be maintained by Sheffield City Councils to an agreed specification and again funded from the development service charge and administered by the Management Company. Further details of such arrangements will be secured via condition.

Whilst the details of the SUDS are generally acceptable there are ongoing discussions regarding some of the more complex matters. Whilst these could be secured by condition the applicant wishes to minimise the number of conditions and so is seeking to agree details with our drainage department prior to the decision being issued.

Yorkshire Water have objected to the scheme and requested clarification on a number of matters. The developer is in discussions with Yorkshire Water and have forwarded on some correspondence which shows evidence of this; it is expected that the issues raised by Yorkshire Water will have been resolved prior to the application being heard at committee. Members will be updated on this matter.

Open Space and Education Contributions

UDP Policy H16 "Open Space in New Housing Developments" requires that the Applicant makes an appropriate contribution towards the provision or enhancement of public space on or within the vicinity of the application site.

Core Strategy Policy CS 46 "Quantity of Open Space" states that where there is a quantitative shortage of open space per head of population in the local area new open space will be created as opportunities arise.

An open space assessment has been carried out and this shows that there is an over provision of informal open space and an under provision of formal open space. As such the development would be required to provide a financial contribution towards the provision/ of recreation space.

However, in line with the viability issues as detailed previously, the scheme is not able to provide any financial contributions and as such will not be able to contribute towards the improvement of open space. It is highlighted that the development incorporates high quality public open space in the form of the village green and linear park which links to Parson Cross Park. This accounts for 5% of the land across the Falstaff Phase 1 and Phase 2 sites and has been designed to be well overlooked and to add to the distinctive character of the area. It is anticipated that

owing to the central locations of these open spaces within the site that they will provide a focal point for the community and will be well used. Similarly a contribution towards the provision of education would normally be expected for a development of this nature. UDP Policy CF5 "Community Benefits" states that planning obligations will be sought where they would enhance development proposals, provided that they are necessary, relevant and directly related to the development.

In line with details provided before the Housing Company are not proposing to provide any financial contributions towards the provision/enhancement of education in the local area owing to the financial constraints of the schemes. Members are advised that there are no viability clauses associated with either Policy H16 or Policy CF5 and therefore the failure to provide financial contributions towards Open Space enhancement or Education provision could be considered as a reason for refusal.

However, in this case it is considered that the regeneration benefits of developing this marginal site outweigh the lack of financial contributions. The District Valuation Office is in agreement that the scheme would not be viable if such obligations were required. Whilst the proposals are technically contrary to H16 and CF5 the merits of the housing scheme and the overriding need to stimulate the housing market in this area outweigh the failure to comply with policy.

Affordable Housing Contribution

Policy CS40 of the Core Strategy sets out that developers of all new housing developments will be required to contribute towards the provision of affordable housing where this is practicable and financially viable. The Affordable Housing Interim Planning Guidance (2014) provides further guidance and identifies the site as being within the north east housing market area where the expected contribution to affordable housing is zero.

Despite this the development will provide 15% of units to be available through social rent. The registered provider for these affordable units will be Great Places Housing Group. The remainder of the properties will be available through open market sale, the mix of tenures is welcomed.

Ecology

Policy GE11 of the UDP seeks to protect and enhance the natural environment. Therefore, the design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

The applicant has submitted an ecological study in support of the application. This surveyed existing habitats across the site which comprise largely of amenity grassland with smaller areas of scrub, scattered trees, and hedgerows. Through the survey work that was undertaken no evidence was found of protected species. In addition no invasive species were recorded on the site either (such as Japanese knotweed or Giant Hogweed).

The site is considered to be of low diversity value and the proposed development is considered to increase the biodiversity and potential habitats particularly in relation to the SuDs features and communal open spaces. Bat and bird boxes with the development are also expected and a sensitive lighting plan should be developed

for the woodland boundaries to ensure that artificial light spillage does not disrupt the natural behaviour of animals using the area.

Air Quality

Policy GE23 "air pollution" of the UDP sets out that development will only be permitted where sensitive uses would not be affected by air pollution.

Core Strategy Policy CS66 "Air Quality" is also relevant and stipulates that action to protect air quality will be taken in all areas of the city, especially where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

An air quality assessment has been carried out in support of the application. This analysed existing air quality using the results of monitoring carried out by Sheffield City Council and found the study area to have good air quality with concentrations of nitrogen dioxide below the annual mean objective at nearby urban background monitoring sites.

The assessment concludes that the associated increase in traffic flows on local roads from the development would not lead to a significant change in air quality and so impacts on local air quality would be insignificant. The report also demonstrates that adequate air quality will be provided for new residents. It is however considered necessary to apply mitigation measures during construction to minimise dust emissions. These will be secured by way of condition.

Public Art

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

Sheffield Housing Company has a Public Art strategy to outline a mechanism for combining monies from the Phases at each location to achieve meaningful public art projects in the neighbourhoods, where the new developments are being built. The creation of the strategy was a conditional requirement of the Phase 1 developments.

At Falstaff the public art project will create a new park entrance into Parson Cross Park off Buchanan Road.

Phase 2 (including this application) will allocate further fundings to achieving the Public Art strategy. However, given the viability issues surrounding the Phase 2 projects (as confirmed by the District Valuation Office) it is considered that the contribution per dwelling that has been committed to as part of the Phase 1 works (£175) may be less.

In light of the above, it is considered appropriate to deal with Public Art provision by condition with the expectation that SHC put forward their strategy proposal, albeit with possible changes in value per dwelling, before development commences with implementation expected before occupation. This approach would satisfy the requirements of Policy BE12.

SUMMARY AND RECOMMENDATION

This application by the Sheffield Housing Company seeks planning permission to erect 122 dwellings on eight sites located around Falstaff Road, Falstaff Crescent, Collinson Road and Buchanan Road.

The layout, design and general appearance of the development is considered to be acceptable and will provide a contemporary development which will link to Falstaff Phase 1. The development includes attractive areas of public open space including a village green which will provide a focal point for the area and create a sense of place.

The dwellings will provide adequate living conditions for future residents with the majority meeting lifetime homes standards and 23% meeting mobility housing standards. The dwellings will provide existing and future occupiers will adequate levels of amenity and privacy.

The development largely uses existing highway infrastructure and will provide adequate levels of in curtilage parking provision. The creation of a new public footpath is welcomed and will provide a link through the site from Falstaff Phase one and into Parson Cross Park through the new areas of open space.

Sustainable urban Drainage systems will be provided in the form of a pond in the village green and attenuation ponds in the park. These will ensure surface water run-off is dealt with on site and will not increase the risk of flooding. Furthermore these ponds will provide attractive features which will increase the biodiversity and habitats within the locality.

The failure to provide financial contributions towards the provision of Open Space, Education and Public Art are disappointing. As is the potential lack of provision of renewable energy. However, the applicant has submitted a detailed financial appraisal of the scheme and shown that the provision of these elements is not viable. The report has been ratified by the District Valuation Office who have confirmed that the scheme would not be viable if it were to provide these financial contributions.

It is considered that agreeing to the proposed dispensations proposed will allow for the redevelopment of these sites in marginal areas and this will boost the housing markets and aid overall regeneration.

Overall it is considered that the benefits of the scheme outweigh the shortfalls and it is recommended that members grant planning permission subject to the proposed conditions.

Case Number	15/00158/OUT (Formerly PP-03911664)
Application Type	Outline Planning Application
Proposal	Demolition of existing dairy and outbuildings, use of existing farmhouse as a dwellinghouse and erection of up to 13 dwellinghouses
Location	Cowmouth Farm 33 Hemsworth Road Sheffield S8 8LJ
Date Received	16/01/2015
Team	South
Applicant/Agent	The Co-operative Group (Mr Matthew Stafford)
Recommendation	Grant Conditionally

Subject to:

Time Limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

Drawing (Archer Architects):
5486(P)503 A (means of access only)

Reason: In order to define the permission.

Pre-Commencement Condition(s)

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

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and postinvestigation works.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

5. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

6. No development shall commence until full details of measures to protect the existing trees, shrubs and hedge/s to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

7. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the of the completed development will be obtained from decentralised and renewable or low carbon energy;

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

8. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) Appearance; (b) Landscaping; (c) Layout; and (e) Scale (matters reserved by this permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

Pre-Occupancy and other Stage of Development Condition(s)

9. Application for approval in respect of any matter reserved by this permission must be made 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.

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

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

11. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

12. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is

commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellings 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 enclosure shall be retained.

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

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

Reason: In order to mitigate against the risk of flooding.

14. Bat boxes, bat access tiles and bird boxes shall be provided to any retained buildings prior to occupation in accordance with details to have first been submitted to and approved in writing by the Local Planning Authority. Thereafter these features shall be retained.

Reason: To protect opportunities for wildlife.

Other Compliance Conditions

15. No demolition works shall be carried out before a contract for the carrying out of the works of redevelopment of the site has been made, evidence that such a contract has been made has been submitted to and approved by the Local Planning Authority and planning permission has been granted for the redevelopment for which the contract provides

Reason: To ensure that premature demolition does not take place.

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

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

17. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted

immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

18. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

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

Reason: To ensure satisfactory drainage arrangements.

20. The reserved matters details shall include the provision of permeable/porous hard surfaces and/or shall make provision for surface water to run off from the hard surfaces within the curtilage of individual dwellings to permeable or porous areas.

Reason: In order to control surface water run-off from the site and mitigate against the risk of flooding

21. The reserved matters details shall include a minimum 2 metres wide shared pedestrian/cycle path between the new road and Warminster Place

Reason: In the interests of delivering sustainable forms of transport

22. Details of an area of open space, which shall be no less than 10% of the site area and shall include details of its use and any structures to be erected upon it, shall be included with the reserved matters submission for the siting of the dwellings hereby approved. This condition shall not preclude an agreement being reached with the Council for some alternative means of providing the requisite open space either on another site or by way of a contribution towards the provision or improvement of facilities on another site.

Reason: In order to meet the requirements of Policy H16 of the Unitary Development Plan.

23. Where access driveways give both vehicular and pedestrian access to a dwelling, the driveway shall be at least 3.2 metres in width.

Reason: In the interests of the safety of road users.

24. Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

Attention is Drawn to the Following Directives:

1. The applicant is advised to undertake further bat surveys prior to any demolition work commencing to ensure that any new bat colonisation is adequately protected.
2. The applicant is advised that the predicted carbon emissions reduction required by Condition number should be measured against recognised criteria, such as the Building Regulations Target Emission Rate or other officially recognised method.
3. The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

4. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:
Richard Harris
Ecology Manager
Sheffield City Council
Meersbrook Park
Brook Road
Sheffield
S8 9FL
Tel: 0114 2734481
E-mail: richard.harris@sheffield.gov.uk
5. The applicant is advised that the carrying out of any works to the existing trees, hedges or shrubs within the site, which are works authorised by this permission will constitute the commencement of work on the development. The unauthorised removal of any tree, hedge or shrub or any other works which threaten their future vigour and quality, may result in breach of condition action. It could also mean that the development is materially different from that which has permission and may be liable to enforcement action and the submission of a new planning application may be required.
6. When preparing detailed proposals for the development of this site, the developer is advised that the Council will encourage the provision of easily accessible housing, capable of adaptation to meet the needs of various people with mobility impairments. Known as "mobility housing", further details are available together with guidance notes from the Access Officer on (0114) 2734197 or from Planning Enquiries on (0114) 2039183.

7. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from SCC Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
8. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

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

9. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
10. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
11. 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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LOCATION AND PROPOSAL

The application relates to the site of Cowmouth Farm, a former Co-Operative Dairy in Hemsworth Road which ceased operating in 2008. The site area is approximately 0.63 hectares and includes the main farmhouse (last used as offices in connection with the dairy business) and a range of original outbuildings attached to the farmhouse which are set in an 'L' shaped arrangement. These buildings date to the late 18th and early 19th centuries and have significant local historic interest. There are also a number of 20th century additions, some of which are attached to the outbuildings. An elongated range of loading bays lie close to the

north east boundary and there is also a large warehouse building, a smaller flat roofed cold store building and a poly tunnel. There is an area of grass immediately behind the front boundary to the east of the access. Behind the grassed area is an informal car parking area.

To the west of the site in Hemsworth Road is a row of detached bungalows with hipped roofs. To the east of the site in Hemsworth Road is a row of semi-detached two storey dwellings. Similar detached and semi-detached dwellings adjoin the site to the north east in Warminster Place (cul-de-sac). All the dwellings are traditional c1930 bay windowed buildings that are rendered or half-rendered with rosemary tiled or slate roofs and with generally long rear gardens.

The rear boundary of the site adjoins disused playing fields owned by Sheffield Hallam University. Access to the playing fields is taken from further west along Hemsworth Road. Graves Park is on the opposite side of Hemsworth Road. The boundaries to the north (playing fields) and west (bungalows) are screened by semi-mature trees and shrubs. There is a tall conifer hedge to the boundary with No47 Hemsworth Road, together with two small trees and a larger tree towards the rear boundary of that dwelling.

Vehicular access to the site is taken through a wide driveway from Hemsworth Road. The levels fall away from Hemsworth Road with the site levelling out approximately 4m below road level at a point approximately 40m into the site. There is an approximately 4m wide overgrown track access into the site from Warminster Place. Although the site is vacant, there is open pedestrian access through the site from this track to Hemsworth Road which appears to be well used.

The application is in outline for the demolition of all the buildings except the farmhouse and the erection of up to 13 detached dwellinghouses. Only details of the means of access are requested to be approved. All other matters are reserved for subsequent approval.

RELEVANT PLANNING HISTORY

An application for full planning permission for the demolition of all the buildings except the farmhouse, and the erection of 13 detached dwellinghouses was refused in November 2013 (ref 13/01919/FUL). The reasons for refusal were:

- In the absence of a scheme of archaeological investigation as requested in writing on 7 August 2013, the Local Planning Authority must assume that the proposed development could have a detrimental impact on below ground archaeological features. As such the proposed development is deemed contrary to Policy BE22 of the Unitary Development Plan.

- In the absence of the additional bat survey work requested in writing on 7 August 2013, the Local Planning Authority must assume that the proposed development could result in harm to a species or its habitat protected by law which cannot be adequately mitigated. As such the proposed development is deemed contrary to Policy GE11 of the Unitary Development Plan.

- The proposed development does not make sufficient provision for open space to meet the needs of future occupiers of the development and is thereby contrary to Policy H16 of the Unitary Development Plan and the associated adopted Supplementary Planning Guidance "Open Space Provision in New Housing Development".

- Insufficient information has been provided to determine that the dwellings to Plots 1-4, 9 and 13 would not have a detrimental impact on the street scene or on existing and proposed adjoining dwellings. In the absence of full details of the proposed dwellings the Local Planning Authority must assume that the proposed development could be detrimental to the street scene and the amenities of occupiers of adjoining dwellings and the proposals are therefore deemed contrary to Policies BE5 and H14 of the Unitary Development Plan and Policy CS74 of the Local Plan Core Strategy.

A 2014 re-submission of the 2013 application was ultimately withdrawn as the content did not address reasons 1, 2 or 3 for the previous refusal (ref 14/01653/FUL).

An outline application for planning permission for the erection of 18 dwellinghouses was submitted in 2008 but was withdrawn prior to determination (ref 08/04520/OUT).

SUMMARY OF REPRESENTATIONS

4 representations have been received from local residents and interested parties. The representations are summarised below:

- Cowmouth Farm is last of the Norton Dairy Farms which were part of the Norton economy - loss of 17th Century (or earlier) farmyard would destroy part of historical character of area and leave nowhere that can give an idea of old Norton (also refers to loss of farmyard at Bishops House which has similar farming and scythe making links).
- Whole area is important as part of ancient metalworking trade that went hand in hand with dairy farming - should not be destroyed.
- Dairy industry links with the sculptor Chantry who was a milk boy, delivering milk to Sheffield from his family farm.
- Not opposed to new development as old dairy is in very poor state of repair but has concerns (below).
- Outline proposals suggest a retaining wall - existing boundary supports privet hedges and mature trees which need protection to prevent damage.
- Queries proposed ground levels - current yard behind Nos 8 and 10 Warminster Place is 2m higher than garden levels and raises concerns about the need for a 2m high retaining wall in place of the wall of the existing garages.
- Queries drainage proposals - gardens already suffer large amounts of surface water, causing major surface floods (No's 8 and 10) partly due to natural watercourse that runs through site.
- Concerns re overlooking from new houses to rear of No's 8,9,10 and 12 Warminster Place - loss of privacy to rear gardens and windows.

- Risk of losing sunlight due to height of buildings and relative site levels (Warminster Place).
- Bungalows are predominant in Hemsworth Road and Derbyshire Lane - don't understand need for tall buildings.
- Public right of way is valuable short cut through site for residents - should not be used for development but safety concerns if used as thoroughfare during construction or more intensively as there is a lack of pavement space in Warminster Place.

Councillor Roy Munn has also made representation:

- Cowmouth Farm is unique to area - surviving example of 'U' shaped farming complex relevant to early rural metalworking industry - site has documented evidence of occupation going back to mid-16th Century.
- contrary to National Planning Policy Framework (NPPF) and local policies:
- (NPPF) - planning system should contribute to protecting and enhancing natural, built and historic environment; should conserve heritage assets in a manner appropriate to their significance to be enjoyed for their contribution to the quality of life of this and future generations; should take account of desirability of sustaining and putting them to viable uses consistent with their conservation - demolition of barns is contrary to NPPF - enhancement of site is possible with retention and re-use of the barns and removal of modern additions; heritage assets are of high local interest and should be conserved; buildings can be put to uses consistent with their conservation (barn conversion).
- (UDP) - Designs should take full advantage of the site's natural and built features; heritage buildings and areas will be preserved or enhanced: retention of unlisted historic buildings of local interest will be encouraged wherever practicable -removing of later additions would take advantage of built features; buildings are of historic interest and can be preserved and enhanced; although not listed it is practicable to retain and convert barns; retention of buildings does not conflict with provision and amount of housing on the site and would likely provide greater variety of accommodation.
- (Core Strategy) - expects development to take advantage of and enhance distinctive heritage, including buildings and settlement forms associated with the metal trades - Cowmouth is associated with the metal trades (refers to documented evidence).
- (City Policies and Sites (pre-submission)) - commits to retention and re-use of 4 heritage buildings comprising the former courtyard plan farm complex on this site - based on archaeological appraisals. Should be given some weight as unlikely to be changed in new Local Plan and pre-submission draft approved by full Council.
- Significance derives not only from physical presence, but also from its setting - Cowmouth Farm is in an excellent setting best viewed from historic Graves Park which gives a near complete view of the site (photo supplied). Ridge and furrows remain close to the farm (in Graves Park) which adds value to the interpretation of the buildings, landscape and park.
- rare survival of a farm complex and associated with the metal trades.
- in favour of housing development on site which retains all the historic buildings.

PLANNING ASSESSMENT

Policy

The site lies within a Housing Area as defined in the adopted Unitary Development Plan (UDP). The Housing designation is retained in the Local Plan Draft Proposals Map (pre-submission version). No special designations affect the site.

The most relevant UDP and SLP Core Strategy policies are:

BE5 (Building Design and Siting)
BE6 (Landscape Design)
BE9 (Design for Vehicles)
BE20 (Other Historic Buildings)
GE11 (Nature Conservation and Development)
GE15 (Trees and Woodland)
H7 (Mobility Housing)
H10 (Development in Housing Areas)
H14 (Conditions on Development in Housing Areas)
H15 (Design of New Housing Developments)
H16 (Open Space in New Housing Developments)
T8 (Pedestrian Routes)
T10 (Cycle Routes)
T25 (Car Parking in Residential Areas)
CS22 (Scale of the Requirement for New Housing)
CS23 (Locations for New Housing)
CS24 (Maximising the Use of Previously Developed Land for New Housing)
CS26 (Efficient Use of Housing Land and Accessibility)
CS41 (Creating Mixed Communities)
CS63 (Responses to Climate Change)
CS64 (Climate Change, Resources and Sustainable Design of Developments)
CS65 (Renewable Energy and Carbon Reduction)
CS67 (Flood Risk Management)
CS74 (Design Principles)

Several policies in the Local Plan City Policies and Sites document (pre-submission version) (CPS) are also relevant. However, the CPS is no longer intended to be submitted to the Government for adoption purposes although its contents are expected to be considered as part of an early review of the Local Plan. In these circumstances the CPS policies can only be given very limited weight. This assessment is therefore restricted to relying on the adopted policies only. In this instance, the CPS policies generally raise no issues over and above those contained in the quoted UDP and Core Strategy policies although the following CPS policies should be noted:

- C2 (Residential Layout, Space Standards and Accessible Housing)
- D2 (Open Space in Large New Housing Developments)

The site is allocated for Housing (Use Class C3) or Residential Institutions (Class C2) in the CPS. (Additional Allocations - ref P00499). The weight that can be given to this allocation is limited due to the aforementioned status of the CPS and an objection to the site allocation.

Government policy in the National Planning Policy Framework (NPPF) is relevant. Policies within the NPPF are referred to in subsequent sections of this report where applicable.

The following documents are also relevant:

- Supplementary Planning Guidance "Mobility Housing"
- Supplementary Planning Guidance "Open Space Provision in New Housing Development"
- Supplementary Planning Document "Climate Change and Design"

The South Yorkshire Residential Design Guide (2011) has been designated by Members as a Best Practice guide and is therefore a material consideration, albeit carrying less weight than the afore-mentioned policies and documents.

Principle of Proposed Development

Housing uses are preferred in accordance with UDP Policy H10 and the site is proposed to be allocated for Housing or Residential Institutions in the CPS. There was no reason for refusal on the grounds of the principle of residential development in rejecting the previous proposals (ref 13/01919/FUL).

Core Strategy Policy CS22 commits to maintaining a 5 year supply of deliverable housing sites at all times. There is currently a significant shortfall in 'deliverable' (i.e. with planning permission for housing uses) sites which is being addressed through proposals for additional Housing Site allocations in the Local Plan. Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area and Policy CS24 gives priority to previously developed sites. The proposals are in accordance with these policies and granting planning permission will increase the supply of 'deliverable' housing sites.

In view of the above, housing (Class C3) development is acceptable in principle.

Housing Density

The density equates to up to 22.2 units per hectare based on the entire curtilage of the site (0.63 hectares) and assuming a total of 14 units. This is significantly below the 30-50 density normally expected within the urban area but outside District Centres and away from Supertram/high frequency bus routes, as set out in Core Strategy Policy CS26. However, the policy provides scope for densities outside this range where they achieve good design, reflect the character of an area or protect a sensitive area. The previously refused scheme (13/01919/FUL) was considered acceptable at a density of 24.5 units/ha but this excluded the farmhouse which occupies a relatively large plot.

The site is constrained by the configuration of the boundaries, the location of the existing former farmhouse, and the consequent restricted space available to provide for adequate separation and means of access. The density is comparable to but marginally higher than the surrounding developments (approx. 21 units/ha). The indicative layout shows that generally larger units are likely to be provided which will increase the housing mix in the area in accordance with the principles of Core Strategy Policy CS41.

In view of the above, it is considered that a lower density scheme can be justified in this instance.

Archaeology and Conservation

A scoping report in respect of potential archaeological interests was commissioned by the Local Planning Authority in relation to a number of sites across the city and was carried out by Wessex Archaeology. The report appraised the individual buildings within the historic group and considers this complex to be of 'High Local Significance'. The report emphasised the potential of the buildings to contain important evidence, if later finishes and fabric were removed.

The Wessex report and appraisal considers the nature and origins of the individual elements of the complex, giving due weight to the visible evidence and the potential which is contained within the buildings. It addresses the below-ground potential and the impact that demolition and redevelopment will have on this. Due to the uncertainties of the date and nature of its origin, and having regard to the previous reason for refusal, the applicant commissioned an archaeological investigation in accordance with the recommendations of the South Yorkshire Archaeology Service (SYAS) and in accordance with the NPPF (paragraph 128). This comprised a scheme of archaeological trenching which demonstrated that some archaeological features were revealed at Cowmouth Farm. There is potential for important remains relating to early agricultural use of the farm and groundworks associated with the development could destroy finds and features of potential archaeological importance. However, given the nature and scale of the archaeological features, SYAS advise that any implications presented by development can be dealt with by planning conditions to secure a scheme of archaeological work to ensure appropriate recording of the buildings and any remains.

Whilst the range of buildings is considered to have local historic significance, it is not a designated heritage asset. The NPPF defines a 'heritage asset' as:

"A building...identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)"

The local planning authority does not currently have a local list of non-designated heritage assets and English Heritage have declined to formally list the historic buildings on two previous occasions. This effectively means that the buildings

cannot be regarded as a heritage asset and they cannot receive the same level of protection as such assets.

Notwithstanding the lack of heritage status, the applicant has been strongly encouraged to consider the retention and conversion of the locally important historic range in accordance with UDP Policy BE20. It has to be noted that BE20 was intended to be supported by Supplementary Planning Guidance in the form of a Schedule of Historic Buildings of Local Interest. However, there is no Schedule at present.

The applicant has considered the implications of retaining the historic range but has concluded that conversion for residential use is not practical or commercially viable. Limited weight can be given to this conclusion on the basis that the submitted report has been prepared by an architect's practice rather than a structural engineer with expertise in historic buildings and the report does not identify any convincing significant constraints to conversion. However, it will be very difficult to justify refusing permission for the demolition of the range of buildings in the absence of any special designations and in the absence of any local schedule of historic buildings. The proposals do at least retain the original farmhouse which is very welcome.

Notwithstanding the above, the application has been submitted with a view to securing outline planning permission prior to disposal. With the exception of the access road the layout carries little weight, serving only to demonstrate that the required number of units can be accommodated. There will be further opportunity to negotiate the details of the scheme at reserved matters stage and granting outline planning permission does not ultimately preclude conversion of the historic range if the final developer can be persuaded to take a more sympathetic approach. A condition preventing premature demolition of the historic buildings can be imposed but will not preclude demolition in principle and it should be noted that the 2013 refusal was not on the grounds of the loss of the historic buildings.

Ecology

Developers should only be required to carry out surveys for protected species if there is a reasonable likelihood of protected species being present and affected. A bat survey was undertaken in August 2014 and no bat roosts were discovered in the buildings although it was considered that there is high potential for roosts in 4 of the buildings. 3 of these buildings are proposed to be demolished. The survey data remains valid until August 2015, and the report recommends further survey work if development is not commenced before that date. Such survey work can be conditioned in order to ensure adequate protection in accordance with UDP Policy GE11. Similarly, a requirement to incorporate artificial bat boxes, bat access tiles and bird boxes to the retained building can be conditioned.

Layout

The means of access is the only matter to be considered in detail. Appearance, landscaping, layout and scale are all matters reserved for subsequent approval.

The playing fields adjoining the rear boundary of the site are expected to be partly developed for housing at some point in the future (subject to adoption of the proposed Housing Site allocation). The least problematic access route to the playing fields would be through Cowmouth Farm. There is no facility to protect a route through to the playing fields other than by negotiation.

The proposed means of access is at the existing access point from Hemsworth Road and includes a road layout which is capable of being provided to an adoptable standard. The road will also be capable of being extended through the northern boundary of the site to the playing field site if required in the future. Any such extension would be subject to negotiation between the relevant parties and cannot be secured through this application.

The means of access also maintains pedestrian access to Warminster Place. There is space here to include provision for cyclists in a shared arrangement.

The indicative layout of plots shows that the site is capable of providing 13 new dwellings in addition to bringing the former farmhouse back into use as a dwelling. It is emphasised that the arrangement of plots is not approved and there is scope for some alteration to the arrangement around the road layout if needed, depending on the final design proposals submitted at reserved matters stage.

The road layout will not compromise the ability to provide mobility housing in accordance with UDP Policy BE7 and the associated Supplementary Planning Guidance.

A number of indicative rear garden spaces fall short of the normally expected minimum 10m length. However, separation privacy distances to existing dwellings are capable of being adequate. Some of the individual private garden spaces are on the small side but are not below the minimum guidelines of 60m² as set out in the South Yorkshire Residential Design Guide.

Overall, the road layout is acceptable in accordance with UDP Policies BE9, T8 and T10 and the indicative estate layout shows that detailed proposals can be developed in accordance with Policies BE5, H14, H15 and CS74.

Sustainability

There is a presumption in favour of sustainable development as set out in the NPPF. The proposals re-use previously developed (brownfield) land and would contribute to the local community by potentially providing larger houses to meet the needs of present and future generations. The site is well located in terms of access to local shops, services and parks and there are regular bus services in Hemsworth Road.

The development will be expected to meet at least 10% of its predicted energy needs from renewable or low carbon energy. It would also normally be expected to incorporate 'green roofs' as part of the detailed design of buildings in accordance with the Supplementary Planning Document "Climate Change and Design". Such measures can be conditioned to be provided.

The detailed design should incorporate measures to reduce surface water run-off compared to the previous rate of discharge. There is no reason why such measures could not be accommodated at detailed stage.

The above measures reflect the general principles of sustainable development and show that the development is capable of complying with Core Strategy Policies CS63, CS64, CS65 and CS67 and the principles set out in the NPPF.

Landscape

The indicative layout suggests that minor adjustments within plots may be required in order to safeguard the root protection areas of trees within the site. The potentially affected trees are not prominent in the public domain and there is scope for some removals to facilitate development. The proposals are therefore considered potentially acceptable in the context of UDP Policies BE6 and GE15.

Open Space

The developer is required to make provision for recreation space in accordance with UDP Policy H16 and the accompanying SPG. Owing to the scale of development, a commuted sum for the provision or enhancement of off-site local recreation space will be appropriate to satisfy the requirement. The level of contribution can only be determined at reserved matters stage when the details of the scheme are finalised.

Education Provision

The Education Provision Interim Planning Guidance 2014, highlights the requirement set out in Core Strategy Policy CS43 for expansion of schools to be funded by developers where there is insufficient local space for demand arising from new housing developments.

An assessment of local education capacity remains outstanding at the time of writing this report, and members will be provided with an update on this issue prior to the Committee meeting. In the event that a shortfall in capacity is identified, it may be necessary to recommend the imposition of an additional condition to secure this.

SUMMARY AND RECOMMENDATION

The application is in outline. Only details of the means of access and road layout are submitted for detailed consideration. All other matters are reserved for subsequent approval.

The principle of residential development is acceptable. The proposed access and road layout is acceptable and ensures scope for continuation to serve the potential development of the playing fields to the rear of the site. The indicative layout shows that the number of units proposed can be satisfactorily accommodated although minor alterations may be required.

Archaeological and ecological appraisals have been submitted and adequate mitigation can be provided to protect such interests. The potential loss of a historic range of buildings to the rear of the former farmhouse is regrettable but very difficult to resist in the absence of any formal recognition of the buildings as heritage assets. However, granting outline planning permission for a development of up to 13 additional dwellings will not preclude negotiation at reserved matters stage to attempt to persuade the developer to be sympathetic to giving further consideration to conversion opportunities.

Overall, the road layout is acceptable and the indicative estate layout shows that detailed proposals can be developed in accordance with the quoted policies and guidance. It is therefore recommended that planning permission is granted subject to appropriate conditions.

Case Number	15/00157/FUL (Formerly PP-03793725)
Application Type	Full Planning Application
Proposal	Demolition of dwellinghouse and garage, and erection of a new dwellinghouse with integrated garage and provision of associated external hard and soft landscape works
Location	45 Stumperlowe Crescent Road Sheffield S10 3PR
Date Received	16/01/2015
Team	West and North
Applicant/Agent	Race Cottam Associates Ltd
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

(PL)04 Rev A
(PL)05 Rev A
(PL)06 Rev A,

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. Details of privacy screens at a height of 1.8 metres along the side elevations of the raised rear terrace area shall be submitted to and approved in writing by the Local

Planning Authority before that part of the development is commenced. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and occupiers of the proposed dwelling.

4. No development shall commence until full details of measures to protect the existing trees, shrubs, hedge/s to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

Pre-Occupancy and Other Stage of Development Condition(s)

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

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

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

Window reveals

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

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

7. The dwelling shall not be used unless a privacy screen along the west elevation as shown on the plans has been erected in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such screen shall be retained.

Reason: In the interests of the amenities of the locality and occupiers of the proposed dwelling.

8. Full details of replacement tree planning within the front garden area shall be submitted to and approved in writing by the Local Planning Authority and such planting shall be carried out before the development is brought into use.

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

Other Compliance Conditions

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, or any Order revoking or re-enacting that Order, no enlargement, improvement or other alteration or extension of the dwellinghouse; which would otherwise be permitted by Class A to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 shall be carried out without prior planning permission.

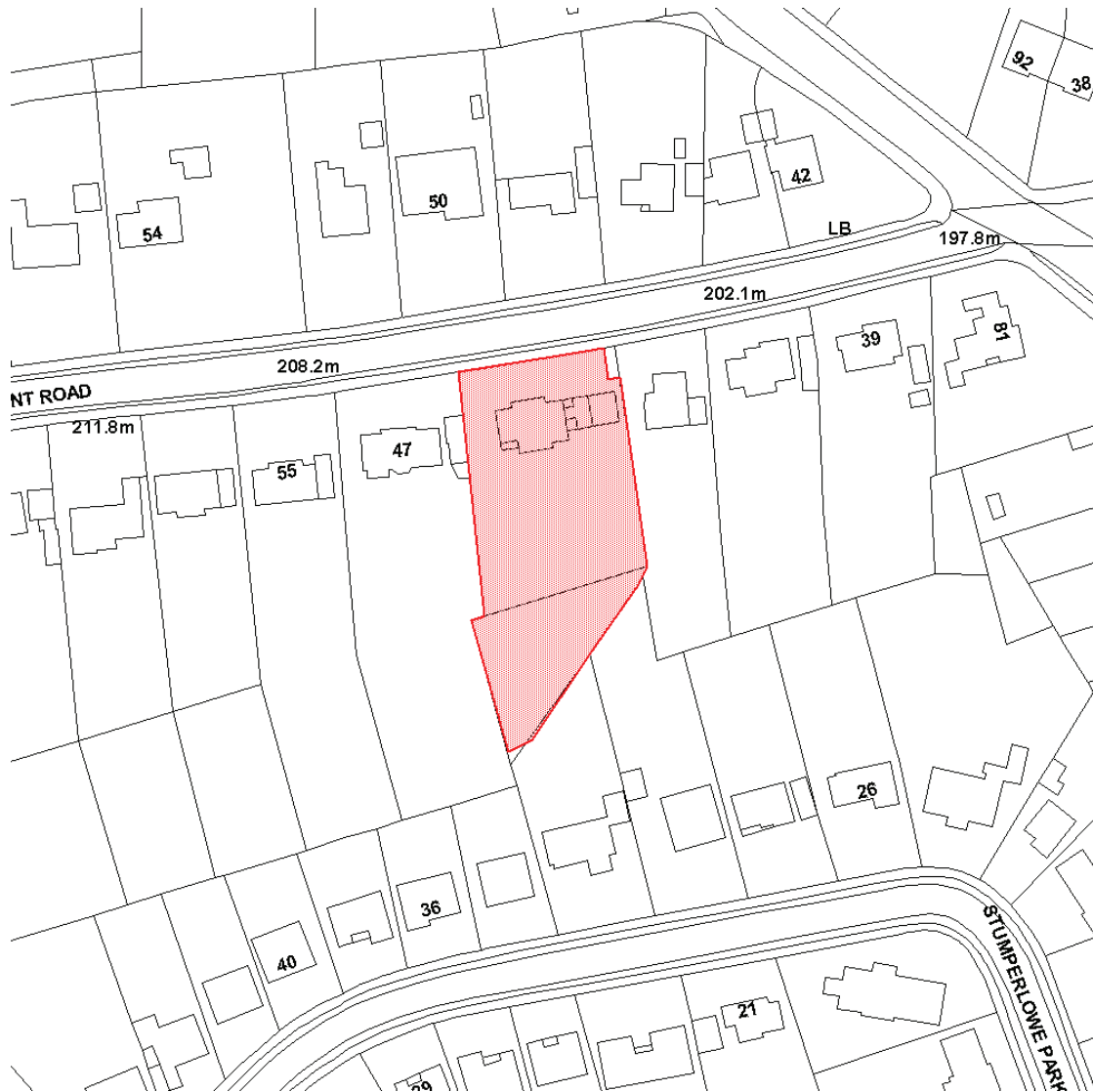
Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage.

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

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

Site Location



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LOCATION AND PROPOSAL

The application relates to a large detached dwellinghouse set within a spacious plot with an extensive garden to the rear. The dwelling is an attractive arts and crafts period property characterised by a hipped roof and a well detailed and articulated front elevation finished in render.

Stumperlowe Crescent Road is split into two sections separated by Tom Lane. The application property is situated on the upper section of the road and this comprises an attractive tree lined street with characterised by large detached properties which are well spaced and set within sizeable plots. The majority of dwellings are similar in age and appearance to the application property however

there are several infill dwellings of more modern appearance including the property directly opposite the site No. 50.

The site is located in a Housing Area as designated in the adopted Sheffield Unitary Development Plan (UDP).

Planning permission is sought for the demolition of the existing dwellinghouse and the construction of a new detached dwelling.

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

Letters were sent to neighbouring residents on the February, this led to 15 letters of objection and one letter of support, the points raised are summarised below:

Design

The proposal is out of keeping with other properties on the road, the style in particular windows and finish will not blend with other dwellings and overall it will have a negative impact on the neighbourhood.

At present the dwellings are all of a similar style mostly dating from the 1920/1930s, the new property will be out of keeping with the existing style.

The street is situated between Fulwood and Ranmoor Conservation Areas. The property is one of the finest in the street and a good example of this period of architecture and would be a loss to the area.

The proposed dwelling is of modern appearance and thus out of keeping, it appears stylistically inappropriate as it is much larger than the existing house, does not reflect the sloping geometries of other properties, the windows are not in keeping, nor are the proposed materials.

Massing of the building is in excess of existing. It may be useful if the architect provided figures to demonstrate the scale of the existing and proposed building. The windows are out of character and the number and size of rear glazing panels seems excessive.

Roof is out of keeping as it does not include any hipped features.

The proposed materials are not in keeping with the existing properties i.e. slate roof, stone, grey metal window frames and roof pitch.

Other properties in the area have been sympathetically extended, maintaining the external period features. There is no precedent for demolition and rebuilding a house in this section of the road. This will also set an unwelcome precedent.

Garden and two fine maple trees will be removed and this will be harmful to the character of the area.

Scale

The footprint of the proposal is huge in comparison with the existing property.

The proposal doubles the footprint and is three storeys as opposed to two.

The scale of the development is out of keeping with the area and more akin to an entertainment complex/hotel with swimming pool, Jacuzzi, games room etc.

The proposal represents over-development of the site and will result in a significant loss of garden to the rear.

Amenity

Building will project beyond existing building line and will affect views from neighbouring properties.

Large decking area will result in a loss of privacy to neighbouring residents.

The development will extend further into the garden and this will result in a loss of amenity to neighbours. The increased development along the boundary will affect the setting of neighbouring properties and the enjoyment of the garden area.

The increased development to the south will result in a loss of privacy to the neighbouring property which has always enjoyed high levels of privacy. It will also reduce the amount of sunlight to neighbouring gardens.

Concern that the use of the property owing to its scale and nature as an "entertainment complex" will undermine the quiet enjoyment of neighbouring properties. The noise from such a large complex will be disruptive to local residents.

Concern that the large terrace area, games rooms, swimming pool/jacuzzi etc. will facilitate events that will cause substantial noise issues.

Inclusion of Caterers kitchen suggests that the house may be used for corporate events; this would be inappropriate use in a residential area.

Window in the west elevation serving the games room will create substantial noise when the doors are left open and will also result in a loss of privacy. Additionally doors to the terrace area at the rear will create noise from internal useage.

New windows are proposed in the north elevation (study and dining room) concerned that these will overlook housing opposite.

Request screening along boundaries to reduce noise/overlooking.

Plans are highly suggestive of use as a business i.e. Catering kitchen, guest area, lift etc.

Parking/Highways

Insufficient parking given the inevitable level of entertainment that a building of this scale will offer.

Stumperlowe Crescent Road is narrow with difficult access to properties, increased parking on the road will make the current situation worse.

Concerned about the safety of pedestrians from increased parking on the road.

Daily cleaning obligations must be imposed on contractors. Skips and heavy machinery should be kept off the road to avoid damage to the highway.

Proposed additional driveway would be opposite bedroom windows across the road and would cause disturbance and conflict with existing drives potentially resulting in accidents. It is also aesthetically harmful.

Other

The development will lead to considerable disruption. Time restrictions should be placed on the development to ensure work finishes at 5pm Monday to Friday and that there is no work on Saturdays and Sundays.

Disruption will prevent home working and is not necessary as the house is not in need of demolition.

Plans show a "phase 2" at the bottom of the garden, what is this? Concerned it is a development site.

Concerned that the house may be demolished and that building work may not immediately follow leading to a gap in the street scene. Request that a time frame for the development is attached to any approval.

Request that the planning committee visit the site and view from neighbours property (48 Stumperlowe Crescent Road).

Letter in support of the scheme

The development conserves the general massing of the original houses in Stumperlowe Crescent Road, rather than extending to the sides of the house and thereby altering the solid to void ratio the applicant has taken the bold step of demolishing the house and excavating into the hillside to provide the extra accommodation.

The massing is similar to the original house when viewed from the road.

Several of the houses have separate ingress and egress drives. The new drive will be more permeable and cause less surface water run-off.

Following receipt of amended plans neighbours were again consulted on the 6th May. The consultation period had not expired at the time this committee report was written. Members will be updated with any responses at the committee meeting.

PLANNING ASSESSMENT

Principle of Development

The existing dwelling is attractive and a good example of a property from the 1920s/1930s era. However, the site does not fall within a Conservation Area or an Area of Special Character, nor is it listed. As such there are no planning grounds upon which to refuse the proposed demolition.

The site is located in a Housing area; UDP Policy H10 defines Housing as the preferred use in these areas. As the development is simply replacing an existing house with a new house the principle of development is acceptable subject to it complying with relevant criteria.

Design

Policy H14 (a) require development to be well designed and in scale and character with neighbouring buildings. Policy BE5 "Building Design and Siting" also requires good design and the use of good quality materials.

Core Strategy Policy CS74 is also relevant and seeks to ensure development respects "...the scale, grain and context of the places in which development is proposed".

Policy CS31 "Housing in the South-west Area" seeks to safeguard and enhance the character of the South-west. The policy identifies distinctive features which should be safeguarded and includes "...the areas natural setting, the parks, open spaces, trees and mature gardens, the stone built houses of the older suburbs".

Scale and Siting

The proposed development will be built along a similar building line to the existing dwellinghouse and will not break the established front building line. It is noted that the dwelling extends further into the rear garden area than existing, however this will not be visible from the public street scene and so will not impact upon the visual character of the area.

The proposal is significantly wider than existing being 25 metres in comparison to 14 metres with a separate garage of 5.5 metres. Initially concerns were raised that the width of the dwelling was too wide and that the ratio of built development to plot width was out of keeping with the character of the area. However, the architect has demonstrated that the proposed width of the property is 78% of the plot width

and that this is comparable to other ratios within the immediate area. Furthermore, the inclusion of a hipped roof and the lowering of the height of the side projection reduce the overall massing.

The ridge height is greater than No. 43 but lower than No.47, thus ensuring that the stepped change in height in relation to the slope of the street is maintained. The proposal is two-storeys to the front and three storeys to the rear and this is achieved by taking advantage of the sloping land and some excavation work. Overall it is considered that the scale in terms of width and height and the siting of the development in the street scene are acceptable and in keeping with the grain of the area.

Detailing

The proposal will represent a modern addition to the street scene; however the dwelling does include features which are characteristic of the area including a front gable with decorative windows and a front bay window. The inclusion of these elements will ensure that the dwelling links well with its surrounding whilst still appearing as a contemporary development which is not a pastiche design. Furthermore, it is noted that the scale, siting and massing of the development will ensure that it sits comfortably within the street scene.

The proposal is to be finished in natural stone with a mixture of dressed and coursed stone being used to the front elevation to provide articulation. The dwellings in the immediate locality are predominantly render with stone and render elements or brick work. It is considered that the use of stone across the entire elevation is acceptable as there are elements of stone in the immediate locality. Furthermore, this represents the use of a high quality material which will provide a good finish.

It is considered that the proposed scale, siting, form and materials of the dwellinghouse will result in a development which will be in character with the appearance and grain of the existing area. As such the scheme complies with UDP policies BE5, H14 and Core Strategy Policies CS31 and CS74.

Amenity

Policy H14 (c) states development should not result in over-development, deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

Supplementary Planning Guidance on Designing House Extensions is also relevant. Although the proposal is not for an extension, the principles of this document are relevant to new housing and provide detail over and above that found in the Unitary Development Plan.

The neighbouring property to the east No. 43 does not have any main windows in the side elevation facing the application property. The nearest part of the new dwelling will project to a similar extent as the rear elevation of No.43 and only projects to a greater extent approximately 8 metres away from the boundary. The

development will not break a 45 degree line with the nearest ground floor windows on No.43 and the scale and siting of the proposal is such that it will not be overbearing or overshadowing. No windows are proposed for the side elevation adjacent to No.43, the nearest window will serve the lounge area and is set away from the common boundary by 16 metres. This distance is sufficient to ensure there will not be a loss of privacy.

A distance of 5 metres will separate the development from the property to the west No.47. The main dwellinghouse will project approximately 6.5 metres beyond the rear elevation of No.45 and the excavated lower ground floor will be a further 7 metres beyond this. Owing to the separation distance of the main two storey part of the building with No.45 it is considered that the impact on neighbouring residents will be minimal, especially given the fact that No.47 has a garage on the boundary with the main property being set away from the boundary. Furthermore there are no main windows in the side elevation of No.47 facing the development site.

The excavated lower ground floor area will be set into the site such that it will be screened by the existing boundary treatment and so will not have any overbearing or overshadowing impact upon neighbours at No.47. The roof of the lower ground floor projection will be used as a terrace area which will be set at the same level as the existing patio area at the property. However, owing to its siting and size it will offer more extensive views towards neighbouring properties. As such it is considered necessary to condition the provision of a screen fence along the boundary with No.47. It is noted that this will be set away from the boundary by 6 metres and so the screen will not be overbearing or overshadowing to neighbours at No.47. The raised terrace area will also curve round to the front of the kitchen area and will be separated from the boundary with No. 43 by 7 metres. A condition will also be attached to the application requiring screening along the side boundary adjacent to No.43.

Windows are proposed for the side elevation of the dwelling facing towards No.47 however the plans indicate that there are currently window in this elevation and that a screen will be constructed along the boundary to prevent overlooking.

A distance of over 35 metres will separate the dwellings from the properties opposite; this is well in excess of the 21 metres recommended in guideline 5 of the Supplementary Planning Guidance. It is noted that there are more windows on the front elevation that existing, however the separation distance is more than adequate and as such there will not be an unacceptable impact on privacy levels.

Similarly, a distance of over 60 metres will exist between the rear elevation and the back garden boundary and so there will be no overlooking in this regard.

A garden area in excess of 1000 square metres will remain following the proposed development, this is sufficient to ensure that over-development of the site does not occur.

Highways

It is proposed to construct an additional vehicular access point to allow for cars to enter and leave the site in a forward gear. This is acceptable and will not be harmful in highway safety terms. Ample off-street parking is indicated on the drawings and as such the development will not lead to increased on-street parking.

Landscaping

The street trees will remain to the front of the site, this is desirable as they add to the character of the area. The development will lead to the loss of one ornamental tree within the front garden area, this is necessary in order to allow an additional vehicular access points. The plans indicate that an additional tree will be planted in the front garden to compensate for this loss, this will be secured by condition and will ensure the impact on the street scene is minimal. The increased hard standing to the front of the property will result in the loss of the front garden area, however landscaping will still be retained to the front of the site and the amount of this is deemed to be acceptable.

The rear garden area will be landscaped. The plans indicate "phase 2 garden development retained as existing", this has led some neighbours to raise concern that this part of the site is to be developed for housing. The architect has confirmed that this is not the intention; nevertheless any future development of the site would be subject to planning approval.

RESPONSE TO REPRESENTATIONS

The above report addresses the majority of points raised through neighbour representation; however any outstanding issues are addressed below:

Concerns have been raised through neighbour representation that the dwelling is to be used for commercial purposes and or to host corporate events. Any planning approval will be for the use of the property as a residential dwelling house, if an alternative use is proposed at a future date then this will require planning permission.

Any noise associated with the dwelling is expected to be within the confines of that of a normal family dwellinghouse.

The loss of a view or vista is not a material planning consideration.

Some level of disruption during daytime hours is to be expected during demolition/construction works. It would be unreasonable to refuse an application on these grounds. Any work outside of normal daytime hours can be controlled via the Environmental Protection Service.

SUMMARY AND CONCLUSION

The proposed scale, siting, form and materials of the proposed dwelling are acceptable and will create a modern development which reflects the character of the area without being a pastiche. The development will not have a harmful impact on the amenities of neighbouring residents and is acceptable in highway terms.

The scheme complies with Unitary Development Plan Policies H10, H14 and BE5 and Core Strategy Policies CS31 and CS74.

Case Number	14/03289/FUL (Formerly PP-03641313)
Application Type	Full Planning Application
Proposal	Erection of 6 apartments in a 3-storey block
Location	Land Adjacent 76 Cannon Hall Road And 367 Barnsley Road Cannon Hall Road Sheffield S5 7AL
Date Received	04/09/2014
Team	West and North
Applicant/Agent	Tatlow Stancer Architects
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

Drawings numbered
14928 A1_03 Rev C
14928 A3_04 Rev A
14928 A3_11
14928 A3_10 Rev B
14928 A3_01
14928 A3_02 Rev A,

Reason: In order to define the permission.

Pre-Commencement Condition(s)

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

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

4. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

Pre-Occupancy and Other Stage of Development Condition(s)

5. The apartments shall not be used unless the car parking accommodation for nine 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.

6. Notwithstanding the approved plans, prior to the development becoming occupied, details of suitable and sufficient secure sheltered bicycle and motorcycle parking accommodation shall have been submitted to and agreed in writing by the Local Planning Authority. Such approved accommodation shall be provided prior to the occupation of any dwelling and retained thereafter.

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

Other Compliance Conditions

7. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 .

Reason: In the interests of the safety of road users.

8. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

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

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

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

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

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

Reason: To ensure that the local planning authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

12. The building shall not be used unless the hard surfaced areas of the site are constructed of permeable/porous block paving. Thereafter the approved permeable/porous surfacing material shall be retained.

Reason: In order to control surface water run off from the site and mitigate against the risk of flooding.

13. The building shall not be used unless the access and facilities for people with disabilities shown on the plans have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

14. The development shall be constructed in accordance with the details set out in the Flood Risk Statement ref. PR/LEM/37946-001 dated January 2015 issue 2.

Reason: In order to mitigate against the risk of flooding.

Attention is Drawn to the Following Directives:

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

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

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

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

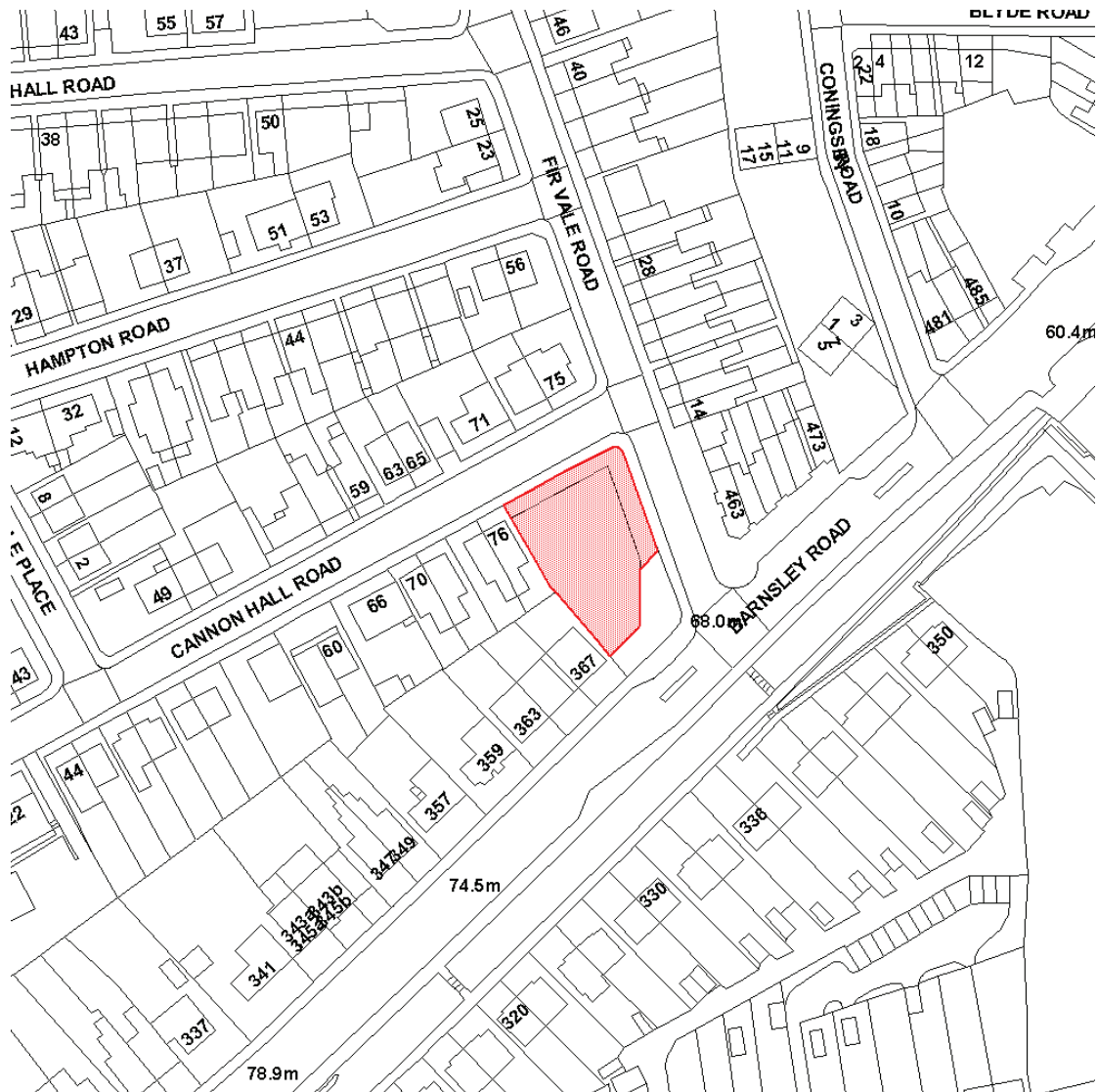
2. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing

works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
4. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
5. 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.
6. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

Site Location



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LOCATION AND PROPOSAL

The site is located close to Fir Vale shopping centre and is bounded by roads on three sides. Barnsley Road lies to the south east and Cannon Hall Road and Fir Vale Road lie to the north west and north east respectively. All adjoining development is housing but in the wider area there are retail and commercial uses along with Northern General Hospital.

The site has been vacant for a considerable period of time, slopes down from Barnsley Road at a 1 in 30 gradient and is covered in self seeded scrub planting, giving it a somewhat neglected character.

There is a part of the plot of land facing Barnsley Road and on the Barnsley Road/Fir Vale Road corner which is excluded from the site as it is used to accommodate three advertisement hoardings.

The application, as amended, is for six apartments in a single three storey block fronting Cannon Hall Road with amenity space and parking to the rear, access into the site being from Firvale Road.

RELEVANT PLANNING HISTORY

03/00748/FUL. Erection of two houses refused on 06.08.2003 and dismissed at appeal.

04/03187/FUL. Erection of six apartments in a 3 storey block with car parking granted on 22.03.2005.

SUMMARY OF REPRESENTATIONS

Three letters have been received from local residents with one letter signed by three people. The comments are summarised below.

The trees on site would be lost.

The site has a culverted watercourse below ground level and the land is unstable.

There would be a loss of privacy affecting bedrooms across Cannon Hall Road. The six large windows facing Cannon Hall Road would be overpowering and dominant.

The site is green field and preference should be given to developing brown field sites.

Private rented development is not sustainable and the number of such properties in this area is disproportionately high.

The scheme is not comparable in scale to those houses adjacent to the site.

There would be a loss of light that would affect adjoining houses.

There is limited off street parking in the area and there is an issue with employees of Northern General Hospital using the roads close to the site for parking thus placing additional pressure on the site.

The proposed car park entrance is too close to Barnsley Road and the advert hoardings obstruct the visibility.

There is a danger from cars affecting children and pedestrians.

Flooding occurs at the bottom of Cannon Hall Road after heavy rain because of the gradient of the road.

PLANNING ASSESSMENT

Planning Policy

The adopted Unitary Development Plan (UDP) shows that the site is designated as part of a housing policy area and policy H10 says that housing is the preferred use in such areas. The broad principle of housing development on the site is, therefore, acceptable and it is also noted that planning permission for a three storey block of flats was granted in 2004.

Principle of Development

The development would involve the loss of green field land. Whilst Core Strategy policy CS24 prioritises development of previously developed or brown field sites for housing and sets a target of no more than 12% of homes to be built on green field sites, this policy is not up to date in terms of the National Planning Policy Framework (NPPF) because the Council cannot demonstrate a 5 year supply of housing land. In addition, 95% of new housing was on brown field sites in 2013/14. Consequently, it is considered that policy CS24 is satisfied.

Design, Layout and External Appearance

UDP policy H14 deals with development in housing areas and says that new buildings should be well designed and in scale and character with the surrounding area. This is supported by policy BE5 which requires good design and the use of good quality materials.

Core Strategy policy CS74 expects high quality development which respects and enhances the distinctive features of districts and neighbourhoods.

The proposal, as amended, is for a single building rising to three storeys which would house six apartments. The building would front Cannon Hall Road and vehicle access would be taken from Fir Vale Road serving the car park and cycle parking area. There would be landscaping around the building and between the building and car park.

The siting of the building allows the proposal to relate to the existing red brick houses on Cannon Hall Road and avoid any conflict with the hoardings that face Barnsley Road at the opposite end of the site to Cannon Hall Road.

The proposal has the same building line as the adjoining houses at 74 and 76, Cannon Hall Road and this is repeated around the Fir Vale Road frontage. The eaves and ridge heights would be the same as the neighbouring buildings and the principal external material is red brick on the two lower floors to match the existing houses. The upper floor would be render and the roof natural slate.

There are a number of expressed features on both principal elevations which all extend to three storeys. The central feature facing Cannon Hall Road would be of render and the remaining three would be of dark grey cladding and these would successfully break up the exterior.

There are deep windows at first floor level which are in line with the bay windows of adjoining houses and around the edge of the site would be a low stone wall with metal railings which, again, would reflect existing treatments.

The application as originally submitted showed gable ends, similar to the scheme approved in 2004 but this has been amended to hipped ends which has reduced the bulk and massing of the building.

The proposal, as amended, is a contemporary design which relates to surrounding development by way of external design and materials. The scale and massing is acceptable and it would not be overly dominant.

Sustainability

Core Strategy policy CS64 requires all new buildings to be designed to reduce emissions of greenhouse gases and in new developments of 5 or more dwellings, Code Level 3 of Sustainable Homes should be achieved.

Core Strategy policy CS65 requires significant development (15 dwellings or more) to provide a minimum of 10% of predicted energy needs to be of renewable or low carbon energy and the predicted carbon dioxide emissions should be reduced by 20%.

It is the case that new legislation means that all matters relating to the sustainable credentials of new buildings is wholly a Building Control matter, outside the scope of planning guidance and advice. Nevertheless, the applicant has submitted a Sustainability Statement in support of the planning application which demonstrates that these policies would be satisfied.

The site is a sustainable location close to bus routes and a shopping centre. The building would have exceptional levels of insulation, highly thermally efficient double glazed windows, there is scope to use photovoltaic panels on the roof and grey and recycled rainwater would be incorporated. Other sustainable means would also be incorporated. It is also noted that the highly efficient windows would also mitigate against background traffic noise from Barnsley Road, which is busy.

Impact on the Amenities of Existing and Future Residents

UDP policy H14 says that new development should not harm the amenities of people already living near to the site.

UDP policy H5 deals with flats and says that living conditions for future residents and their immediate neighbours should be satisfactory.

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

The height and massing of the building is such that it would not dominate adjoining properties. It would respect existing building lines and property heights along Cannon Hall Road. The Fir Vale Road elevation would, at eaves level be as high as the ridge of houses opposite but the impact has been reduced by the use of a hipped roof.

Concern has been expressed by local residents that privacy of existing properties will be compromised by the windows facing across the streets. It is the case that there would be no windows in the gable facing 76, Cannon Hall Road but there would be windows facing houses opposite on both Cannon Hall Road and Fir Vale Road on all three storeys. These windows face across the public domain and, as such, it is considered there would be no loss of privacy because people can already look towards existing houses at a much closer distance than the proposed building.

The windows in the rear elevation would look on to the car park.

The amenities of future residents is acceptable as all rooms are served by windows providing acceptable levels of light and an outlook. There is also an adequate area around the building to allow for sitting out.

Highways, Access, Parking and Transportation

UDP policy H14 says that new development should provide safe access to the highways network, adequate on site parking and the safety of pedestrians should not be affected.

UDP policy H5 also says that there should be off street parking sufficient to meet the needs of residents.

Core Strategy policies CS51 and CS53 seek to prioritise transport and manage the demand for travel respectively.

The site is at a sustainable location close to bus services and a shopping centre, both easily accessible on foot.

Local residents have raised the issue of additional parking and the pressure this will place on the existing on street parking situation and objected to the application on these grounds.

The access into the car park is taken from Fir Vale Road and this has adequate width and visibility in both directions. There are nine parking spaces which comply with Council parking guidelines in terms of one space for each dwelling plus additional visitor parking. It is anticipated that there would be no increase on demand for parking on the street.

The layout of the car park is such that all spaces are easily accessible and cycle parking would be provided close to the rear entrance to the building.

Landscape

UDP policy GE15 encourages the retention and provision of trees as part of the planning process.

The site is currently overgrown with self set trees and scrub planting and this would all be cleared to allow development to take place. The site is currently the subject of a Tree Preservation Order (TPO) and a Tree Survey has been submitted in support of the application.

The TPO was examined as part of a planning Inquiry in 2004 and the Inspector decided at this time that the trees on site had little amenity value so it was acceptable to remove them. However, the TPO remained in place even though all the trees were removed. Any growth associated with these trees is low level planting that has grown from the stumps.

Six young trees are identified on the Tree Survey and these are all between 6 and 8 metres high.

The findings of the Tree Survey are accepted in that there is nothing worthy of retention on site but the opportunity does exist to introduce trees as part of a landscaping scheme which would be controlled by conditions.

Open Space Provision

UDP policy H16 requires open space to be provided for residents on site or a commuted sum to be paid by the developer to increase or improve existing open space nearby.

Until recently, the threshold for the provision of open space or a commuted sum was five dwellings or more but this has now been amended to ten dwellings. This proposal is for six apartments so this policy is not applicable.
Disabled Access.

UDP policy H7 deals with Mobility Housing and says that a proportion of new housing development should be built so that it can be easily converted for occupation by disabled people.

Core Strategy policy CS74 says that new development should meet the needs of disabled people.

The entrance would have a 1000mm clear opening and level access from the car park and a disabled parking space would be located close to the rear entrance. The two apartments on the ground floor are designed to mobility standards.

Flood Risk

Core Strategy policy CS67 seeks to manage the potential of flooding and also requires that all development significantly limits surface water runoff.

A Flood Risk Statement has been submitted in support of the application which confirms that the site lies within Environment Agency Flood Zone 1 (Low Flood Risk) and the NPPF indicates that housing is appropriate development in these areas.

It is the case that a culverted watercourse runs along the rear of properties on the south side of Cannon Hall Road and through the application site. There is no record of any flooding caused by the culvert but if there is a blockage upstream, it is likely that water would back up and exit near Crabtree Ponds on to Barnsley Road.

With regard to surface water, local residents are worried that surface water run-off from the site would increase the amount water that collects on Fir Vale Road after heavy rain. This issue has been addressed by the applicant and permeable block paving and soakaways would be used to dispose of surface water.

In the event of extreme weather, the ground floor level would higher than the highest level of water accumulating on Fir Vale Road. This would be controlled by a condition.

Coal Mining

The site does not lie within a zone that would raise concerns about former coal mining beneath the surface of the site.

RESPONSE TO REPRESENTATIONS

Some of the objections have already been addressed in the report but there are a number of comments that still require a response.

The issue of ownership or tenancy is a matter that is outside planning control.

The entrance is not too close to Barnsley Road and is considered to be safe and there would not be an issue regarding the safety of pedestrians.

SUMMARY AND RECOMMENDATION

The application, as amended, is for a three storey block containing six flats that would front on to Cannon Hall Road with parking at the rear. The principle of housing development at this site is acceptable.

The design would be a mix of red brick, render and dark grey cladding which would reflect the character of the area and break the building down to reflect the scale of existing houses. The building would integrate well into the surrounding area.

There would be no harm to the amenities of existing residents and living conditions would be satisfactory for future residents. Sufficient car parking would be provided and the site is sustainably located.

All issues have been resolved, the application is acceptable and compliant with all relevant planning policy so is, therefore, recommended for conditional approval.

Case Number	14/03181/FUL (Formerly PP-03617498)
Application Type	Full Planning Application
Proposal	Demolition of former police station and public toilets, and erection of detached dwellinghouse
Location	Site Of South Yorkshire Police Fulwood Road Sheffield S10 3BL
Date Received	27/08/2014
Team	South
Applicant/Agent	Coda Planning Ltd
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

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.

Approved/Refused Plan(s)

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

Drawings (Coda Planning):
2210 (90)002 (site layout)
2210 (90)004 (foundation layout)
2210 (08)001 (floor plans)
2210 (08)002 (elevations)

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and

egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

4. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement; the location of any compound and/or storage areas; details of the location and details of protective fencing for all stages of development including site preparation, demolition and construction; the location of signs; any pruning works necessary to facilitate construction; details of proposed drainage/service runs and the means of protecting the remaining tree canopies. 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 for each stage of the development are in place and the protection shall not be removed until the completion of the relevant stage of development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

5. Notwithstanding the submitted details, full details of the design of the foundations for the building and the supporting columns, and the associated ground preparation works shall have been submitted to and approved in writing by the Local Planning Authority prior to such ground preparation works being commenced.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

6. Full details of the proposed treatment to the boundary wall fronting Fulwood Road, including sample materials and coping stones, and the reinstatement of any redundant openings, shall have been submitted to and approved in writing by the Local Planning Authority prior to any works to the wall being commenced. Thereafter the wall shall be treated in accordance with the approved details and shall thereafter be retained.

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

Pre-Occupancy and Other Stage of Development Condition(s)

7. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

8. The dwelling shall not be occupied unless a scheme of sound attenuation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of the approved noise survey;
 - b) Be capable of achieving the following noise levels:
Bedrooms: LAeq 15 minutes - 30 dB (2300 to 0700 hours),
Living Rooms: LAeq 15 minutes - 40 dB (0700 to 2300 hours),
 - c) Include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

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

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

10. 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:

Windows
Window reveals
Doors
External wall construction
Eaves
Brise-soleil
Rainwater goods

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

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

11. The dwellinghouse shall not be used unless the car parking accommodation for 2 cars 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.

Other Compliance Conditions

12. The existing ground levels shall not be altered, as stated in the email from Coda Planning dated 30 April 2015.

Reason: To define the planning permission and in the interests of protecting the identified trees on site.

13. Notwithstanding the indication in the submitted Design and Access Statement, Tree T1 shall be retained and unless otherwise indicated on the approved plans no other tree shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwelling shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: To ensure that the character of the Broomhill Conservation Area is retained and there is no visual intrusion which would be detrimental to the amenities of the locality and to protect the retained trees on the site.

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

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

3. The proposed development lies within a coal mining area. In the circumstances applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
4. This site contains trees, which are protected by Tree Preservation Orders or Conservation Areas. These trees must be retained and protected and the Local Planning Authority may pursue legal action where vegetation is illegally damaged

or removed. The Wildlife and Countryside Act may also be a legal consideration in the removal or works to trees, if the trees are providing a habitat to protected species or a nest site to wild birds.

5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
6. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from SCC Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
7. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Standards, 2-10 Carbrook Hall Road, Sheffield S9 2DB. Tel (0114) 2734170

Environmental Protection Services can be contacted at DEL, 2-10 Carbrook Hall Road, Sheffield, S9 2DB. Tel (0114) 2734651

Site Location



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INTRODUCTION

An Informal Planning Advice Note (IPAN) was prepared to assist potential purchasers in developing their proposals for this site. The IPAN states that the site is suitable for development and a single dwellinghouse is recommended due to a number of site constraints. It notes that the site is located within the Broomhill Conservation Area, mature trees are included within the site and access from Fulwood Road is constrained due to the proximity to the busy junction with Manchester Road. The impact that noise and air quality in the local area might have on future occupants was recommended to be investigated before a proposal is developed in detail.

LOCATION AND PROPOSAL

The triangular site covers 688sq.m and is in a prominent location at the junction of Fulwood Road and Manchester Road in the Broomhill Conservation Area. The site currently contains a small former police sub-station with a small car park, former public toilets and an electricity sub-station, all accessed from Fulwood Road. None of these buildings have any particular architectural or historic interest. There is a large shelter within the site in close proximity to a bus stop in Manchester Road. The shelter is timber framed with a pitched tiled roof. A variety of trees line the boundaries to both road frontages although Manchester Road is elevated above the ground level within the site. The remainder of the site is overgrown.

There is an approximately 1m high stone wall to the Fulwood Road boundary directly in front of the police station. The wall increases to approximately 1.8m in front of the electricity sub-station and former toilet block. There are 3 pedestrian access points through the wall, together with a gated access to the electricity sub-station. An approximately 1.5m high stone wall defines the boundary in Manchester Road.

The vehicular access from Fulwood Road is shared with a large Victorian semi-detached dwelling (No252 Fulwood Road). No252 is set well back from Fulwood Road with virtually all its private garden being to the front. It is well screened by mature trees and hedging to the Fulwood Road boundary. To the east of the site, directly adjoining the road junction, there is a small area of public space with seating, planting and a pedestrian route which is separated from the application site by a footpath link between the two roads.

On the opposite side of Fulwood Road are a terrace of 3 x 3.5 storey dwellings (including basement accommodation) and several semi-detached 2 storey dwellings. Large scale dwellings on the opposite side of Manchester Road are set well back from the road frontage with mature trees to the front boundaries.

The application proposes a contemporary two storey 2/3 bedroom dwelling with a flat roof. The ground floor is proposed to be constructed roughly on the footprint of the police station with the first floor being cantilevered forwards towards Fulwood Road and sideways towards the road junction. Car parking is proposed beneath the projection which is proposed to be supported by 3 narrow steel columns. A mix of pitched stone and ashlar stone is proposed with extensive glazing at first floor level and a timber feature brise-soleil to the Fulwood Road elevation.

The building has been reduced in size since the application was first submitted.

RELEVANT PLANNING HISTORY

There is no planning history relevant to these proposals.

SUMMARY OF REPRESENTATIONS

The application has had to be re-validated as a result of an error relating to the certification of ownership of the land. Upon correction and re-validation amended

plans for a smaller dwelling were submitted. The design concept remains unchanged.

Prior to the re-validation, 6 representations objecting to the originally submitted plans were received. The objections are summarised below:

Design and Conservation:

- Out of keeping with surroundings and character of Broomhill Conservation Area
- Supports development of site in principle but questions suitability of proposals
- Apart from building materials to front elevation, not a single aspect adheres to Conservation Area - questions how a contemporary building on stilts can be sensitive to the area
- Rebuilding of front boundary wall with new materials will be an eyesore with significant effect on street aesthetics - should re-use stone from existing wall
- Proposals need to be toned down and/or size of structure reduced to be less imposing on plot of key significance in Broomhill
- Materials not in keeping or sympathetic to surrounding predominantly slate and stone buildings
- Design may have architectural merit but is totally inappropriate for location
- Manchester Rd elevation gives impression of public lavatory and 'grille' would be more appropriate for a car park or commercial building
- Wholly out of keeping with Victorian Conservation Area - neither style or appearance is acceptable and is more in common with a post-war pre-fab
- Stone walls and roof slates should be used in any new dwelling in this area
- Article 4 Direction seeks to protect character - principles should apply to new build as well as existing houses

Trees:

- Object to removal of some of trees - integral to townscape and leafy character - removal seems unnecessary
- Risk of damage to tree roots during construction and damage to remaining trees due to limited space, particularly on Manchester Road boundary
- Maximum tree cover should be retained for benefit of occupiers and Conservation Area
- Wholesale destruction of healthy trees would be vandalism - trees provide privacy and enhance the environment

Traffic:

- Concern about traffic implications both during and after construction - close to busy junction

A representation has been received from a resident opposite the site in Fulwood Road. No objections are raised:

- Will represent an improvement provided that the trees are retained as indicated - imaginative project
- Questions whether holly tree can be pruned rather than removed
- No objection provided that the tree canopy to Fulwood Road remains intact - necessary to prevent overlooking of front of dwelling

2 representations have also been received from Broomhill Action Neighbourhood Group (BANG) who objected as follows:

- Statements in supporting submissions about consultation with BANG are untrue and also misrepresent BANG policy and practice - appears to be based on a conversation with one member, who discussed with others outside a meeting
- Will destroy important visual feature at west end of commercial Character Area of Broomhill where currently there is a more than 300 degree view of a copse of mature trees
- Existing buildings on the site have no architectural merit but are inconspicuous whereas the proposal introduces new, conspicuous structure which does not respect the trees and reduces them to decoration around an obtrusive new structure
- Sensitivity to setting and scale are critical - scale is wrong; it over-develops the site, and is insensitive to the setting
- Replacement wall will not match existing which is historic feature that Broomhill Conservation Area Management Plan seeks to protect
- Any new building needs to be more modest and more sensitive than this proposal

Following re-validation of the application and submission of amended plans which reduce the size of the dwelling, 2 further representations have been received:

- Confirms previous objections in respect of design, materials, traffic and trees
- Highlights comments in the supporting submissions - still concerned that materials don't compliment Conservation Area
- Supporting submissions do nothing to address ultimate appearance
- Design remains completely inappropriate for Broomhill Conservation Area
- Existing buildings would not gain planning permission today and test should be to enhance the existing surroundings, not just be better than what is there now

PLANNING ASSESSMENT

Policy

The site lies within a Housing Area as defined in the adopted Unitary Development Plan (UDP). It is also within the Broomhill Conservation Area. These policy areas are retained in the Local Plan Draft Proposals Map (pre-submission version). The site is not affected by any special designations.

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

BE5 (Building Design and Siting)
BE6 (Landscape Design)
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)
GE15 (Trees and Woodland)
H14 (Conditions on Development in Housing Areas)
H15 (Design of New Housing Developments)
T25 (Car Parking in Residential Areas)
CS22 (Scale of the Requirement for New Housing)
CS23 (Locations for New Housing)
CS24 (Maximising the Use of Previously Developed Land for New Housing)
CS26 (Efficient Use of Housing Land and Accessibility)
CS31 (Housing in the South West Area)
CS63 (Responses to Climate Change)
CS64 (Climate Change, Resources and Sustainable Design of Developments)
CS67 (Flood Risk Management)
CS74 (Design Principles)

Several policies in the Local Plan City Policies and Sites document (pre-submission version) (CPS) are also relevant. However, the CPS is no longer intended to be submitted to the Government for adoption purposes although its contents are expected to be considered as part of an early review of the Local Plan. In these circumstances the CPS policies can only be given very limited weight. This assessment is therefore restricted to relying on the adopted policies only. In this instance, the CPS policies generally raise no issues over and above those contained in the quoted UDP and Core Strategy policies.

Government policy in the National Planning Policy Framework (NPPF) is relevant. Policies within the NPPF are referred to in subsequent sections of this report where applicable.

The following adopted documents are also relevant:

- Supplementary Planning Guidance "Designing House Extensions". Whilst not strictly applicable to these proposals, the guiding principles for protecting residential amenity are relevant.
- Broomhill Conservation Area Appraisal and Management Proposals

Principle of Proposed Development

Housing uses are preferred in accordance with UDP Policy H10.

Core Strategy Policy CS22 commits to maintaining a 5 year supply of deliverable housing sites at all times. There is currently a significant shortfall in 'deliverable' (i.e. with planning permission for housing uses) sites which is being addressed through proposals for additional Housing Site allocations in the Local Plan. Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area and Policy CS24 gives priority to previously developed sites. The proposals are in

accordance with these policies and granting planning permission will increase the supply of 'deliverable' housing sites albeit on a very small scale.

In view of the above, housing (Class C3) development is acceptable in principle.

Housing Density

The single dwelling equates to 16.6 units per hectare based on the entire curtilage of the site (approx 0.06 hectares). This is significantly below the 30-50 density normally expected within the wider urban area, as set out in Core Strategy Policy CS26. Sites near to high frequency bus routes, such as this, normally command a density range of 40-60 dwellings per hectare. However, the policy provides scope for densities outside this range where they achieve good design, reflect the character of an area or protect a sensitive area.

Policy CS31 adds weight to the consideration of lower density schemes by giving priority to safeguarding and enhancing the areas of character in the South West Area. In this instance, the site is heavily constrained by its tapering nature and the need to retain the trees to both road frontages. It would be extremely difficult to increase the density on this site without losing the trees that make an important contribution to the character of the Broomhill Conservation Area in a prominent location. In these circumstances, there is no material conflict with Policy CS26 and the reduced density is justified in accordance with Policy CS31.

Conservation and Design

The existing buildings on the site are small scale mediocre post-war structures that have no particular merit. They are relatively well screened and the removal of the police station and the toilet block will be a minor enhancement rather than a significant enhancement. The shelter to the Manchester Road frontage is more in keeping with the area although not identified as having townscape merit in the Broomhill Conservation Area Appraisal. This structure is not affected by the proposals. In these circumstances, only moderate weight is given to the removal of the buildings.

The key issue is whether the proposed new dwelling is considered to be of appropriate design and quality to enhance the character or appearance of the Broomhill Conservation Area as required by UDP Policies BE15 and BE16 and Core Strategy Policy CS74. The NPPF (paragraph 131) states that in determining planning applications affecting heritage assets "...local planning authorities should take account of ...the desirability of new development making a positive contribution to local character and distinctiveness." Paragraph 58 states that "Planning policies and decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;"

The NPPF (paragraphs 132-133) seeks to protect designated heritage assets (including Conservation Areas) and states that the significance of such asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Local planning authorities are instructed to refuse

consent where a proposed development will lead to substantial harm or total loss of significance unless it is demonstrated that substantial public benefits would outweigh that harm or loss.

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

The significance of the Broomhill Conservation Area as a designated heritage asset is set out in the adopted Broomhill Conservation Area Appraisal. The Appraisal notes positive characteristics of this part of the Conservation Area, including the primarily residential character; trees and well stocked leafy gardens; and stone gate piers, boundary walls and setted entrances. The application site is not mentioned as either contributing to or detracting from the Conservation Area character but it does contain trees and boundary walls that are undoubtedly characteristic of the Area.

The site is significantly constrained by its tapering shape, together with the elevation of Manchester Road which is upwards of 3m above the level of Fulwood Road; the mature trees to the boundaries; and the shared driveway access. To develop the site in a manner which adequately protects the boundary trees, utilises the existing access point and provides adequate amenity for future occupiers is undeniably challenging.

The agent has worked with officers to produce a scheme that is considered to respond to the constraints. In order to provide adequate protection to the trees, both during and post construction, provide external amenity space and reduce the impact in views towards the site from Broomhill District Centre, the building has been significantly reduced in size. The overall dimensions have been reduced from approximately 23m x 12.2m to approximately 16.9m x 11.1m. This significantly increases the separation to the boundary with Manchester Road and the informal bus shelter and also significantly increases the separation to the adjoining footpath and public space at the road junction.

The contemporary design places the majority of the accommodation at first floor level. The ground floor is limited to a small footprint which is predominantly confined within the area covered by existing buildings and hard surfaces. The accommodation provided at ground level is restricted to the entrance hall, a utility room and a small study. Wasn't there a bedroom? The first floor projects forwards towards Fulwood Road and continues the line of the side elevation to extend towards the electricity sub-station, roughly following the alignment of Manchester Road. The building has strong horizontal lines emphasised by the width of the Fulwood Road elevation, the flat roof which oversails the elevations and the brise-soleil to the same elevation. The verticality of the existing dwellings is responded to by the window openings which are full height on the corner elevation (facing towards the road junction) and at first floor level on the Fulwood Road elevation.

The materials comprise pitched face stone at ground floor level, ashlar stone cladding at first floor level, zinc roofing, aluminium window and door openings and

a timber brise-soleil shading system. The stone reflects the building materials in the area, the timber brise-soleil responds to the tree cover on the site and the zinc roof provides a high quality treatment to the flat roof. Subject to satisfactory detailing and materials samples, the design and materials are high quality and accord with Policy BE17.

Consideration was given to designing a more traditional form of building. This would be possible but would be almost certain to have a far greater impact on the existing trees due to the increased footprint that would be necessary at ground floor level. The traditional arrangement of main living rooms at ground floor level would also result in potential privacy issues for occupiers due to the lack of separation to the Fulwood Road frontage and would be likely to appear more cramped than the application proposal.

Overall, the building is considered to respond imaginatively to the shape of the site and will complement the more traditional buildings in the general street scene, as opposed to attempting to mimic the built form within this part of the Conservation Area. In these circumstances, the proposals adequately respond to the historic environment and will not cause “substantial harm” to the designated heritage asset. The proposals will provide interest on a prominent corner which is becoming neglected and will, on balance, have some degree of public benefit in securing a long term viable use for the site. The proposals are therefore considered to comply with the quoted local and national heritage policies and also comply with Policies BE5 and H14.

The Broomhill Conservation Area Management Proposals state that applications including proposals for the demolition or alteration of character boundary walls in the Conservation Area will normally be resisted. The supporting submissions confirm that the proposals provide an opportunity for assessment and making good the boundary walls, where necessary. At face value, the walls appear to be in good condition. There is potential to infill redundant openings along the Fulwood Road frontage and details of any proposed rebuilding or alterations can be conditioned to ensure appropriate height and quality.

Sustainability

The brownfield site is in a highly sustainable location, being on the doorstep of extensive shops and services in the adjoining District Centre and being very close to high frequency bus routes. The design will result in flexible accommodation that should meet the needs of the occupiers. The primary windows will face south-east and the large openings will maximise solar gain within the constraints of the setting. The modern construction is expected to result in a high level of energy efficiency. In these respects, the proposals comply with Policies CS63 and CS64.

Policy CS67 requires surface water discharge to be reduced as far as possible on small development sites. This can be achieved by the use of permeable paving for any replacement surfacing within the site.

Landscape

Policies BE6 and GE15 seek to retain and integrate mature trees in new developments wherever possible. The Broomhill Conservation Area Management Proposals states that proposals to cut down trees in the Area will normally be resisted. The NPPF (paragraph 118) says that local planning authorities should aim to conserve and enhance biodiversity by, amongst other things, refusing planning permission for development resulting in the loss of aged or veteran trees unless the benefits of the development outweigh that loss. Compensatory measures should be sought in such circumstances.

It has to be accepted that any development of this site would be expected to have some impact on the trees. The application proposes the removal of 7 of the 17 trees within the site. Of these, only 3 are required to be removed to facilitate the development. The trees are not of sufficient quality to merit protection under the NPPF para 118 as “aged or veteran trees”. The NPPF defines “aged or veteran” as:

“a tree which, because of its great age, size or condition, is of exceptional value for wildlife, in the landscape, or culturally.”

One of the 'trees' is an overgrown hedge of Holly. The other two trees (Lawson cypress and Sycamore) are set back from the road frontages and are not outstanding specimens. All are put in Category C (low quality) in the supporting Tree Survey Report. Whilst these trees provide visual amenity, such amenity will not be unduly compromised as the majority of trees to the site frontages are retained.

There seems to be no obvious need for the proposed removal of a Lime tree adjacent the site entrance. The Survey report acknowledges that this is a 'good tree albeit difficult to manage.' No works are proposed within the root protection area of this tree and it is recommended that the tree is required to be retained. The other 3 trees are dead, substantially dead and inappropriate saplings (Poplar), respectively. Again, tree cover will not be significantly compromised by the removal of these trees.

As described previously, the building has been designed to minimise the impact on trees as far as possible. The first floor will be supported by 3 slender steel columns. These are all within the root protection zones of trees fronting Fulwood Road but two are within existing hard surfaced areas and the columns can be installed with minimum disturbance. Satisfactory tree protection measures and construction and site management method statements can be conditioned. However, it should be noted that the supporting submission prepared by the applicant's arboricultural consultant does consider that removal of all the trees and replanting with species more suited to living alongside the new building is preferable to trying to retain the existing trees which are prone to making dense canopies, particularly as some pruning will be required to construct the building.

In view of the above, it has to be concluded that the most important trees can be retained but will be compromised to some extent as a result of the proposals. However, the reduced footprint gives the trees a better chance of maintaining their integrity and maintaining the leafy character of the road frontages.

Residential Amenity

The distances between the proposed dwelling and the nearest existing buildings exceed those specified in the SPG "Designing House Extensions" and adequate amenity is therefore provided for existing residents in accordance with Policy H14. The arrangement of accommodation, tree cover, elevation and the brise-soleil all serve to filter views and ensure that adequate privacy can be provided from the streets for the future occupiers.

The reduced size of the building ensures that adequate external amenity space is provided in accordance with Policy H15.

The key issue is noise disturbance for future occupiers. Policy H14(e) requires new development not to result in unacceptable noise levels. This issue was highlighted in the Informal Planning Advice Note.

A Noise Assessment has been submitted and shows that noise levels average between 67.4 and 70.3 dB LAeq. Manchester Road is marginally noisier than Fulwood Road. No noise was audible from the active electricity sub-station which is to be retained on the site. Maximum noise levels of 30dB and 40dB LAeq are recommended in bedrooms and living rooms, respectively. The Noise Assessment concludes that a suitable glazing specification, together with mechanical ventilation will be required to meet the maximum noise levels normally permitted.

The external environment will undoubtedly result in noise disturbance for the occupiers. However, the development is very bespoke and future occupiers will be making a lifestyle choice which will include consideration of the level of external amenity required. Whilst the private garden space would probably not normally be considered to provide adequate amenity in a more general housing scheme for the open market, a concession can be made on this site without undermining the application of Policy H14(e) in future development proposals.

Highway Matters

The proposals utilise the existing access from Fulwood Road which also provides access to the adjoining dwelling at No252. There will be space for up to 2 cars to park beneath the cantilevered first floor of the building. The plans show that there is sufficient space to allow cars to enter and exit in a forward gear.

Overall, the proposals make adequate provision to serve the 2/3 bedroom dwelling in accordance with Policies T25, H14(d) and the associated Car Parking Guidelines.

SUMMARY AND CONCLUSION

The site is heavily constrained by its triangular form, proximity to the junction of two heavily trafficked roads and the need to protect mature trees to the boundaries. Any development proposals must respond positively to the context of the Broomhill Conservation Area.

The proposed contemporary two storey dwelling is well designed and responds to the alignment of the boundaries of the site. The cantilevered design adds visual interest whilst minimising the impact on trees to the road frontage boundaries. Whilst the building adopts a different form to the surrounding buildings within the historic townscape, it will add visual interest and utilises high quality natural materials, including pitch faced and ashlar stone and a zinc roof. In this context, the proposals adequately respond to the historic environment and will not cause “substantial harm” to the designated heritage asset.

Adequate internal amenity can be provided for future occupiers although a high glazing specification and mechanical ventilation will be required due to the elevated noise levels in Fulwood Road and Manchester Road. The external environment will be subject to noise levels above what is normally expected in most housing developments but it is acknowledged that this is a bespoke form of development on a heavily constrained single plot. The circumstances are such that UDP policies designed to prevent noise disturbance will not be undermined in determining other development proposals in the future.

Adequate parking and turning facilities are provided to serve the development with the existing access from Fulwood Road being utilised.

Overall, the proposals represent an imaginative scheme which will provide interest at an important intersection in the Broomhall Conservation Area and will not materially conflict with the policies quoted throughout the report. It is therefore recommended that planning permission is granted subject to conditions to ensure visual and residential amenity, car parking provision and tree protection.

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) as amended 6.3.15, 24.4.15 and 5.5.15
Location	Land To The Rear Of 328 Bole Hill RoadSheffieldS6 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.

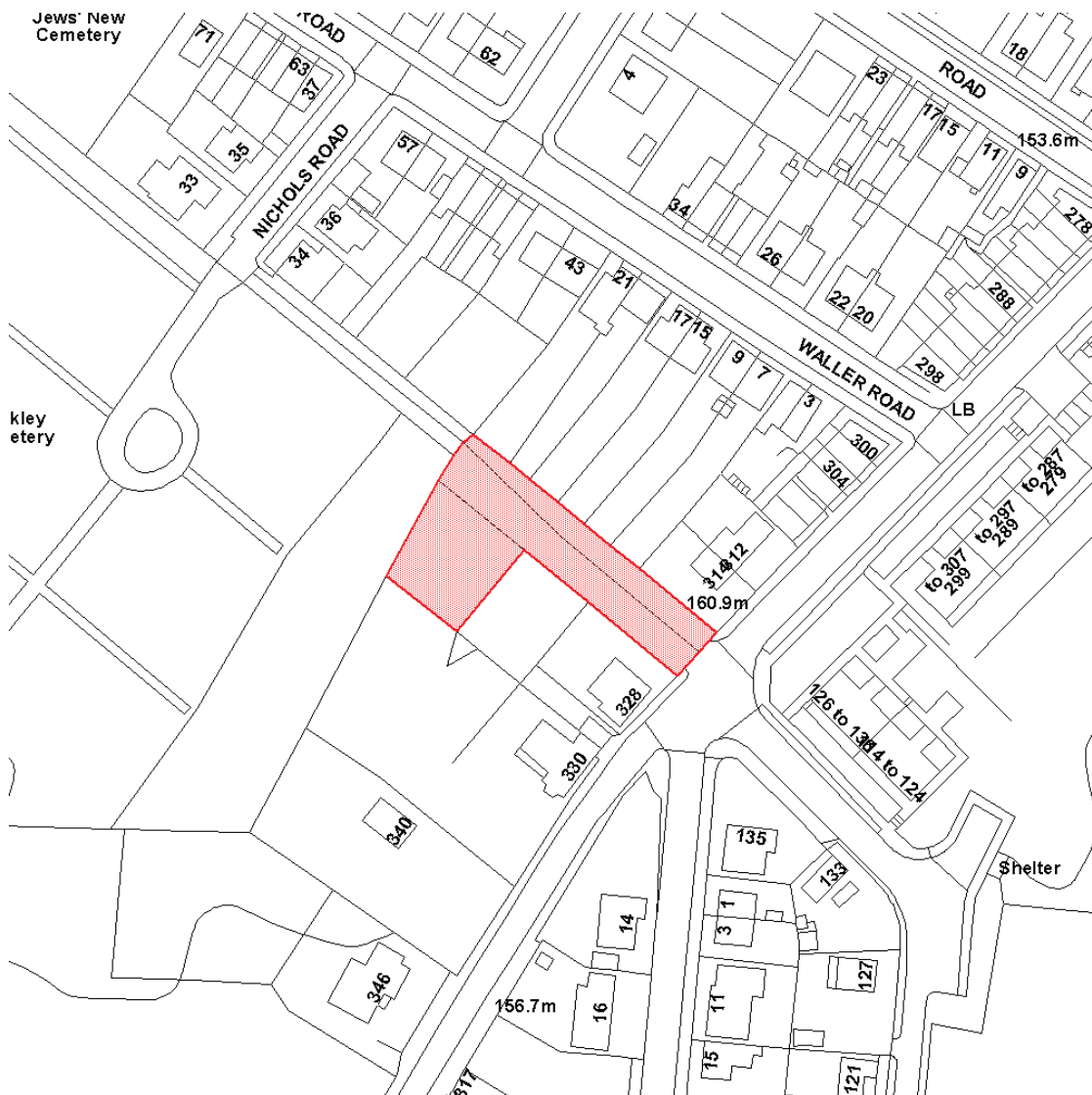
Attention is drawn to the following directives:

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;
- Drawing no. YK429-4T-03 Rev A 'Swept Path Analysis' received on 24.4.15;
- Sketch Drawing 'Existing Conditions & Proposed Alignment' received on 24.4.15.

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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INTRODUCTION

This application was taken off the agenda for the previous meeting of this Committee to enable additional information submitted by the applicant to be considered.

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 south-eastern 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 north-eastwards 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.

Subsequently the applicant has submitted:

- additional information regarding arrangements for access to the application site for emergency and refuse vehicles showing the tracking movement of a fire appliance and revisions to the vertical alignment of the access to prevent grounding of vehicles;
- an updated ecology survey including a bat survey.

The proposal seeks to take vehicular and pedestrian access from Bole Hill Road by utilising the un-adopted 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 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 originally 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 revised access arrangements submitted by the applicant seek to adjust the gradient at the top of Nichols Lane to prevent grounding of emergency vehicles result in the proposed gradient of the remainder of Nichols Lane leading down to the site of the proposed dwellings increasing to 1 in 4. The applicant's additional information shows the distance from a fire appliance parked 20 metres down Nichols Road to the far corner of the dwelling furthest away to be 46 metres.

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 un-co-ordinated 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 un-adopted 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 un-adopted 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 north-western 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 un-adopted 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 and Rescue 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, the revised information submitted by the applicant shows that there are no turning facilities for a fire and rescue vehicle within the site and as such a vehicle reversing 20 metres down Nichols Road would be approximately 46 metres from the far corner of the dwelling furthest away from Nichols Road. A slight repositioning of the proposed dwellings on a subsequent reserved matters application would enable the 45 metre hose distance required by SYF&R Service to be achieved.

The revised access arrangements to adjust the gradient at the top of Nichols Road to prevent grounding result in the proposed gradient of the remainder of Nichols Road leading down to the site of the proposed dwellings increasing to 1 in 4.

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 originally with this application recommended 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' and can be carried out from March to September.

The updated ecology survey submitted by the applicant includes the results of a bat survey undertaken on the evening of 4 May 2015. The survey recorded bat activity over and adjacent to the site. The mature trees located adjacent to the north-western boundary of the site were originally assessed as having the potential for roosting bats. During the dusk survey of the site there was no bat activity around these trees and no bats emerged from the trees. In this instance it is considered that the presence of bat activity would not be a constraint on the proposed development.

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 soak-away 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.

There are no highway or ecology objections to the proposed development. 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.

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 and Rescue Service has requested confirmation that the proposal meets the technical guidance for emergency vehicles. In this instance, the revised information submitted by the applicant shows that there are no turning facilities for a fire and rescue vehicle within the site and as such a vehicle reversing 20 metres down Nichols Road would be approximately 46 metres from the far corner of the dwelling furthest away from Nichols Road. A slight repositioning of the proposed dwellings on a subsequent reserved matters application would enable the 45 metre hose distance required by SYF&R Service to be achieved.

The revised access arrangements to adjust the gradient at the top of Nichols Road to prevent grounding result in the proposed gradient of the remainder of Nichols Road leading down to the site of the proposed dwellings increasing to 1 in 4.

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 updated ecology survey submitted by the applicant includes the results of a bat survey undertaken on the evening of 4 May 2015. The survey recorded bat activity over and adjacent to the site. The mature trees located adjacent to the north-western boundary of the site were originally assessed as having the potential for roosting bats. During the dusk survey of the site there was no bat activity around these trees and no bats emerged from the trees. In this instance it is considered that the presence of bat activity would not be a constraint on the proposed development.

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.

Case Number	14/02191/FUL (Formerly PP-03470075)
Application Type	Full Planning Application
Proposal	Outdoor seating area to rear of cafe and erection of fencing to side and rear boundaries
Location	Village News176 - 178 Main StreetGrenosideSheffieldS35 8PR
Date Received	18/06/2014
Team	West and North
Applicant/Agent	MBAS Architecture
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

Approved/Refused Plan(s)

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

- Drawing No. P13:033:01 Revision B (Site Location Plan)
- Drawing No. P13:033:08 (Proposed Fence Construction)
- Drawing No. P13:033:09 (Proposed Fence Construction to Stepped Area)

received on the 19 September 2015 from MBAS Architecture; and

- Drawing No. P13:033:07 Revision C (Proposed Rear Area)

received on the 26 September 2015 from MBAS Architecture.

Reason: In order to define the permission.

Pre-Commencement Condition(s)

Pre-Occupancy and Other Stage of Development Condition(s)

2. The fencing shown on Drawing No. P13:033:09 (Proposed Fence Construction to Stepped Area) shall be erected within 6 weeks from the date of the decision and thereafter shall be retained.

Reason: In the interests of protecting the residential amenity of neighbouring properties.

Other Compliance Conditions

3. The outdoor seating area shall be limited to three tables only as shown on Drawing No. P13 033 07 Revision C with a maximum occupancy of 12 persons only.

Reason: In the interests of protecting the residential amenity of neighbouring properties from noise disturbance

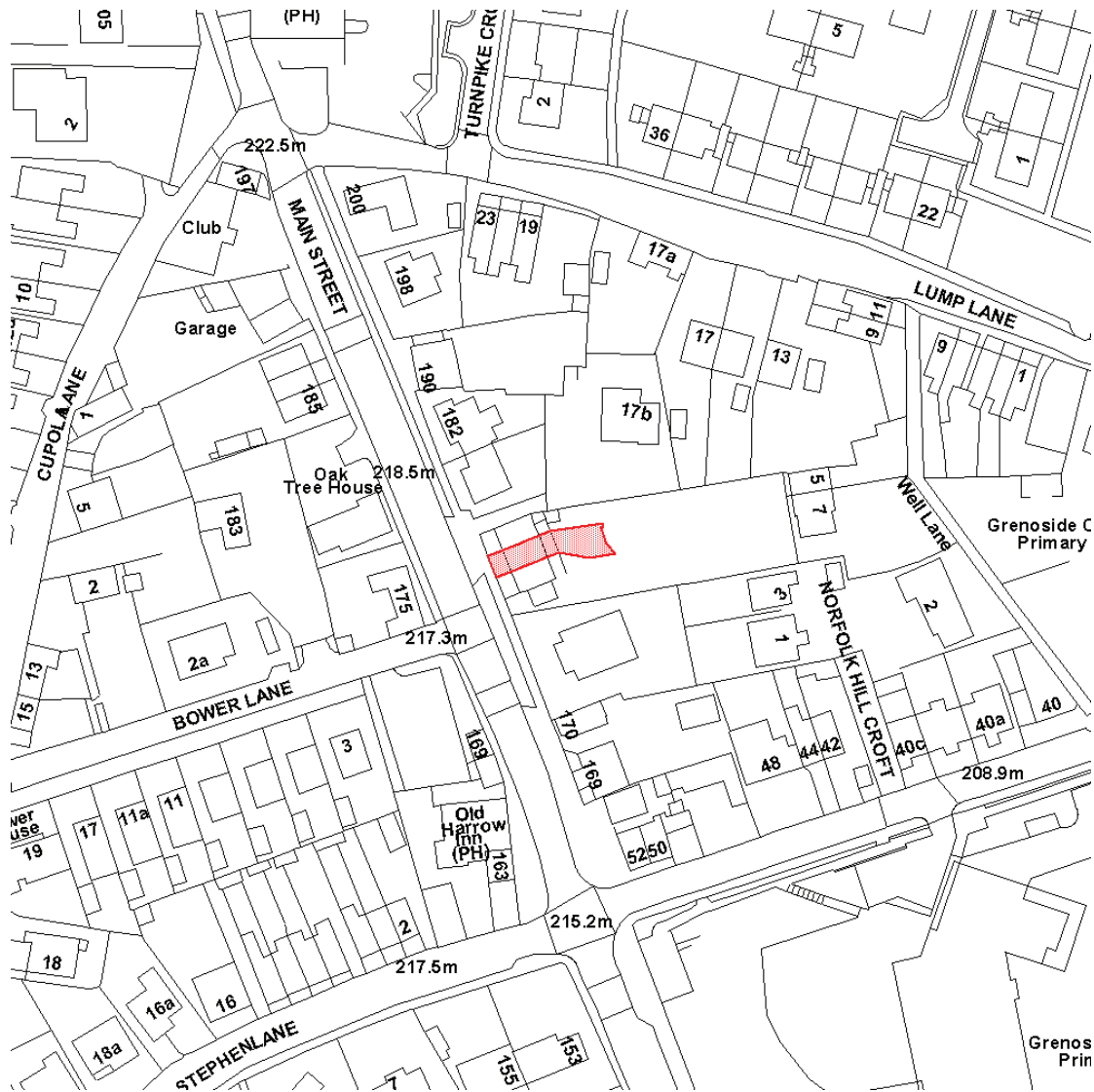
4. The close-boarded fencing and laurel planting as shown on Drawing No. P13:033 shall be retained in perpetuity and shall not be removed without first seeking approval from the Local Planning Authority. Any plant failures any plant failures shall be replaced unless otherwise approved by the Local Planning Authority.

Reason: In the interests of protecting the residential amenity of neighbouring properties.

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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BACKGROUND

The application relates to the Village News Café in Grenoside. Members may recall that planning permission was granted earlier this year to vary two conditions (Condition Nos. 3 and 6) attached to planning approval No. 13/02171/CHU allowing an extension of the café's opening hours including Sunday and Public Holiday opening and the sale of hot food. This was granted in January 2015, under planning reference No. 14/01031/CHU.

LOCATION AND PROPOSAL

The application is a mid-terraced property which forms one of three traditional stone cottages located within the Grenoside Conservation Area. The property is within the same ownership as the adjoining unit No.178 which is in use as a newsagents/local convenience store (A1) at ground floor. Access to the café is taken through the adjoining shop only with no separate entrance from Main Street. To the rear of the premises is patio area, accessed by a metal staircase enclosed by close-boarded timber fencing and a laurel hedge which on occasion has been used by the applicant as an outdoor seating area in connection with the café. Behind this patio area is a large grassed area (approximately 37m in length) that is enclosed by timber fencing along its side and rear boundaries.

The surrounding area is predominantly residential but is interspersed with commercial units including public houses and small local shops. The site and surrounding area is designated as a Housing Area as identified in the adopted Sheffield Unitary Development Plan and lies within Grenoside Conservation Area.

Planning permission is being sought to allow for outdoor seating to the rear of the café with the provision of side and rear screen and privacy fencing. The application has been submitted on the advice of officers following a complaint being received that the hardstanding to the rear of the building was being used for outdoor seating.

RELEVANT PLANNING HISTORY

14/01031/CHU - Application to increase opening hours of cafe to between 0800 hours and 1800 hours (Monday to Friday) and between 0900 hours and 1600 hours (Saturday, Sunday and Bank/Public Holidays) and for the retention of 2 Microwave ovens, 1 safety fat fryer and 1 griddle to be used in the cafe (Application under Section 73 to vary condition 3 (hours of use) and condition 6 (cooking equipment) as per planning permission 13/02171/CHU - Use of dwellinghouse as a restaurant/cafe (Class A3) on the Ground Floor with a flat at first floor level) (Amended description) – Granted 08/01/15

13/02171/CHU - Use of dwellinghouse as a restaurant/cafe (Class A3) on the Ground Floor with a flat at first floor level (as amended plans received 27/08/13) – Granted 26/09/13

11/03753/FUL – Retention of solar PV panels – Granted 2 February 2012

07/02518/FUL – Erection of detached dwellinghouse – Refused

03/04087/FUL – Single-storey rear extension to shop – Granted conditionally

SUMMARY OF REPRESENTATIONS

A petition with 725 signatures in support of the development was submitted as part of the application.

Representations have been received in response to this application from the residents of twenty two properties. The residents of eleven properties are in support and the residents

of eleven properties are opposed to the development. Representations have also been received from Ecclesfield Parish Council and Angela Smith MP.

Support (11)

- Lived in the village for 70 years. Fully support the outdoor seating and it's a shame that there is no seating proposed to the front. The café and shop is an asset to the village;
- Parking is not a problem with most customers using the café arriving on foot;
- The café is in the middle of the village and is an ideal meeting place for family and friends. It is a much needed service within the village community;
- The café will help to attract people from outside of the village, especially walkers and cyclists;
- Good for the local economy;
- Have not experienced any problems with noise disturbance or parking in connection with the café;
- The café is an attractive and inviting place;
- The café is a good alternative to the village's local pubs.

Object (11)

- The outdoor seating area/patio area would result in a loss of privacy, food smells and generate unacceptable noise disturbance to the detriment of neighbouring properties owing to the very close proximity of the area to neighbouring properties. This would be worsened by the recent permission to allow the café to open on Sundays and Public Holidays;
- The height of the fence and gate is stated on the plan to be 2m in height, but in fact the lowest part of the fence/gate is only 1730mm high;
- The laurel planted does not have the height or density required to provide adequate screening to protect the privacy of No. 174;
- The condition on all the land to the rear of 176/8 being designated for the use of the flat above should be retained as agreed in September 2013;

Ecclesfield Parish Council has commented that they wish to support the objections of the residents for the following reasons:-

- A condition attached to the original permission stipulated that no outdoor seating be provided to the rear of the premises. The area has been used for outdoor seating since this summer, despite this condition being applied when planning permission was granted;
- The new application is retrospective for the provision of outdoor seating. The submitted plans show the provision for nine seats but this has been increased to twelve seats. The fencing is not as specified on the application as it is not acoustic fencing and the planting provided does not provide sufficient privacy and noise reduction to neighbouring residents; and
- Fully support the objections of residents due to the continual disregard by the applicant.

Angela Smith MP has written in on behalf of the occupant of 174 Main Street. She writes that the occupant of this property has expressed concern with the application, stating that the proposals would constitute overdevelopment and would request that the application is refused and that any unauthorised activity is enforced.

PLANNING ASSESSMENT

Principle of Development

The use of the premises as a café is authorised following the more recent grant of planning permission earlier year that regularised the breaches of planning in terms of opening hours and the cooking of hot food at the premises. Although a condition (No. 8) was attached to the 2013 permission stating that the garden area to the rear of No. 176 to be used only as an amenity area for the first floor flat, Members are advised there is no policy objection in planning use terms that would prohibit the rear patio area to be used for outdoor seating in connection with the café. Should Members be minded to approve the application, the approval would in effect supersede Condition No. 7 that restricted outdoor seating at the premises.

The principle of providing outdoor seating should therefore be viewed acceptable.

Residential Amenity Issues

Policy H14 relates to development in Housing Areas. At Part k of this policy, it states that new development or change of use will be permitted provided that it would not lead to air pollution, noise or smell, excessive traffic levels or other nuisance for people living nearby.

The use as a café in close proximity to residential dwellings has the potential to cause noise and odour issues that would be detrimental to the enjoyment of neighbouring properties' residential amenity. In this instance there is an adjoining residential property at No.174 Main Street, residential accommodation directly above the unit and several dwellings in the immediate locality, the closest being 180 Main Street and 17b Lump Lane.

In terms of the residential amenity of neighbouring properties, it was noted during earlier officers' site visit that without any suitable means of enclosure or screening buffer along the boundary with No. 174, the use of the rear patio area for outdoor seating would not be suitable for outside seating in connection with the café. With exception to No. 174, officers remain satisfied that no other neighbouring properties residential amenity would be unduly harmed by the proposed development. No. 180 Main Street is screened from the proposed outdoor seating area by the adjoining retail shop and strip of land to its side, 17b Lump Lane that adjoins the site to its north is set back some 20m from the nearest part of the outdoor seating area as well as being screened by a 2m high hedge along the common boundary and Nos. 5-7 Norfolk Hill Croft to the east of the site are situated in advance of 35m away. As a result of this, it is not considered that these neighbouring properties would be unduly harmed by the proposal to use this area for outdoor seating with no significant loss of privacy or noise disturbance.

In terms of No. 174, the applicant agreed to follow officers' advice and has erected a high close boarded fence along its shared boundary with No. 174 and within troughs in front of the fence, has planted laurel for the purpose of establishing a screen hedge. From this

and given the fact that the outdoor seating area is less than 40 square metres, thus restricting the amount of persons that it can accommodate at any one time, officers remain satisfied that the amenity of this neighbouring property would not be unduly harmed from unacceptable noise disturbance or loss of privacy. It is considered the height and type of fence (close-boarded) together with the laurel hedging has resulted in a boundary that offers good sound attenuation and a natural buffer between the rear garden of No. 174 and the proposed outdoor seating area. While it is acknowledged that customers using the outdoor seating area will on occasion generate some noise disturbance to the disamenity of neighbouring properties, this is likely to be infrequent and not for any sustained period of time that would restrict any outdoor seating in connection with the café's use.

It is recommended that conditions be attached to any grant of planning that the proposed outdoor seating area be limited to no more than three tables and a customer capacity maximum of 12 persons and the close-boarded timber fencing and laurel hedge planting be retained in perpetuity.

Highway Issues

It is not considered that the development raises any highway implications with any increase in customer numbers at the café as a result of utilising the outdoor seating area unlikely to generate any significant demand for on-street parking that would be prejudicial to highway safety.

Effect on the character and appearance of the Conservation Area

UDP Policy BE16 relates to development in Conservation Areas. This policy details that in Conservation Areas, permission will only be given for development including change of use applications which contain sufficient information to enable their impact to be judged acceptable and preserve or enhance the character or appearance of the Conservation Area.

It is not considered that provision of rear outdoor seating at the premises has any impact on the character or appearance of Grenoside Conservation Area. The outdoor seating area covers an area of approximately 40 square metres with provision of 3 tables and 12 chairs. As the outdoor seating area is located to the rear of the building, there is no impact on views from Main Street. As such, any effect on the character and appearance of Grenoside Conservation Area would be minimal. It is considered therefore that UDP Policy BE16 would be met.

SUMMARY AND RECOMMENDATION

The application relates to Village News Café in Grenoside. The café is situated along the eastern side of Main Street and was brought into use following approval in September 2013, under planning reference No. 13/02171/CHU. A subsequent Section 73 application (14/01031/CHU) to regularise breaches of planning at the premises was granted in January 2015 allowing an extension in the café's opening hours and the sale of hot food.

The applicant is seeking approval for rear outdoor seating with the retention of side and rear screen and privacy fencing. The application has been submitted on the advice of

officers following a complaint being received that the patio area to the rear of the building was being used for outdoor seating.

It is considered that the proposal to provide outdoor seating at the cafe is acceptable and would not result in any significant loss of amenity of neighbouring properties that would be harmful to their residential amenity. While it is acknowledged that customers using the outdoor seating area will be heard on occasion, particular with regard to No. 174, given the close boarded fencing, the laurel hedge planting along the side boundary to this neighbouring property and the scale of the development (3 tables only), any noise disturbance is likely to be low level and not for any sustained period of time.

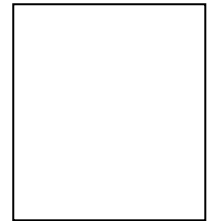
It is recommended that conditions be attached that requires the outdoor seating area to be restricted to no more than 12 persons at any one time and the timber close-boarded fence and laurel planting to remain in perpetuity and not to be removed without first seeking approval from the LPA.

For the reasons set out within the report, it is considered that the development accords with UDP Policies H10, H14 and BE16 and is recommended for approval subject to the conditions listed.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee Report



Report of: Director of Regeneration & Development Services

Date: 26 May 2015

Subject: Enforcement Report
14 Market Square Woodhouse

Author of Report: Fiona Sinclair

Summary: To inform committee members of a breach of the Planning Regulations and to make recommendations on any further action required.

Reasons for Recommendations:

To remedy the breach of Planning Control

Recommendations:

That the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of unauthorised signs at 14 Market Square Woodhouse.

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

Background Papers:

Category of Report: OPEN

ENFORCEMENT REPORT

ERECTION OF UNAUTHORISED SIGNS AND LIGHTING ON A GRADE II LISTED BUILDING AT 14 MARKET PLACE.

1. PURPOSE OF REPORT
 - 1.1 To inform committee members of a breach of the Planning Regulations and to make recommendations on any further action required.
2. BACKGROUND
 - 2.1 14 Market Place is a two storey stone built Grade II listed building, dating from the 17th Century, and is situated in an Area of Special Character.
 - 2.2 The property, a former public house that is currently in use as a restaurant, is located within a local shopping centre, as identified in the UDP.
 - 2.3 A complaint, from a Conservation Officer, was received on 13 January 2014 concerning the fixing of three unauthorised signs, and attendant overhead lighting, that had been fixed to the principal and side elevations of the property.
 - 2.4 Correspondence was entered into with the owners of 14 Market Square informing them that, because this property is a Grade II listed building that planning permission and listed building consent are required for a development of this nature. It also explained that because the signs, and lighting, were not in keeping with the character of the building, it was unlikely that planning permission and listed building consent would be granted.
 - 2.5 The owner responded to this to this letter, and engaged an agent to liaise with Conservation Officers in order to put forward a design for signs and lighting that will be considered to be more in keeping with the character of the building.
 - 2.6 In spite of attempts to help the property owner to achieve an acceptable solution to this matter, they have, to date, declined to

cooperate further and replace the unauthorised signs, and lighting, with those agreed as part of the initial consultation process.

3 ASSESSMENT OF BREACH OF CONTROL

- 3.1 The property is a grade II listed building that is located within the Central Shopping Area as defined within the UDP.
- 3.2 Unitary Development Plan Policy BE5 'Building Design and Siting' states that good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions and all extensions should respect the scale, form, detail and materials of the original building.
- 3.3 Unitary Development Plan Policy BE15 'Areas and Buildings of Special Architectural or Historic Interest' states that buildings and areas of architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced. Development which would harm the character, or appearance, of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.
- 3.5 The signs and lighting are considered to be visually intrusive and do not respect the character of the property to which they are attached, from a point of view of their contemporary design. Therefore they are considered not to preserve or enhance the original 17th Century characteristics of the building and contrary to policies BE5 and BE15 of the UDP.
- 3.6 The photographs, below show the property in question and demonstrate the negative impact they have on its appearance. The signs are overly large and crudely positioned on the elevations, partly obscuring the architectural details.

Photographs 1 & 2
The Property's principle elevation as viewed from Market Square





Photograph 3
Property as viewed from Tannery Street.



4. REPRESENTATIONS.

4.1 None.

5. ASSESSMENT OF ENFORCEMENT OPTIONS

5.1 Section 171C of the Town and Country Planning Act provides for the service of a Planning Contravention Notice. The notice requires information about the breach of planning control and property ownership. It also gives an opportunity for the recipient to meet with officers to make representations. Such a meeting could be used to encourage regularisation by retrospective application and/or discussions about possible remedies where harm has resulted from the breach. In this case it is clear that the signs and lighting are in breach of planning control and as such it is not considered that the serving of a PCN would be of any value.

5.2 It is an offence to display without consent a sign that requires express consent under the Town and Country Planning (Control of Advertisements) Regulations 1992. A prosecution can be brought under Section 224(3) of The Town and Country Planning Act 1990.

5.3. It is also an offence to carry out works to a listed building, which affects its character, under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and Section 38 of the Act provides for the service of a listed building enforcement notice. In this case such a notice would require the removal of the signs, and lighting, and making good the harm caused by the unauthorised development. There is a right to appeal, to the Planning Inspectorate, against the serving of a listed building enforcement notice; however, it is considered that the Council would be able to successfully defend any such appeal.

6 EQUAL OPPORTUNITIES

6.1 There are no equal opportunity issues arising from the recommendations in this report.

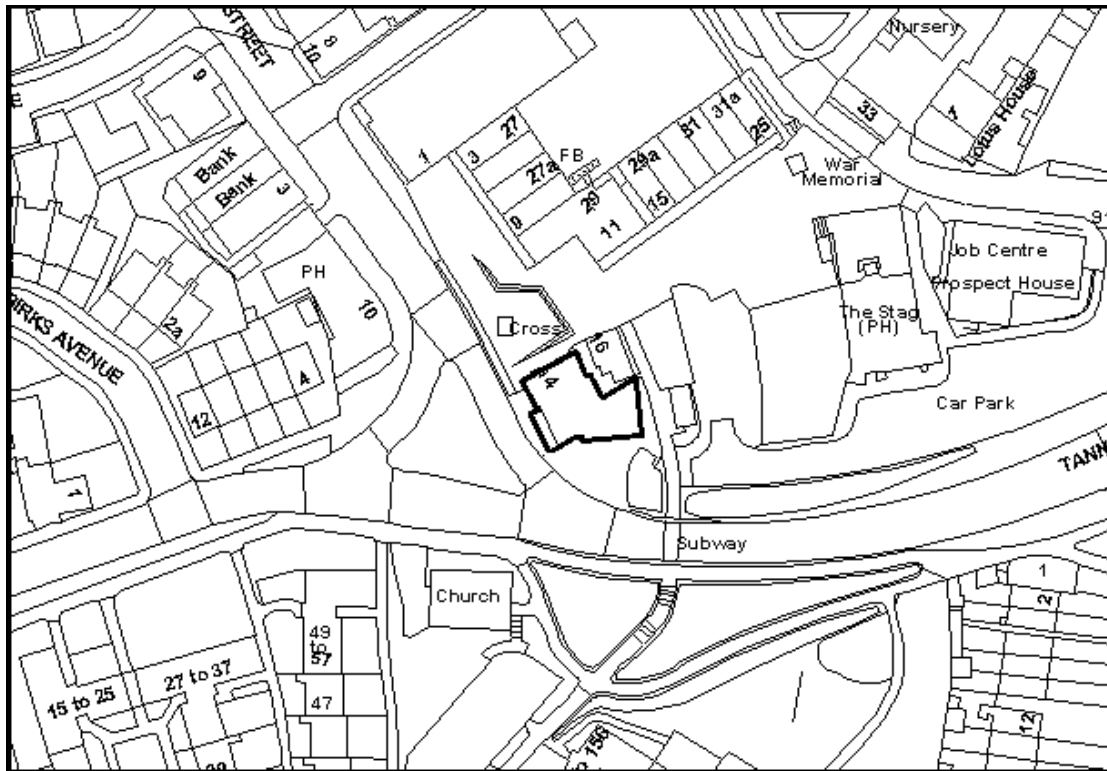
7 FINANCIAL IMPLICATIONS

7.1 There are no additional financial implications expected as a result of this report. If an appeal is made against the enforcement notice, costs can be made against the Council if it is shown that they have behaved “unreasonably” in the appeal process, it is uncommon that this will happen. However, in the unlikely event compensation is paid, it would be met from the planning revenue budget.

8.0 RECOMMENDATIONS

- 8.1 That the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signs and overhead lighting at 14 Market Place.
- 8.2 The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Site Plan



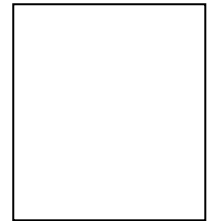
Maria Duffy
Head of Planning Service

14/05/2015

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SHEFFIELD CITY COUNCIL Planning & Highways Committee Report



Report of: Director of Regeneration & Development Services

Date: 26 May 2015

Subject: Enforcement Report
352 Sharrow Lane

Author of Report: Fiona Sinclair

Summary: To inform committee members of a breach of the Planning Regulations and to make recommendations on any further action required.

Reasons for Recommendations:

To remedy the breach of Planning Control

Recommendations:

That the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of unauthorised uPVC window frames at 352 Sharrow Lane

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

Background Papers:

Category of Report: OPEN

ENFORCEMENT REPORT

INSTALLATION OF UPVC WINDOWS IN THE NETHER EDGE CONSERVATION AREA AT 352 SHARROW LANE

1. PURPOSE OF REPORT

- 1.1 To inform committee members of a breach of the Planning Regulations and to make recommendations on any further action required.

2. BACKGROUND

- 2.1 352 Sharrow Lane is a three storey stone built residential property that has at some time in the past been converted into self-contained flats.
- 2.2 A complaint, from a member of the public, was received on 29 October 2014 concerning the installation of new uPVC windows in the Sharrow Lane elevation of the ground floor flat.
- 2.3 A site visit was made that same day and the contractors, who were installing the windows, were advised that the property is in a conservation area; and that because of this, the placement of the existing timber box sash window with uPVC frame would not be considered as being acceptable by the Local Planning Authority. They were also advised to stop work until a further site meeting could be arranged to discuss this matter with the property owner.
- 2.4 Following this initial visit, the property owner was contacted and made aware of the situation, and a further site meeting was arranged to discuss the situation.
- 2.5 This site meeting took place on the 27 November 2014 where it was explained to the owner that because the property is situated in the Nether Edge Article 4 and Conservation Area, any replacement windows that were replaced would have to be in timber and match the style of the original sliding box sash window, in spite of the fact the windows on the first and second floors had been replaced with uPVC frame approximately 12 years ago.
- 2.6 A further meeting took place in January 2015, between the owner, planning enforcement officers and a conservation officer in which

further help and advice was offered on how the matter could be resolved in a manner that would be acceptable to all parties involved. However, to date, the owner has declined to replace the uPVC frames with ones that will be more in keeping with the historic character of Conservation Area.

3 ASSESSMENT OF BREACH OF CONTROL

- 3.1 The property is located within the Nether Edge Conservation Area and Housing Area, as designated in the adopted Unitary Development Plan. The property is also within the area covered by the Article 4(2) Direction.
- 3.2 Unitary Development Plan Policy BE5 'Building Design and Siting' states that good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions and all extensions should respect the scale, form, detail and materials of the original building.
- 3.3 Unitary Development Plan Policy BE15 'Areas and Buildings of Special Architectural or Historic Interest' states that buildings and areas of architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced. Development which would harm the character, or appearance, of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.
- 3.4 Policy BE16 of the adopted Unitary Development Plan states "In Conservation Areas permission will only be given for proposals which...would preserve or enhance the character or appearance of the conservation area."
- 3.5 The uPVC windows, as installed, although of similar properties lack the character and detailing of the original timber windows. They have a modern construction utilising mitred joints, meeting rails that do not meet and utilise glazing beads rather than putty as a method of fixing the glazing in place. The opening lights are also hinged rather than the more traditional sliding sashes, and will be very prominent when open. Therefore, the windows are considered to be visually intrusive and do not respect character of the property in which they are installed, nor do they preserve or enhance the character, or appearance of the street scene.
- 3.6 The overriding character of properties, in the Nether Edge Conservation Area, is one of traditional timber box sliding sash windows, traditional timber doors and traditional building materials, and therefore, the use of uPVC window frames are considered to be

contrary to the requirements of policies BE5 and BE15, and BE16 of the UDP.

- 3.7 The photographs, below show the unauthorised windows and the appearance, of the property prior to the work being carried out.

Photograph 1



Photographs 2&3 showing the property prior to the installation of the windows



4. REPRESENTATIONS.

- 4.1 One complaint has been received about the operations on site; and refer to the installation of the uPVC windows in the Sharrow Lane elevation of the property's ground floor flat.

5. ASSESSMENT OF ENFORCEMENT OPTIONS

- 5.1 Section 171C of the Town and Country Planning Act provides for the service of a Planning Contravention Notice. The notice requires information about the breach of planning control and property ownership. It also gives an opportunity for the recipient to meet with officers to make representations. Such a meeting could be used to encourage regularisation by retrospective application and/or discussions about possible remedies where harm has resulted from the breach. In this case it is clear that the windows are in breach of planning control, and meeting have taken place between representatives of the Local Planning Authority and the owner; and therefore, it is not considered that the serving of a PCN would be of any value.
- 5.2 Section 172 of the Act provides for the service of an enforcement notice (EN). In this case such a notice would require the removal of the canopy to make good the harm caused by the unauthorised development. There is a right to appeal to the Planning Inspectorate, against the service of an Enforcement Notice. However, it is considered that the Council would be able to successfully defend any such appeal.

6 EQUAL OPPORTUNITIES

- 6.1 There are no equal opportunity issues arising from the recommendations in this report.

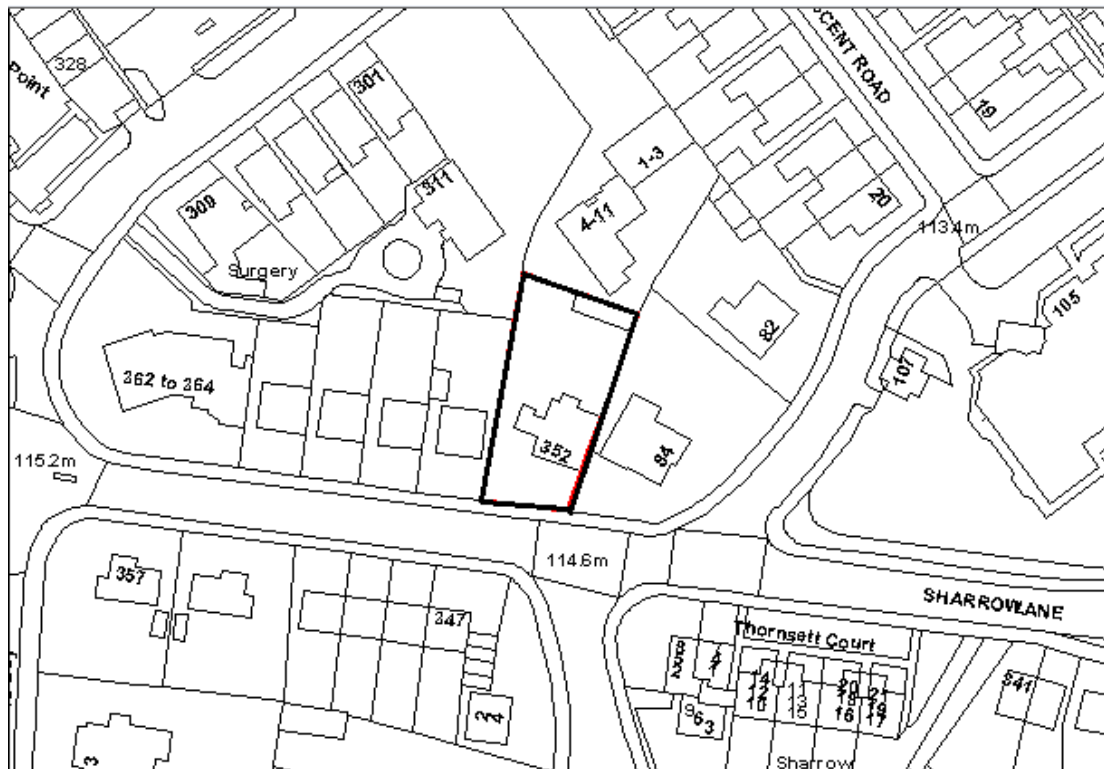
7 FINANCIAL IMPLICATIONS

- 7.1 There are no additional financial implications expected as a result of this report. If an appeal is made against the enforcement notice, costs can be made against the Council if it is shown that they have behaved "unreasonably" in the appeal process, it is uncommon that this will happen. However, in the unlikely event compensation is paid, it would be met from the planning revenue budget.

8.0 RECOMMENDATIONS

- 8.1 That the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised uPVC window frames and their replacement with more acceptable timber sliding box sliding sash windows.
- 8.2 The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Site Plan



Maria Duffy
Head of Planning Service

14/05/2015

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 26 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
26 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 Council to refuse planning permission for the erection of a retail unit at 591 Staniforth Road Sheffield S9 4RD (Case No 14/03802/FUL)

(ii) An appeal has been submitted to the Secretary of State against the Council's decision at its meeting on the 28 October 2014 to refuse planning permission for the demolition of existing building, erection of a new convenience store with 3 x 2 bed apartments above including garages at lower ground floor level and external terrace areas to the first floor and roof area at Carterknowle Food And Wine 264 Carter Knowle Road Sheffield S7 2EB (Case No 14/01453/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for erection of a bungalow at Land Adjacent 8A Stuart Road Sheffield S35 1XP (Case No 14/02752/FUL) has been dismissed.

Officer Comment:-

The Inspector set out the main issues to be the effect of the development on the character and appearance of the area, the effect on living conditions of neighbouring properties in terms of outlook, light, privacy, noise and disturbance and on the safety and convenience of users of the access and of Stuart Road

The Inspector considered that the proposed bungalow design would be in keeping with other nearby bungalows but this would not be a substantial garden plot as were the others. It would be side by side with the host property with little space to the boundaries. It would have little space around it other than a shared parking area. It would, therefore, appear cramped and contrived detracting from the open character of this back land area. This being the case, the proposal did not constitute good design and would have an adverse impact on the character and impact of the area contrary to policies

H14 and CS74

The proposed building would be close to the boundaries of 134A and 134B Ecclesfield Road, both of which are at a lower level. Even with a hipped roof and shallow roof pitch, it would appear significantly taller than the boundary wall/fence and adversely affect the outlook from these properties. This would be made worse by the degree of overshadowing and sense of gloominess arising as a result of the position and height of the proposed building to the gardens and to a lesser extent, the windows of 134 A and B.

The parking area does not separate or delineate parking and turning areas. A number of manoeuvres would be needed to turn and to give way to any vehicles accessing the parking area or 8 Stuart Road's garage. This would be particularly the case if vehicles were already parked or if a number of arrivals/departures happened at the same time. This would cause unacceptable noise and disturbance for neighbouring occupiers, especially Nos. 8 and 10 Stuart Road and 134A and 134B Ecclesfield Road. The Inspector concluded therefore that the proposal would have an adverse effect on the living conditions of occupiers of adjoining properties contrary to Policy H14

The Inspector considered the proposed access and considered that with a 30 metre long drive leading to a relatively small parking area already used by occupiers of one dwelling would lead to obstruction and additional, less than satisfactory reversing manoeuvres. This would lead to increased manoeuvring and parking on Stuart Road, impeding the free and safe flow of traffic. This would be contrary to Policy H14

For these reasons, the Inspector dismissed the appeal.

5.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

26 May 2015

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