

Planning and Highways Committee

Tuesday 7 July 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), Peter Rippon (Chair), Nasima Akther, David Baker, Jack Clarkson, Tony Damms, Roger Davison, Adam Hurst, Ibrar Hussain, Bryan Lodge, Peter Price, Denise Reaney, Chris Rosling-Josephs, Garry Weatherall and Joyce Wright

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

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

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

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

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

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

FACILITIES

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

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

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
7 JULY 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 Meetings** (Pages 5 - 12)
Minutes of the meetings of the Committee held on 20 May and 16 June 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. Section 257: Proposed Diversion of Public Footpath SHE/174A Between Totley Hall Lane and Stocks Green Drive, Totley** (Pages 13 - 24)
Report of the Director of Regeneration and Development Services
- 8. Applications Under Various Acts/Regulations** (Pages 25 - 184)
Report of the Director of Regeneration and Development Services
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 185 - 190)
Report of the Director of Regeneration and Development Services
- 10. Date of Next Meeting**
The next meeting of the Committee will be held on 28 July 2015

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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 20 May 2015

PRESENT: Councillors Alan Law (Chair), Peter Rippon (Chair), Nasima Akther, David Baker, Jack Clarkson, Tony Damms, Roger Davison, Adam Hurst, Ibrar Hussain, Bryan Lodge, Peter Price, Joyce Wright, Denise Reaney and Chris Rosling-Josephs

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

2. APPOINTMENT OF CHAIR AND DEPUTY CHAIR

2.1 RESOLVED: That Councillors Alan Law and Peter Rippon be appointed Co-Chairs for the 2015/16 municipal year.

3. DATES AND TIME OF MEETING

3.1 RESOLVED: That meetings of the Committee be held on Tuesday 26th May 2015 and every three weeks thereafter at 2.00pm as follows:-

- 16 June 2015
- 7 July 2015
- 28 July 2015
- 18 August 2015
- 8 September 2015
- 29 September 2015
- 20 October 2015
- 10 November 2015
- 1 December 2015
- 22 December 2015
- 19 January 2016
- 2 February 2016
- 23 February 2016
- 15 March 2016
- 5 April 2016
- 26 April 2016

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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 16 June 2015

PRESENT: Councillors Alan Law (Chair), David Baker, Jack Clarkson, Tony Damms, Roger Davison, Adam Hurst, Ibrar Hussain, Bryan Lodge, Denise Reaney, Chris Rosling-Josephs, Garry Weatherall and Joyce Wright

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Nasima Akther, Peter Price and Peter Rippon but no substitutes were appointed.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

3.1 Councillor Garry Weatherall declared a personal interest in an application for planning permission for the erection of 2 artificial grass pitches with associated fencing, lighting and access; 2 new natural grass sports pitches; drainage improvements; single storey changing pavilion and social facilities, and associated parking and access road at Thorncliffe Recreation Ground, Mortomley Close (Case No. 15/00684/RG3) as a Member of Ecclesfield Parish Council. Councillor Weatherall indicated that he would participate in the discussion and vote on the application as he had not pre-determined his views on the application during the meetings of the Parish Council.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 26 May 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 on Monday 6 July 2015, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. TREE PRESERVATION ORDER NO. 398 - 442 GLOSSOP ROAD

6.1 The Director of Regeneration and Development Services submitted a report outlining an objection to Tree Preservation Order No. 398 at 442 Glossop Road.

- 6.2 The report stated that the reason given in the tree notice for the trees removal was that the trees were damaging the side boundary retaining wall between 442 Glossop Road and 1 Beech Hill Road. No written technical evidence with respect to structural damage to the wall was provided with the tree notice or when requested from the applicant.
- 6.3 Officers had no objection to the removal of one of the lime trees because of its close proximity to 442 Glossop Road and because it was obscured by the other lime tree when viewed from Glossop Road. A decision notice agreeing to its removal was sent to the applicant's agent on 22 January 2014.
- 6.4 The other lime tree is growing approximately 6.50 metres from the property and Provisional Tree Preservation Order No. 398 was served on 22 January 2015 to protect the tree, referred to as T1 in the Order, because of its visual amenity value.
- 6.5 An objection to the Tree Preservation Order had been received from the owner of the neighbouring property at 1 Beech Hill Road. Submitted with the objection letter was a structural inspection report which referred to the side boundary retaining wall between 442 Glossop Road and 1 Beech Hill Road. The conclusions and recommendations of the report included the following: 'That the two lime trees threaten the long-term stability of the wall and that the trees should be removed to enable the wall to be rebuilt.'
- 6.6 The structural inspection report had been considered by Sheffield City Council's Building Control Team who were in general agreement with the report and noted that the wall was in a state of disrepair, was structurally unstable and if not repaired will continue to deteriorate. Also the wall could not be reasonably rebuilt without damaging tree roots nor would it be possible to safely re-build the wall without removing support to the tree and thereby creating a risk of the tree falling during the works.
- 6.7 **RESOLVED:** That Tree Preservation Order No. 398 at 442 Glossop Road not be confirmed and be revoked as soon as practicable.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

- 7.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee for this date in respect of Case Nos. 14/04577/FUL and 14/00632/FUL and other applications considered be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) following clarification that the legal agreement was only relevant for the second application, as outlined in a supplementary report circulated at the meeting, and following consideration of representations from the applicant speaking in favour of

the application, applications for listed building consent and planning permission for demolition of No. 90 Garden Street, alterations to Provincial House including four-storey rear extension to create 55 apartments with associated facilities and common room, erection of five-storey block fronting Solly Street to create 38 apartments and erection of three-storey block to create 14 apartments with associated landscaped courtyard and cycle parking accommodation (amended plans received 21/5/2015) at Provincial House, Solly Street and 90 Garden Street (Case Nos. 15/00979/LBC and 15/00978/FUL) be granted, conditionally, subject to legal agreement;

(c) subject to the deletion of condition 4 and amendments to conditions 8 and 11, as outlined in a supplementary report circulated at the meeting, an application for planning permission for alterations to former church including demolition of single storey extension to form 10 apartments with associated car parking (amended plans and email content received on 30/4/15) at United Reformed Church Wadsley, 83 Carlton Road (Case No. 15/00950/FUL) be granted, conditionally;

(d) subject to the inclusion of an additional condition and amendment to condition 6, as outlined in a supplementary report circulated at the meeting, an application for planning permission for the erection of 2 artificial grass pitches with associated fencing, lighting and access; 2 new natural grass sports pitches; drainage improvements; single storey changing pavilion and social facilities; and associated parking and access road at Thorncliffe Recreation Ground, Mortomley Close (Case No. 15/00684/RG3) be granted, conditionally;

(e) subject to the removal of, and amendments to, conditions, as outlined in a supplementary report circulated at the meeting, and following consideration of representations from the applicant speaking in favour of the application, an application for planning permission for demolition of existing buildings and erection of student living accommodation comprising 192 units (305 bed spaces) in blocks ranging between 5 and 8 storeys with ancillary facilities, landscaping, access and other associated works at site of St Philips Social Club, Radford Street (Case No. 15/00650/FUL) be granted, conditionally subject to legal agreement and the wording of a condition and the mechanism for securing the Section 106 agreement to be agreed with the Chair prior to issuing the decision notice;

(f) (i) following consideration of an amended description and an additional representation from the applicant, as outlined in a supplementary report circulated at the meeting, and following consideration of representations from a local Ward Councillor and the agent for the applicant speaking against the recommendation to refuse permission, an application for planning permission for change of use of part of ground floor of dwellinghouse to retail unit (Class A1), demolition of bay window and erection of shop front (as per amended drawings and Site Location Plan – received on 7th April 2015) at 134 Abbeydale Road (Case No. 15/00303/FUL) be refused as the Local Planning Authority considered that owing to its size and design, the replacement bay/shop front would dominate the front elevation being an incongruous and detrimental feature to the character of the property itself and the street scene and would therefore be contrary to Policies BE5 (c) and S10 (d) of the Adopted Unitary Development Plan and Policy CS74

(c) of the Sheffield Development Framework Core Strategy, (ii) the Director of Regeneration and 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 restoration of the ground floor elevation to its former condition including the reinstatement of the bay window and (iii) authority be delegated to the Head of Planning, in liaison with a Joint Chair of this Committee, to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

(g) following clarification in relation to car parking and trees, and subject to an additional condition and an amendment to condition 11, as outlined in a supplementary report circulated at the meeting, an application for planning permission for the erection of 5. no apartments in two-storey split level single block with associated landscaping and car parking (re-submission of 13/01730/FUL) (as per amended drawings received 11 December 2014) at land at the junction of Middlewood Road and Middlewood Drive (Case No. 14/00632/FUL) be granted, conditionally; and

(h) subject to an addition to condition 18, as outlined in a supplementary report circulated at the meeting, and following consideration of representations from a representative of a local business adjacent to the site commenting on the noise impacts associated with the application and two representatives of the applicant speaking in favour of the application, an application for outline planning permission for residential development with all matters reserved except access (amended plans showing alterations to proposed link road received 21 August 2013) at land South of Arnold Lavers, Oxclose Park Road North, rear of 1-47 Ox Close Gardens, rear of 63-81 Deepwell Avenue and adjoining 5-7 Ox Hill (Case No. 13/01674/OUT) be granted, conditionally, subject to legal agreement.

(Note. Councillor Jack Clarkson abstained from voting in respect of the application for erection of 2 artificial grass pitches with associated fencing, lighting and access; 2 new natural grass sports pitches; drainage improvements; single storey changing pavilion and social facilities, and associated parking and access road at Thorncliffe Recreation Ground, Mortomley Close (Case No. 15/00684/RG3) and asked for his vote to be recorded).

8. ENFORCEMENT OF PLANNING CONTROL: 1 BLACKMORE STREET

- 8.1 The Director of Regeneration and Development Services submitted a report in respect of a breach of planning regulations related to the unauthorised replacement of roof slates with steel profile cladding on a Grade II listed building at 1 Blackmore Street.
- 8.2 The report stated that a complaint had been received, from a member of the public, on 1 May 2014 concerning the fact that the original slate roof covering had been removed and replaced with profiled steel cladding.
- 8.3 Correspondence was entered into with the owners of the property informing them that, because it was a Grade II listed building, planning permission and listed

building consent was required for works of this nature. They were also advised that it was unlikely that either would be granted because the steel cladding was not considered to be in keeping with the original character of the building.

8.4 A representative, acting on behalf of the property owner, contacted the Council and was informed that the steel cladding must be replaced with a natural slate. To date no attempt had been taken by the owner to remove the canopy as requested in the original correspondence dated 25 July 2014.

8.5 **RESOLVED:** That (a) authority be delegated to the Director of Regeneration and Development Services or the Head of Planning to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the replacement of the profile metal sheeting with natural slates at 1 Blackmore Street; and

(b) authority be delegated to the Head of Planning, in liaison with a Joint Chair of this Committee, to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

9. **ENFORCEMENT OF PLANNING CONTROL: NEW AGE TRAVELLERS SITE, WALLACE ROAD**

9.1 The Director of Regeneration and Development Services submitted a report in relation to a breach of planning control in respect of a New Age Travellers Encampment at Wallace Road and setting out the options available to remedy the breach.

9.2 The report stated that the land was cleared of unauthorised occupation in 2005 but since then, occupation by New Age Travellers (NATS) had incrementally increased over time.

9.3 As the NATS had been on site since 2005, there was a concern that there was potential for residential use to become authorised under Town Planning legislation and potentially adversely affect the Parkwood Springs Regeneration Masterplan that was being prepared for future use of the Parkwood Springs area.

9.4 The report concluded that Town Planning powers could be used to regain possession of the land but, as the Council was the landowner, the success of any action could ultimately revert to its use whatever means it had to comply with any notice served.

9.5 Given that the Council had the power to gain possession of the land without resort to planning powers, it was recommended that Members confirmed that Planning Enforcement action be not taken at this time.

9.6 **RESOLVED:** That, in the circumstances now reported, no action be taken in respect of the New Age Travellers Encampment at Wallace Road.

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

- 10.1 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.

11. DATE OF NEXT MEETING

- 11.1 It was noted that the next meeting of the Committee will be held on Tuesday, 7 July 2015, at 2.00 pm, at the Town Hall.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 07 July 2015

Subject: PROPOSED DIVERSION OF PUBLIC FOOTPATHSHE/174A
BETWEEN TOTLEY HALL LANE AND STOCKS GREEN
DRIVE, TOTLEY, SHEFFIELD

Author of Report: Mark Reeder 0114 2736125

Summary:

To seek authority to process the Public Path Diversion Order required to divert the public footpath linking Totley Hall Lane and Stocks Green Drive in the Totley area of Sheffield

Recommendations:

Raise no objections to the proposed diversion of the footpath linking Totley Hall Lane and Stocks Green Drive, as shown by a solid black line on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory undertakers in connection with any of their mains and services that may be affected.

Authority be given to the Director of Legal and Governance to

1. Take all necessary action to divert the footpath by order under the powers contained within Section 257 of the Town and Country Planning Act 1990.
 2. Confirm the order as an unopposed order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the order being confirmed.
 3. Submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.
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Background Papers:

Category of Report: OPEN

DIRECTOR OF REGENERATION AND DEVELOPMENT SERVICES

REPORT TO PLANNING AND HIGHWAYS COMMITTEE 7 July 2015

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257 PROPOSED DIVERSION OF PUBLIC FOOTPATH SHE/174A BETWEEN TOTLEY HALL LANE AND STOCKS GREEN DRIVE, TOTLEY, SHEFFIELD

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required to divert the public footpath linking Totley Hall Lane and Stocks Green Drive in the Totley area of Sheffield shown by a solid black line on the plan included as Appendix A.

2.0 BACKGROUND

- 2.1 On 30th January 2015, planning consent (ref: 14/02810/FUL) was given to Chris Gothard Associates (“the Applicant”) for the demolition of part of building, alterations to existing public house to form 6 apartments, alterations to outbuildings to form 2 cottages and erection of 3 detached dwellinghouses and garages, including associated external works and a footpath diversion. The Planning Application boundary is identified by a red line on the location plan included as Appendix B.
- 2.2 In order to enable the approved development to be carried out, it is necessary to re-align the footpath which runs through the site. To be done legally, a Public Path Diversion Order must first be made and confirmed.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies.
- 3.2 Not all the consultees had responded at the time of writing this report. Of those that have responded no objections have been received.
- 3.3 If any negative comments relating to the application are received before the Planning and Highways Committee meeting, they will be reported verbally.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal and Governance has been consulted and has advised that, if the Council is satisfied that public footpath SHE/174A needs to be diverted to enable the development to be carried out, it would be appropriate to divert the footpath by creating a legal order using the powers contained within Section 257 of the Town and Country Planning Act 1990 (TCPA 1990).
- 4.2 An order made under Section 257 does not come into effect until it is confirmed. In accordance with Schedule 14 of the TCPA 1990, an order may not be confirmed until interested parties have been given the opportunity to object to the making of the order.
- 4.3 Where no objections are received to the order (or if they are received and then subsequently withdrawn) the order may be confirmed by the Council without modification. If there are unresolved objections then the order must be confirmed by referral to the Secretary of State.

5.0 HIGHWAY IMPLICATIONS

- 5.1 The subject path is a definitive public footpath numbered SHE/174A, part of a link of footpaths, comprising of SHE/174A, B and C which forms a route from Totley Hall Lane to the open countryside south of Totley Hall Croft.
- 5.2 A re-aligned route will be created providing pedestrian access to, and through, the new development (see approved planning application plan attached as Appendix C). Consequently, the diversion of the footpath should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.
- 5.3 The new path will be 2 metres wide throughout, adopted, and maintained by Streets Ahead. It will provide a convenient off road route for pedestrians, constructed in accordance with Local Authority specification.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 No particular equal opportunity implications arise from the proposals in this report.

7.0 ENVIRONMENTAL IMPLICATIONS

- 7.1 No particular environmental implications arise from the proposals in this report.

8.0 FINANCIAL IMPLICATIONS

- 8.1 All costs accruing to the Council (Highway Maintenance Division) in association with this proposal will be met by the Applicant (including commuted sums if applicable).
- 8.2 Therefore there will be no increase in liability on the Highway Maintenance revenue budget.

9.0 CONCLUSION

- 9.1 The Council is satisfied that the proposed diversion of the footpath is necessary to enable the Development to be carried out. Based on all of the above information, the application is supported.

10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the proposed diversion of the footpath linking Totley Hall Lane and Stocks Green Drive, as shown by a solid black line on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.
- 10.2 Authority be given to the Director of Legal and Governance to
- a. take all necessary action to divert the footpath by order under the powers contained within Section 257 of the Town and Country Planning Act 1990.
 - b. confirm the order as an unopposed order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the order being confirmed.
 - c. submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

Steve Robinson
Head of Highway Maintenance

7th July 2015

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Appendix A

Town Head
Farm

LB

337

Totley Hall Lane

Grid Ref:
430643:379734

192.9m

OVERCROFT RISE

Stocks Green Drive

KEY

Footpath to be
stopped up



New 2.0m wide
footpath to be provided



Path to remain on existing alignment



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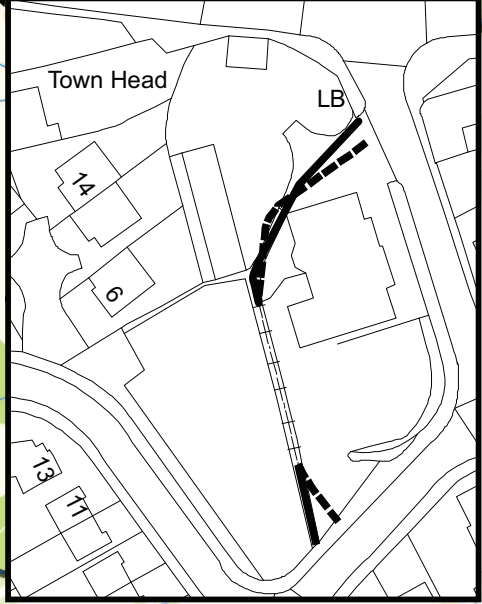
Location Plan

Appendix B



KEY

- Footpath to be stopped up
- New 2.0m wide footpath to be provided
- Path to remain on existing alignment



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location plan
scale: 1:1250

site plan
scale: 1:200

LEGEND :-

- HOUSE TYPE A
2 Bed, two storey semi-detached house with integral single garage
- HOUSE TYPE B
2 Bed, semi-detached house with integral single garage
- HOUSE TYPE C
4 Bed, detached house with side gate and detached double garage (with accommodation above)
- APARTMENTS
1 Bed to 4 Bed flats, some with integral parking and private amenity
- CONVERTED COTTAGES
3 Bed, two storey cottages with private amenity, rear and parking space

TOTAL 13

KEY :-

- Regular paving
- Turfed areas
- Pre-cast concrete paving - Marmala heritage or equal
- Shrub planting
- New Trees
- Existing Trees

FENCING KEY :-

- Block walls: Heights as indicated (if currently known)
- 1.80m high iron and steel lattice screen fence - stained finish
- 0.9m high white walls

Rev. B By MB Du
Scheme amended to reintroduce existing footpath

Rev. A By MB Du
Scheme amended to remove existing footpath

Rev. * By MB Du
First issue

WFL
SITE & LOCATION PLAN

PROJECT
RESIDENTIAL DEVELOPMENT
AT
**FLEUR DE LYS
TOTLEY HALL LANE
SHEFFIELD S17 4AA**
FOR
FULWOOD DEVELOPMENT

SCALE (A1)
1:200 / 1:1250

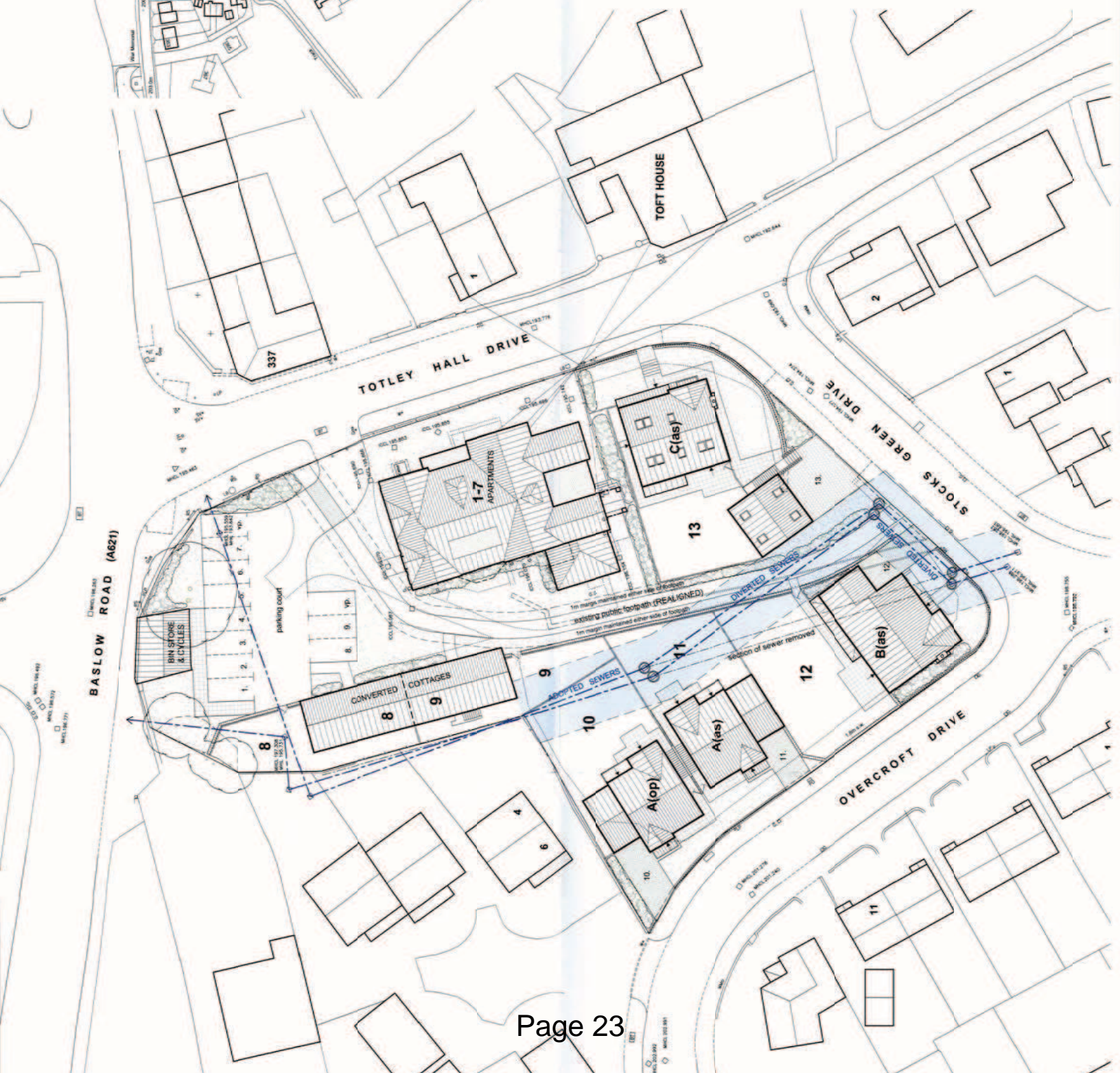
DATE
JUNE 2014

PROJECT NO
2171

CONTRACT NO
02

Chris Gothard Associate
architects
Queens Tower Lodge 77-79 East Bank Road
Sheffield S10 2TQ
Tel: 0114 2760001
www.chrisgothard.co.uk

14 JUN 2014



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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Report of: Director of Regeneration and Development Services

Date: 07/07/2015

Subject: Applications under various acts/regulations

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

Summary:

Reasons for Recommendations

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

Recommendations:

Background Papers:

Category of Report: OPEN

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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning

To the Planning and Highways Committee

Date Of Meeting: 07/07/2015

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	15/01291/FUL (Formerly PP-04112638)
Application Type	Full Planning Application
Proposal	Demolition of existing public house and erection of 9 apartments including new boundary walls, bicycle store and associated works
Location	Thornccliffe Arms 135 Warren Lane Sheffield S35 2YD
Date Received	14/04/2015
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:

14944- A1_02-existing site layout
14944- A3_07- perspective view of front
14944- A1_05- proposed elevations/floor plans
14944- A1_04 - proposed floor plans
14944- A1_03 - proposed site layout
14944- A1_06 - proposed street elevation
14944- A1_01 - location plan

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. Prior to the commencement of development full details of the design of the bin store and bike store shall be submitted to and approved in writing by the Local Planning Authority. The store shall be erected in accordance with the agreed details prior to the occupation of the development.

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

4. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

5. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation (including some disability parking) shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless the car parking

accommodation has been provided in accordance with the aforementioned approved plans, and thereafter retained/maintained for the sole purpose intended.

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

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

6. 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.

7. 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 and doors

Juliette balconies

Reveal depths of windows and doors

Roof details including parapet flashings and soffits wall and soffit treatment to vehicular entrance through building

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

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

8. 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 development 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

9. The development shall not be used unless the access and facilities for people with disabilities shown on the plans and detailed in the Design and Access Statement 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.

10. 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

11. 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.

12. 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.

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

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

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

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

15. 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.

16. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated kerb and footway (2 metres wide) 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.

17. 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.

18. The development shall not be used unless the cycle parking accommodation for 10 bikes 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

19. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

Other Compliance Conditions

20. 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.

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. No gate shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.
2. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on

commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

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

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

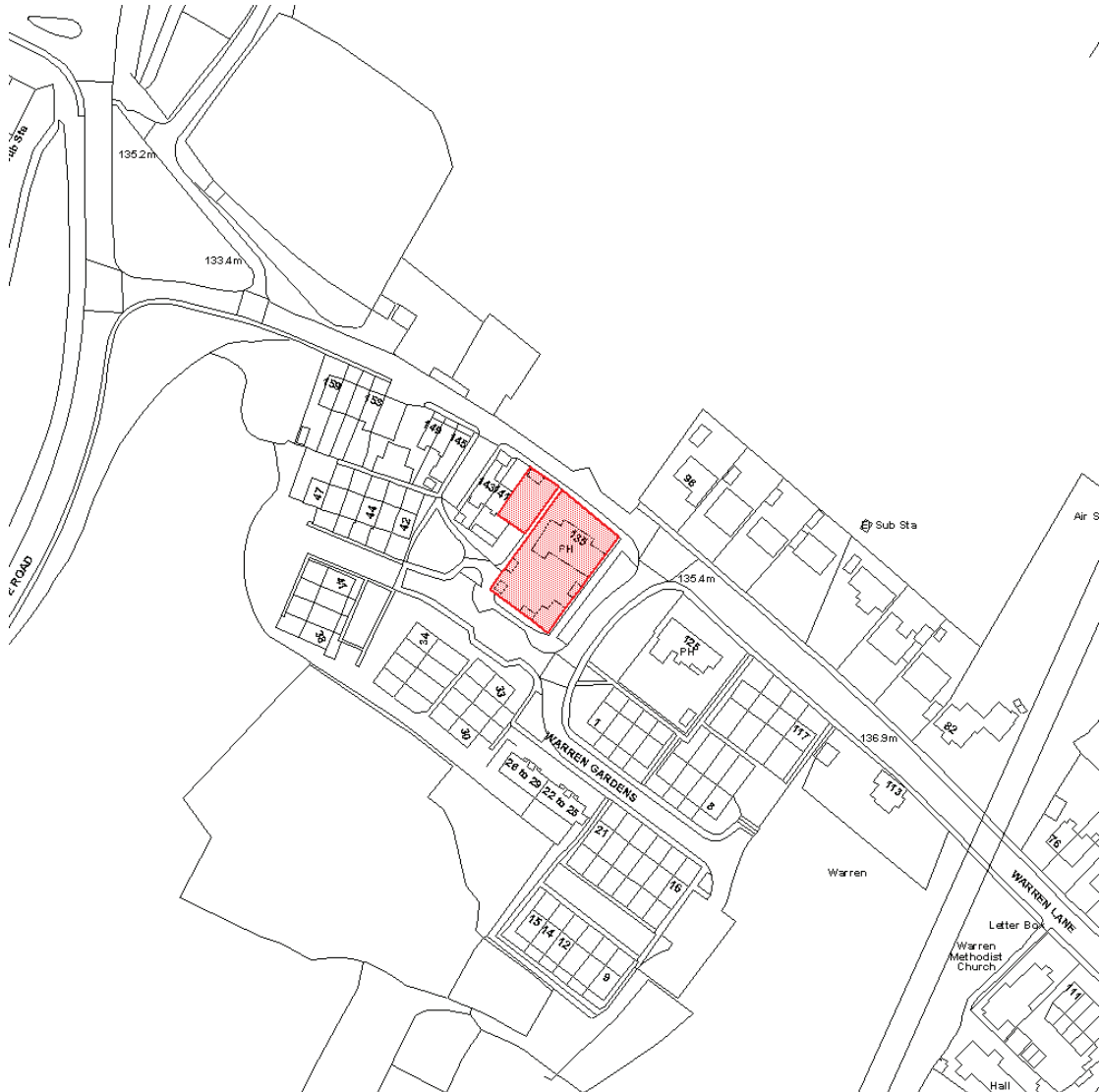
You should apply for a consent to: -

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

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

4. 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.
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.

Site Location



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LOCATION AND PROPOSAL

The site is located on the outskirts of Chapeltown. Thorncliffe Arms is a vacant public house, located on the corner junction of Warren Lane and Warren Gardens. The site occupies an area of approx. 855m². The site is located within a Housing Area as defined within the UDP.

Planning permission is being sought for the demolition of the existing Thorncliffe Arms public house building and the construction of a new 9 two-bedroom apartment building.

SUMMARY OF REPRESENTATIONS

9 letters of representation have been received; objections raised are outlined below;

- insufficient car parking
- unhappy with bike storage areas
- no visitors parking shown
- highway concerns, especially with a one-way system in close proximity
- out of character with the area
- public building is historic building
- insufficient garden areas for occupants of proposed flats
- lack of public transport for new residents
- existing building should be retained and restored

Ecclesfield Parish Council support objection letters received from local residents as outlined below;

- The Thorncliffe Arms Public House is an historic building, built over 200 hundred years ago. The Committee and residents feel it would be a great shame to lose this historic building. The Committee wish to see the building retained and perhaps converted to apartments rather than a new build in its place.
- The proposed development is not in keeping with neighbouring properties which are 18th century stone cottages.
- The car parking spaces allocated for the proposed development are insufficient as some of the spaces identified are already utilized by residents of Warren Gardens and this development will further compromise car parking spaces.
- The proposed development is at the site of a one way system, and the Committee are already aware of problems with traffic misusing the one way system and causing problems for residents living on Warren Lane.
- The Committee felt that the proposed development would be an overdevelopment of the site.

Consultees

Coal Authority- no objections conditions suggested
Environmental Protection (Commercial) - no objections conditions suggested
Highways Officer- no objections conditions suggested

PLANNING ASSESSMENT

Policy

The site is located in a Housing Policy Area as designated in the Sheffield Unitary Development Plan (UDP). Policy H10 details housing as being the preferred development type. Policy H14 is also applicable and sets out Conditions on Development in Housing Areas.

Policy H5 is applicable and seeks to ensure that the concentration of flats would not cause serious nuisance to existing residents, ensure that living conditions are satisfactory for occupants of the accommodation and immediate neighbours and there is appropriate of street parking accommodation to meet the needs of the development. This will be assessed below.

Core Strategy policy CS24 is applicable and seeks to maximise the use of previously developed land for new housing. As the site is located on previously developed land the scheme contributes to the aims of this policy.

Core Strategy policy CS26 sets out appropriate density ranges for different types of location, in order to make efficient use of land for new housing, whilst taking account of character and accessibility. In this type of location, not near to a District Centre or high frequency public transport route, the appropriate density range is 30 - 50 dwellings per hectare. The proposal represents a density of 92 dwellings per hectare which is above this. The policy details that densities outside these ranges will be allowed where they achieve good design reflect the character of the area or protect a sensitive area. Policies BE5 and CS74 are also concerned with detailed design principles.

Visual Impact and Design

The character of the area is residential. The site is occupied by a two storey building with open land opposite the site- (north of the site). Residential properties are located further east, consisting of bungalows and further along two-storey terraced properties, a public house is also located adjacent the site along Warren Gardens, whilst further along towards west of the site in question residential properties consists of 2 storey terraced buildings. To the south of the site and off, Warren Gardens, residential properties consist of flats and a mixture of local and ex-local authority dwellings. There is no strong character to the area and the principle of the introduction of a development of this type is acceptable given the mixed character of the area.

As the site stands alone and there are no buildings on either side then this offers greater flexibility in terms of the form of the building as it does not have to form the continuation of an existing street scene.

The site is currently occupied by a public house. The design offers 9 good sized apartments all of which contain 2 bedrooms. 3 of which have been designed to mobility standard. All the apartments offer a generous bathroom and combined living dining and kitchen areas. Pedestrian access can be gained directly from Warren Lane and Warren Gardens. A shared private amenity area is positioned at

the rear of the development. Gardens shown to the front are to be private gardens for the two ground floor apartments.

The proposed building will be a 2.5 storey building. The height of the ridge of the new building is approx. 8.9m which is similar to that of the height of the previous building (approx. 8.7m). The development is set back approx. 16.5m from the main road. It is considered that the overall height of the proposed building is in keeping with those of the surrounding buildings and the building which previously occupied the site. Given that the building is not significantly higher than what is on site at present and the ridge height of many 2 storey properties then the overall height is considered acceptable. The building is of acceptable scale and massing.

The main elevations are proposed to be natural stone with grey and black coloured panels set within the window openings. The use of natural stone is established within the immediate context and is therefore a suitable solution for the buildings finish. Bay windows are common features within the locality so these have been incorporated them into the design with areas of glazing orientated away from adjacent buildings. The roof is to be natural slate. The palette of materials are shown to be limited and to be consistent throughout the scheme. The new building is considered to be an attractive modern design with a good degree of variation and depth to the main facades.

The existing car parking area to the west side of the site will be retained, supporting statement suggests that 15 spaces are available, 3 of these are for the mobility standard apartments. The car parking areas are situated to both sides of the proposal with access to the building made easy via either the rear or front entrances. The amenity space has been set out in the remaining areas of land and the space, which will create attractive outdoor amenity space.

The scheme is of appropriate scale, massing, form and is well designed to suit the site. The development would not appear out of character with the area and is therefore compliant with policies H14 and BE5 of the UDP and Core Strategy Policies CS74 and CS26. Due to the above assessment the fact that the development density is above the range recommended in Policy CS26, this is acceptable as the design is good and the impact on the character of the area is acceptable.

Access

Policy H7 seeks to secure a proportion of mobility housing to meet local need. This is reinforced by the Mobility Housing SPG which seeks to secure 25% of mobility housing in new housing developments. 3 ground floor flats have been designed as mobility units and there is level access to each. In addition there is an appropriate proportion of accessible parking. The scheme is compliant with the Mobility Housing Policy Requirements.

Landscape

Policy GE15 requires developers to retain mature trees and copses and hedgerows wherever possible and replace any trees which are lost. There are no

mature trees within the site curtilage and the existing landscaped areas seem to be relatively poor. Plans show landscaped areas to the front and rear, nevertheless a tree planting and landscaping scheme will be required and controlled by condition

The scheme is compliant with the aims of UDP policy GE15.

Ecology

A key principle of the NPPF is to conserve and enhance the natural environment. There is no ecological harm generated through the redevelopment of the site.

Sustainability and Drainage

Policies CS64 and CS65 require new developments to address climate change and employ sustainable design principles. The supporting information submitted confirms that the scheme will be designed to a minimum of Code for Sustainable Homes level 4 and that measures will be included to generate 10% of the predicted energy needs from renewable sources supporting information suggests that integrated photovoltaic panels will be provided. These requirements can be secured by appropriate conditions.

Policy CS67 is concerned with flood risk management. A condition will be attached to reduce surface water.

Highways

The site currently has vehicular access and a large car park, this is shown to be retained. Additional parking area is also shown off Warren Gardens, however as this is outside the redline boundary of the site, this cannot be considered as additional parking provision for the scheme. Nevertheless highway officer have raised no objections and have suggested that as there is sufficient on-street car parking availability to accommodate any overspill demand from the development a refusal cannot be justified and conditions will be imposed to provide further plans showing adequate parking for disabled users within the existing parking areas of the site in question. The scheme is also close to a high frequency bus route and the incorporation of cycle parking also encourages the use of alternative modes of travel to the private car. Consequently it is concluded that the scheme would not result in significant highway safety concerns for both pedestrians and other highway users.

Amenity

Impact on Existing Neighbours

Taking reference from the Council's Supplementary Planning Guidance on Designing House Extensions, the usual standard separation distance sought between main facing windows is 21 metres between two storey properties. The Guideline states that this distance may need to be greater where there are level differences and a reduced standard can be applied where windows do not face each other and angled.

In term of overshadowing and overbearing impacts, the usual guideline taken from the SPG says that there should be 12 metres between a main ground floor window and a new two storey building.

The front facing windows and Juliette balconies would face the open space opposite the site. The balconies are Juliette rather than step out balconies and would have a similar outlook to a regular window. At a minimum, the distance between the new building and the residential dwellings to the rear off Warren Gardens would be approx. 30m with the dwellings themselves being further separated by the proposed gardens areas, the bike store and boundary wall and mature vegetation. Nevertheless these residential neighbouring properties have the side elevations facing the site in question and as such this is considered ample separation distance to ensure adequate levels of privacy to these properties.

There are no residential properties immediately in front of the proposed building. No.96 Warren Lane is the nearest dwelling, which is a bungalow and is set to the east and is at an angle away from the site in question. The distance is approx. 28m and as there will be no direct windows facing this neighbouring dwelling, there will be no determinate in terms of loss of privacy, overbearing, overshadowing.

To the west side of the site is the car parking area that serves the public house and is shown to be used as the car park for the future occupants of the proposed building. To the east side is a public highway which separates the site and a public house.

The cycle store will be provided within an existing detached building to the rear of the site and the bin storage adjacent to the bike store building. This would not have a significantly greater impact on amenity of neighbours over and above the existing situation. The boundary screening and position of these facilities does not raise significant privacy implications

The existing premise is a public house. There has always been a level of activity associated with the site and also vehicle movements in similar locations to that proposed. The use of the site as residential is more compatible with the nature of the location and would not give rise to significant noise. The scheme would provide 9 units, which is not overly intense. The scheme would comply with the relevant aspects of policy H5 of the UDP.

Amenity of Future Occupants

The internal accommodation is of a size where it is adequate for residents. The units have acceptable light and outlook. The amount of amenity space is acceptable and will be appropriate quality as a result of a good landscaping scheme.

The scheme is compliant with policy H5 of the UDP.

Open Space

As the proposal is for 9 two-bedroom units this is below the threshold of 10 units and as such there is no financial contribution requirement.

SUMMARY AND RECOMMENDATION

The principle of residential development in this location is acceptable. The scheme makes use of a previously developed site and is of an acceptable density. The scheme would be visually acceptable in this location and is acceptable in terms of the impact on the character of the area. The height, scale and massing of the building is acceptable and the layout and design are appropriate.

The scheme is considered acceptable in its relationship to neighbouring properties.

The scheme provides adequate amenity for future residents and acceptable parking levels and impacts on highway safety. The scheme will secure an appropriate contribution towards open space to meet the needs arising from the development.

The application is considered acceptable in relation all other matters and compliant with policies H10, H14, H5, H7, BE5, GE15 of the UDP and policies CS24, CS26, CS64, CS65, and CS67 and of the Core Strategy and the NPPF and therefore recommendation for approval is appropriate in this case.

GRANT

Case Number	15/01265/RG3 (Formerly PP-04107292)
Application Type	Application Submitted by the Council
Proposal	Demolition of existing school buildings and use of land, including existing playing fields, as public open space (Amended description)
Location	Tinsley Junior School Bawtry Road Sheffield S9 1WB
Date Received	10/04/2015
Team	City Centre and East
Applicant/Agent	Bond Bryan Architects (Church Studio)
Recommendation	Grant Conditionally

Subject to:

Time limit for Commencement of Development

1. The replacement public open space shall be provided prior to October 2017 and before works on this new public open space commence the final design details shall have first been approved by the Local Planning Authority. These details shall include:
 - Habitat improvements, including additional tree planting.
 - Car parking to serve the facilities.
 - Highway improvement works, including road markings, signing and amendments to waiting restrictions (as deemed appropriate).
 - A lighting strategy.

Reason: In order to ensure suitable replacement open space is provided for Tinsley residents to help address a recognised deficiency and mitigate the impact of the loss of public open space to Tinsley Green.

Approved/Refused Plan(s)

Pre-Commencement Condition(s)

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

2. Before the new public open space is brought into use a completed Community Use Agreement shall have been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hours of use, access, management responsibilities, including any pricing policy for the use of the sports pitches, and include a mechanism for review. The use shall be operated in accordance with this agreement thereafter and any subsequent changes must be agreed in writing with the Local Planning Authority.

Reason: To ensure suitable access and provision to facilities is secured for wider community benefit.

Other Compliance Conditions

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.

Schools. These schools are currently on separate sites and the proposal is to create one school on a section of Tinsley Green.

This project would involve the refurbishment and extension of the existing Tinsley Green building, in order to provide this joint facility for children aged between 2 and 11.

The second application (subject to this report) involves the change of use of the existing Tinsley Junior School Site into public open space. The exact nature of this open space would be determined after consultation with the local community, although the existing sports pitches would be retained.

There are two principal reasons why the proposal to move the schools away from the existing sites have been put forward. These include:

1. Removing the existing schools away from the M1 Motorway to reduce the negative health effects associated with the air and noise pollution generated by the presence of the Motorway.
2. Tackling an identified undersupply of school places in the Tinsley catchment area.

There have been a number of key milestones leading up to the submission of this application.

1. A report was presented to and agreed by Cabinet in April 2014. This agreement sanctioned the amalgamation of Tinsley Nursery, Infant and Junior Schools to create Tinsley Meadows Primary School.

The decision was linked to a plan to rebuild and expand the school with the stated aim of moving the schools away from the motorway in order to alleviate the noise and air pollution issues and deal with identified capacity issues.

The Cabinet report also sanctioned further work to identify an appropriate site.

2. Following an assessment of options for relocation, in January 2015 a report to the Leader of the Council was approved that identified Tinsley Green, incorporating the existing Tinsley Green building, as the only viable choice.

The following report discusses the planning implications of the proposal to replace the open space lost as a result of the proposed new school at Tinsley Green with new open space on the site of the existing junior school (which is to be demolished).

LOCATION

The Tinsley Junior School site is approximately 2.79 hectares in size and includes the existing school building and playing fields. The school building is set fairly centrally within the site and fronts Bawtry Road, which borders the site to the east. The existing buildings principally range between one and two storeys and are flat roofed.

The M1 Motorway is set to the west and residential properties are set adjacent to sections of the existing playing fields, including along the southern and northern boundaries.

The existing pedestrian and vehicle access into the site is taken from Bawtry Road. Directly across from the existing access point is the small Local Shopping Centre as defined within the adopted Sheffield Unitary Development Plan (UDP).

The existing school building is located within a designated Housing Area and the remainder of the school site is set within an Open Space Area (although not publicly accessible) as defined by the adopted UDP.

PROPOSAL

The applicant is seeking permission to change of use of the existing Tinsley Junior School Site, into public open space. The exact nature of this public open space would be determined after consultation with the local community, although the existing sports pitches would be retained.

The applicant has provided a timetable for the delivery of the scheme and this is as follows:

February 2016 – September 2016: Consultation on proposals for developing the Junior School site and agreement on the detail of a community use agreement.

October 2016 – December 2016: Demolition of the existing Junior School Building.

January 2017 – September 2017: Undertake the works.

RELEVANT PLANNING HISTORY

There is no planning history of relevance to this application.

SUMMARY OF REPRESENTATIONS

Sport England

Sport England has confirmed that they do not wish to raise an objection to this application as the proposed development is ancillary to the principal use of the site as playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.

Sport England has requested a planning condition that secures the community use of the remaining playing fields.

Local Representations

There has been one letter of representation from a local resident that states that the new site 'should be enhanced both ecologically and for use by local people. It would be sensible to plant appropriate species as a pollution barrier along the road sides. We hope that the local community and wildlife organisations are consulted to develop the details of this green space and that there is a long term management agreement (and funds) put in place for the site.'

One further objection has been received from a local resident, but no comments have been made in association with this.

In addition to this some of the representations made in relation to the sister application (15/01264/RG3) also made reference to this scheme. It is therefore considered appropriate to take account of these within this assessment. These comments are as follows:

- The new open space is not overlooked by properties and this could create safety issues for children using it.
- The creation of new open space on the existing Junior School site would place users of this space next to the M1 and they would suffer the associated health issues.

PUBLIC CONSULTATION

The application has been advertised by way of neighbour consultation letters which were sent to 81 properties. Two site notices were also displayed along Bawtry Road.

In addition to the above, clearly there has been ongoing public consultation at the various stages of the decision making process, which includes at the pre-application stage. Two public consultation events took place on 2 February and 27 March 2015 and invites sent via leaflet drops to local residents and flyers to existing staff and parents.

A summary of the comments made has been submitted as part of the sister application (15/01265/RG3).

PLANNING ASSESSMENT

Some of the more significant principles, including the urgent need to provide additional school spaces in the Tinsley Area, have been assessed in the sister application (15/01264/RG3) and this assessment will therefore focus on the material considerations relating specifically to this change of use proposal.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The key principle 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.

Air Quality

Policy GE23 (Air Pollution) within the UDP 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.

Policy CS66 (Air Quality) within the CS states that action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

The Air Quality Action Plan 2015 was approved by Cabinet in July 2012 and identifies the need to mitigate the impact of the M1 Motorway (particularly in the Tinsley Area) as one of seven key action areas.

The application has been accompanied by an Air Quality Statement that considers the appropriateness of creating public open space on the application site.

The Statement has used various pieces of information to reach conclusions, including dispersion modelling and data gathered from local diffusion tubes and monitoring stations.

The Statement identifies that if the site was to be used as community space then the hourly NO₂ objective would apply. This objective relates to 200µg/m³ not being

exceeded more than 18 times per year. Locations where the hourly objective applies are:

- a) All locations where the annual mean and 24 and 8-hour mean objectives apply.
- b) Kerbside sites (for example, pavements of busy shopping streets).
- c) Those parts of car parks, bus stations and railway stations etc. which are not fully enclosed, where members of the public might reasonably be expected to spend one hour or more.
- d) Any outdoor locations where members of the public might reasonably expected to spend one hour or longer.

In this respect Local Air Quality Management Technical Guidance 2009 indicates that the hourly NO₂ air quality objective of 200µg/m³ (not to be exceeded more than 18 times per year) is unlikely to be exceeded at roadside locations where the annual mean concentration is less than 60g/m³.

The existing monitoring information does not show any annual mean concentrations above the 60g/m³ and, more notably, only two events above the hourly NO₂ air quality objective of 200µg/m³ have been recorded. These two events were recorded in 2012 and no events have been recorded in 2013 & 2014.

In relation to the dispersion modelling, this indicates the existing situation on the Junior School site will slightly improve in the future, partly as a result of improved emission controls. This is in line with Defra predictions that background concentrations will decline in future years.

The submitted Assessment has been considered by the Council's Air Quality Officer who has confirmed that the report and the conclusions are satisfactory.

In addition, it is anticipated that any future project would involve extensive new tree planting as a way to help mitigate the air quality issues in the area.

The proposed use of the existing Junior School site as public open space is therefore considered to be in accordance with the above air quality policies.

- Noise

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

Along with air quality, noise was also a key consideration within the Health Impact Assessment (HIA) that was produced to inform the original Cabinet decision to move the schools in April 2014.

This report identifies that, owing largely to the M1 Motorway, noise pollution is a factor on this site. The HIA also identifies that children are a group considered to be particularly vulnerable to the adverse effects of environmental noise and this is reaffirmed within literature produced by the World Health Organisation (WHO).

As with the principle established in the air quality section, whilst not ideal, the limited exposure to increased noise levels for users of this new public open space would be less harmful than the existing situation in which young children are being exposed to this for prolonged periods over the course of several years. The use of public open space is much more sporadic in nature which means that long-term exposure will not be an issue.

Land Use

- Open Space

The NPPF states that existing open space, including playing fields, should not be built on.

Policy CS45 (Quality and Accessibility of Open Space) within the CS states that safeguarding and improving open space will take priority over the creation of new areas.

Policy CS46 (Quantity of Open Space) within the CS states that as opportunities arise new open spaces will be created where a quantitative shortage of open space is identified in the local area.

The creation of new publically accessible open space on the existing Junior School site will provide the community with approximately 2.79 hectares of new usable green space and, when the 1.03 hectares lost on The Green is accounted for, this will result in a quantitative increase in the catchment area, which is advocated by Policy CS46.

The applicant has identified that the new public open space on the existing Junior School site will be of an equivalent quality to Tinsley Green and the final details of this project are to be provided following a community consultation exercise.

The retention of the existing sports pitches on the site has been committed to at this stage, which is welcomed. In addition, it is anticipated that any future project

would involve extensive new tree planting as a way to help mitigate the air quality issues in the area.

In addition, the application will result in the creation of a local park on both sides of Bawtry Road, which is heavily trafficked, and therefore easy and safe access to local parks is improved as a result of the proposals, particularly for those residents who currently live to the west / south of Bawtry Road.

- Housing

Policy H10 (Development in Housing Areas) within the UDP states that Open Space is an acceptable use in such areas.

Design & Landscape

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

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

The principle consideration in respect of design relates to the demolition of the existing building and the impact of this in relation to townscape.

In this regard the existing school buildings are not listed, nor are they set in a conservation area. In addition, the buildings themselves are not of any particular architectural merit and are not characteristic of the more traditional two storey red brick buildings seen throughout Tinsley.

Although a gap would be created in the street scene, this would be seen in the context of the existing playing fields and therefore would not be incongruous.

The proposal to demolish the buildings is considered to accord with the above design policies. Any new equipment or facilities that will be associated with the newly formed public open space will be low small in scale and will, by nature, not harm the characteristics of the area.

Highways

The NPPF promotes the location of developments that generate significant movement to be where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

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

Given the new public open space would serve the surrounding community and on-street car parking is available in the local area, it is currently felt that only limited car parking would need to be provided on site. The final details of this parking and any future highway improvement works, which again are likely to be minor, would be secured through a planning condition should Members be minded to approve the application.

It is anticipated that the existing vehicle access point would be utilised and this principle is acceptable from a highways perspective as it is on a long straight stretch of Bawtry Road with good visibility in both directions.

Given the above, the proposals are considered to comply with the relevant highway policies.

Amenity

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

Policy GE24 (Noise Pollution) within the UDP requires that development should not create noise levels causing a nuisance, and sensitive uses and noisy uses should not be located close together. In addition to policy GE24 other forms of amenity impact on surrounding residents also require consideration.

There are several residential properties that have common boundaries with this open space and this needs consideration.

In relation to general noise, there is potential for this to be increased as a result of the proposed change of use. However, the close proximity of residents is not uncommon and already occurs at Tinsley Green for example. It is considered that any inconvenience caused, which would be slight, should not outweigh the benefit of improving public open space provision in Tinsley for which there is a deficiency. The site is large enough to accommodate more noisy activities away from residential boundaries.

It is not anticipated any notable artificial light will be included in the final scheme. The details of any proposed artificial lighting will be managed through the design development stage.

In light of the above the scheme is viewed as being acceptable from an amenity perspective.

Community Use

Policy CF1 (Provision of Community Facilities) within the UDP states that the provision of community facilities will be promoted. Several examples of when these would be particularly desirable are given and this includes when they would be located where there is a shortage and within the community they are intended to serve.

The final details in relation to community access/use, including hours of use, would be secured through a Community Use Agreement should Members be minded to approve the application.

Ecology

Policy GE15 (Trees and Woodlands) within the UDP states that trees and woodland will be encouraged and protected. This would be achieved in part by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

Together with Policy GE15 other ecology implications require further consideration.

It is anticipated that the final proposals for the space will include habitat creation/improvement which will be a further benefit of the proposed scheme.

In relation to the demolition of the existing building the initial desk based assessment identified low potential for bats. Although low, this does require additional exploration and the applicant is preparing a bat emergence survey, the results of which will be conveyed to Members at Committee.

Flooding

Although the site is located in Flood Zone 1 (low risk), as it is over one hectare in size the application has been accompanied by a Flood Risk Assessment.

This Assessment identifies that the demolition of the existing buildings and removal of much of the associated hardstanding (other than retaining a car park in the final

plans) will be a positive step from a flooding perspective as more permeable surfacing can be created.

The Environment Agency has confirmed that the development falls outside their scope for consultation and has therefore provided no comments.

Health and Safety Zone

The site is within a Hazardous Substance Installation Zone and as a result the Health and Safety Executive (HSE) (Hazardous Installations Directorate) has been consulted.

The HSE have responded stating that they would not advise against the granting of planning permission on safety grounds in this case (given the nature of the use).

RESPONSE TO REPRESENTATIONS

The majority of the matters raised within the representations have been addressed in the above planning assessment. The remaining issues are addressed as follows:

- The new open space is not overlooked by properties and this could create safety issues if children use it.

The final design of the space and the facilities within it will address this concern.

SUMMARY AND RECOMMENDATION

Owing to the limited periods of exposure of people using public open spaces the submitted Air Quality Statement identifies that the levels of pollution at the application site are acceptable for a use of this nature.

Whilst the noise environment is not ideal, again owing to the limited exposure periods, this would be less harmful than the existing situation in which young children are being exposed to noise for prolonged periods over the course of several years in a teaching environment.

The proposed use is supported from a land use perspective and the creation of additional publicly accessible open space would help tackle an existing deficiency in the catchment area.

The proposal includes the retention of the existing playing fields / sports pitches. The final function of the remaining space will be agreed after appropriate community consultation.

The existing buildings are not considered to be of any notable architectural quality and their removal is therefore supported.

The development is therefore recommended for conditional approval.

Case Number	15/01264/RG3 (Formerly PP-04106560)
Application Type	Application Submitted by the Council
Proposal	Refurbishment of existing building and erection of three-storey extension to form a new primary school for ages 2-11 with associated hard and soft landscaping works, additional car parking accommodation and relocation of multi-use games area (MUGA) (Full application under Regulation 3 - 1992)
Location	Tinsley Green Centre 34A Norborough Road Sheffield S9 1SG
Date Received	10/04/2015
Team	City Centre and East
Applicant/Agent	Bond Bryan Architects (Church Studio)
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:

Site Plan Ref: TBC

Elevation Plans Ref: TMS-BBA-Z0-ZZ-DR-A-03010-P6 & TMS-BBA-Z0-ZZ-DR-A-03013-P6 received via email dated 17 June 2015.

Floor Plans Ref: TMS-BBA-Z0-GF-DR-A-02010-P5 & TMS-BBA-Z0-01-DR-A-02010-P5 & TMS-BBA-Z0-RF-DR-A-02010-P5 scanned date 21 May 2015.

Section Plans Ref: TMS-BBA-Z0-ZZ-DR-A-04011-P5 & TMS-BBA- Z0-ZZ-DR-A-04010-P5 (scanned date 21 May 2015).

Section Plans Ref: TMS-BBA-Z0-ZZ-DR-A-07505-P7 & TMS-BBA-Z0-ZZ-DR-A-07506-P5 received via email dated 17 June 2015.

Landscape GA Plan Ref: TBC

Hard Works Plan Ref: 493-007A scanned date 21 May 2015.

Planting Plan Ref: 493-009 scanned date 21 May 2015.

Fencing Plan Ref: 493-002B scanned date 21 May 2015.

Roof Garden Plan Ref 493-004B scanned date 21 May 2015.

Reason: In order to define the permission.

3. The development shall be carried out in accordance with the following approved drainage plans:

MMD-351277-C-DR-00-XX-1001 received via email dated 11 June 2015 (scanned date 15 June 2015).

MMD-351277-C-DR-00-XX-4001 received via email dated 11 June 2015 (scanned date 15 June 2015).

MMD-351277-C-DR-00-XX-4002-P1 received via email dated 25 June 2015.

Reason: To ensure satisfactory drainage arrangements

Pre-Commencement Condition(s)

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. 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.

7. 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.

8. Before development commences a strategy to control/mitigate dust and emissions from the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. This strategy should have regard to the Institute of Air Quality Management (IAQM) document 'Guidance on the Assessment of Dust for Demolition and Construction' (February 2014), and the London Councils' Best Practice Guidance, November 2006, 'The Control of Dust and Emissions from Construction and Demolition'. The construction phase of the development shall be carried out in accordance with the approved strategy thereafter.

Reason: In order to help mitigate the effects of dust and construction traffic during the construction phase

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

9. Before the building is brought into use a completed Community Use Agreement shall have been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The building/use shall be operated in accordance with this agreement thereafter and any subsequent changes must be agreed in writing with the Local Planning Authority.

Reason: To ensure suitable access and provision to facilities is secured for wider community benefit.

10. Unless alternative timeframes and/or locations within The Green are agreed in writing by the Local Planning Authority, before the school use commences the

following shall have been provided in the locations identified on the approved Landscape GA Plan Ref: TBC to the satisfaction of the Local Planning Authority:

1. Relocated Public Play Area (marked 6 on the approved plan).
2. New and modified paths (marked 8, 9 & 23) on the approved plan).
3. New MUGA (marked 10 on the approved plan).
4. Existing early years play equipment (marked 22 on the approved plan).
5. Community Gathering Space (marked TBC in the approved plan).

In addition, the existing cricket practice nets shall have been relocated in accordance with Site Plan Ref: TBC.

Reason: To ensure existing facilities are retained for the existing community and to help mitigate the impact of the development.

11. 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.

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:-

- a) Boundary Fencing, which shall be in substantial accordance with Plan Ref: 493-010 scanned date 21 May 2015.
- b) Soffits, including lighting.
- c) Cladding patterns, including fixings.
- d) Canopies, which shall be in substantial accordance with Section Plans Ref: TMS-BBA-Z0-ZZ-DR-A-07505-P7 & TMS-BBA-Z0-ZZ-DR-A-07506-P5 received via email dated 17 June 2015.
- e) Bin Store, which shall be brick built.

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

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

15. Within three months of development commencing the following improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below shall 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 school is brought into use.

Highway Improvements: Waiting and parking restrictions, including School Keep Clear markings, as shown in principle on Figure B of the Technical Note prepared by Mott McDonald dated 16th June 2015 and scanned 17 June 2015 (Ref: 351277).

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.

16. Within three months of development commencing full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport

17. Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

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

18. The development shall not be used for the purposes hereby permitted, unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted for written approval by the Local Planning Authority. These details shall include plans showing the location of the fume extract terminating one metre above eaves or ridge and shall include a low resistance cowl. The use shall not be commenced until the approved equipment has been installed and is fully operational.

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

19. Before the use hereby permitted commences, the applicant shall submit for written approval by the Local Planning Authority a report giving details of the impact of light from the development on adjacent dwellings. The report shall demonstrate that the lighting scheme is designed in accordance with The Institution of Lighting Professionals document GN01: 2011 'Guidance Notes for the Reduction of Obtrusive Light'. The development shall be carried out and thereafter retained in accordance with the approved details. [The guidance notes are available for free download from the 'resources' pages of the ILE website.]

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

20. 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.

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. 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.

23. The proposed green/brown roof (vegetated roof system) shall be provided on the roof(s) in accordance with locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/brown roof(s) shall be provided prior to the use of the building commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

24. Before first occupation the boundary treatments, as approved, shall have been provided. These boundaries shall remain in place as approved thereafter.

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

25. Before the relevant works commence full details of the levels, steps, ramps and furniture relating to the landscaped areas shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

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

26. The extension to the existing building hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

27. Within three months of development commencing, a report shall have 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 completed development are being 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 or additional energy efficiency measures shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed.

Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

28. Before first occupation, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, final 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 in accordance with agreed timeframes. The project shall be retained and managed in accordance with the agreed details thereafter.

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.

29. Within three months of development commencing details of bird and bat boxes, including locations on the building, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

Reason: In the interests of ecology.

30. Surface water draining from areas of hard standing shall be passed through a trapped gully or series of trapped gullies, prior to being discharged into any watercourse, soakaway or surface water sewer. The gully/gullies shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the gully/gullies.

Reason: To reduce the risk of pollution to the water environment.

Other Compliance Conditions

31. **Before October 2017 the replacement public open space at the site of the existing Tinsley Junior School on Bawtry Road (planning approval reference 15/01265/RG3) shall have been provided and by 31 December 2016 details shall 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 to the agreed timeframe.**

Reason: In order to ensure suitable replacement open space is provided for Tinsley residents to help address a recognised deficiency and mitigate the impact of the hereby approved scheme.

32. **Prior to the improvement works indicated in condition no. 15 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.

33. **No deliveries to the building shall be carried out between the hours of 21:00 hours to 07:30 hours (on the following day) Mondays to Saturday and 18:00 hours to 09:00 hours (on the following day) on Sundays and public holidays.**

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

34. **No externally mounted plant or equipment, including rooftop plant, shall be fitted to the building unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered.**

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

35. **The Local Planning Authority shall be notified in writing upon completion of the green roof.**

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

Attention is Drawn to the Following Directives:

1. 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

2. 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:-

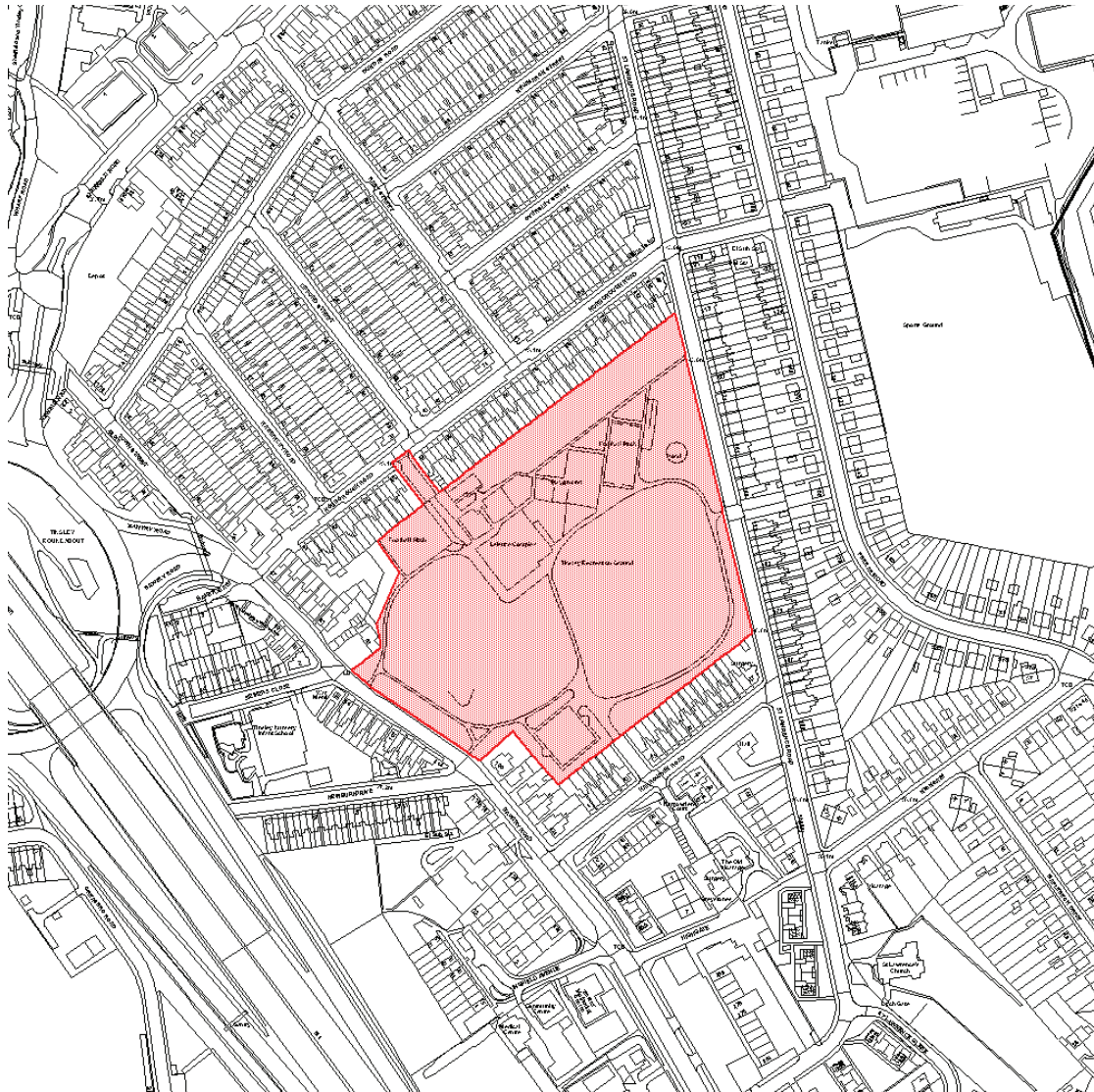
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

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.

3. 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.
4. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
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.

Site Location



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INTRODUCTION

This proposal is one of two linked applications being presented at this committee meeting.

The first application (the subject of this report), which is being considered under planning reference 15/01264/RG3, relates to the relocation of the existing Tinsley

Junior and Infant Schools. These schools are currently on separate sites and the proposal is to create one school on a section of Tinsley Green.

This project would involve the refurbishment and extension of the existing Tinsley Green building, in order to provide this joint facility for children aged between 2 and 11.

The second application involves the change of use of the existing Tinsley Junior School Site into public open space. The exact nature of this open space would be determined after consultation with the local community, although the existing sports pitches would be retained.

There are two principal reasons why the proposal to move the schools away from the existing sites have been put forward. These include:

- Removing the existing schools away from the M1 Motorway to reduce the negative health effects associated with the air and noise pollution generated by the presence of the Motorway.
- Tackling an identified undersupply of school places in the Tinsley catchment area.

There have been a number of key milestones leading up to the submission of this application.

- A report was presented to and agreed by Cabinet in April 2014. This agreement sanctioned the amalgamation of Tinsley Nursery, Infant and Junior Schools to create Tinsley Meadows Primary School.

The decision was linked to a plan to rebuild and expand the school with the stated aim of moving the schools away from the motorway in order to alleviate the noise and air pollution issues and deal with identified capacity issues.

The Cabinet report also sanctioned further work to identify an appropriate site.

- Following an assessment of options for relocation, in January 2015 a report to the Leader of the Council was approved that identified Tinsley Green, incorporating the existing Tinsley Green building, as the only viable choice.

The following report discusses the planning implications of the proposals.

LOCATION

Tinsley Green is approximately four hectares in size and the application red line includes this whole area, although the actual school development would occupy approximately 1.03 hectares of this land (25.74%).

The new school site itself is bounded to the north by residential properties that front Norborough Road and the existing Green would border the school to the west and south. The eastern boundary is defined by St Lawrence Road.

There are several pedestrian access points into Tinsley Green and these will largely remain unaltered. The existing vehicle access point on Norborough Road will be retained and utilised as the only vehicle access point into the new school site.

The entire site is located within a designated Open Space Area as defined by the adopted Sheffield Unitary Development Plan (UDP). UDP designated Housing Areas surround The Green on all sides and terraced residential streets form the principle character of this section of Tinsley.

Bawtry Road, which is heavily trafficked, bounds The Green to the west and the M1 Motorway is set approximately 120 metres beyond this.

PROPOSAL

The applicant is seeking planning permission to relocate the existing Tinsley Junior and Infant Schools, which are currently on separate sites, onto the north-west section of Tinsley Green. The new facility, which has a targeted opening date of September 2016, would provide 630 primary spaces and 78 nursery places. At present the existing two schools provide 495 primary places and 74 nursery places. The new facility would employ approximately 118 full-time equivalent (FTE) staff, at present 98 FTE are employed across both sites.

This project would involve the refurbishment and extension of the existing Tinsley Green building in order to provide a joint facility for children aged between 2 and 11.

The existing building would provide approximately 1115 square metres of gross internal floor space and would be remodelled internally. This refurbished building would incorporate facilities including the main visitor entrance, the main hall and dining space and the resource centre.

The two storey extension would provide 2625 square metres of additional gross internal floor space. This extension would provide the majority of the teaching space and is mainly constructed utilising red brick, timber cladding and glazing. A number of canopies would extend beyond this element of the building at ground

floor level on the front and rear elevations and these are intended to be used as outside teaching spaces.

This extension includes a tall timber clad parapet that is screening an external rooftop teaching space and a section of green roof. This parapet is punctuated by window openings that match the classroom windows at first floor level.

In relation to external spaces the proposal would be to relocate several existing features elsewhere within The Green, including the cricket nets and the children's play equipment. The existing Multi Use Games Area (MUGA) would be replaced and located within the school boundary, but offered for community use outside of school hours.

The remainder of the external spaces would be a mixture of hard and soft landscaping and a car park, which provides 52 car parking spaces and two dedicated drop off bays for users with mobility needs. This car parking includes five mobility spaces and five enlarged spaces.

RELEVANT PLANNING HISTORY

There is no planning history of relevance to this application.

SUMMARY OF REPRESENTATIONS

Sport England

Sport England has confirmed that there is no evidence that any of The Green has been marked out with a pitch in the last five years. As such, the site is not considered to form part of, or constitute a playing field.

Sport England then go onto state that due to the presence of footpaths and hard standing, the site of the proposed new school would be on land that is unable to support any pitches in the future.

Sport England has recommended a condition that secures the community use of the identified shared facilities, such as the MUGA, in the future.

East End Quality of Life

East End Quality of Life has provided a written response that supports the proposal. This states that 'We would like to support the proposal to build a new school on the only viable site available in Tinsley away from the air pollution and the noise of the Motorway. On the evidence available moving Tinsley's children

away from the current sites will improve their health and well-being throughout their lives.'

This representation goes onto state that air quality monitoring at the existing schools has constantly recorded nitrogen dioxide air pollution over the EU limit values and noise monitoring records noise levels well above levels recommended by the World Health Organisation.

This representation further states that in the debate about the site for a new Junior School in Tinsley, people have said that it does not matter where you build a school in Tinsley, air pollution is bad all over the place. A table is then provided showing the levels of nitrogen dioxide on the school sites and at Tinsley Green over the period that Tinsley Forum monitored at the Tinsley Green building before it closed. The results consistently show the nitrogen dioxide levels at Tinsley Green being notably below the existing school sites.

This representation concludes by stating that the loss of a little of the public open space in Tinsley Green is regrettable but this should not override the health of the children. More open space will be provided on the site of the current junior school.

Sheffield Wildlife Trust

The Trust states that any new trees, which are being introduced to replace those being displaced, should be a native species. In addition, the creation of a green roof is welcomed.

Local Representations

There have been fourteen letters of representation from the local community objecting to the proposed application. These representations make the following points:

- The Green has been at the heart of the existing community for years and this remains the case. Development on The Green would not therefore be appropriate as it would result in the loss of this vital green space.
- The loss of a large section of the existing green space would be a great shame for all members of the community who enjoy and regularly use the park.
- This park is the only green space in Tinsley so building on it is not supported.
- The design of the proposal will be out of keeping with the area.

- Surrounding residents do not want to live in a house that faces an ugly school full of screaming kids, with its playground directly across from houses.
- The relocation of the multi-use game area is too close to residential areas which will cause noise pollution along with privacy issues.
- The proposal will overlook existing housing and therefore infringe on privacy.
- The scale of the proposal will create an over bearing impact on surrounding residents.
- The scheme will lead to loads of extra traffic and parking, which in turn increases pollution around the school site.
- The highways surrounding the school do not have capacity to deal with the impact that will be created by this proposal.
- The busy nature of the highways and increased demand created by this proposal would endanger children.
- The new open space is not overlooked by properties and this could create safety issues if children use it.
- There are no playing fields as part of the school development and this will lead to children having to travel elsewhere, which is not efficient.
- An alternative site needs to be found.
- The creation of new open space on the existing Junior School site would place users of this space next to the M1 and they would suffer the associated health issues.
- Tinsley is not only affected by air pollution from the Motorway but also the waste disposal site at the bottom end (Sheffield Road) of Tinsley near the River Don and Canal. The bad fumes from this site can reach Tinsley as far up as Harrowden Road, if not further. So these will still reach the kids if the school was built at the proposed site. If these fumes can reach the site then what evidence is there that the fumes from the Motorway will not also reach the site?

- Sufficient consultation has not taken place and events have been held when residents could not attend.
- The proposed scheme will devalue surrounding property, or make it unsellable.
- Under the Human Right Act in particular Protocol 1, Article 1, which states that a person has the right to peaceful enjoyment of all the possessions which include the home and other lands. I choose to live opposite a green space not a school. In addition, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.
- The Council has wasted so much money building an airport that no one wanted or used, and then closed it down. Then it built a world class athletics stadium and then decided to knock that down, wasting millions of pounds. Now cash strapped it decides to build a monstrous 3 storey school in the middle of a park.
- Tinsley residents have already objected to the proposals at other stages of the decision making process and have not been listened to.
- Building a two in one primary school in the park is not a very good option and this will send out the wrong message to the Tinsley community who are already frustrated with a possible closure of Tinsley Library and the loss of Tinsley Green nursery.

PUBLIC CONSULTATION

The application has been advertised by way of neighbour consultation letters which were sent to 200 properties on all sides of The Green. 5 site notices were also displayed (two on Norborough Avenue and one on each of the other highways bounding The Green) and a notice published in the Sheffield Telegraph on 23 April 2015.

In addition to the above, clearly there has been ongoing public consultation at the various stages of the decision making process, which includes at the pre-application stage. Two public consultation events took place on 2 February and 27 March 2015 and invites sent via leaflet drops to local residents and flyers to existing staff and parents.

The first event was held over the course of a day at the school sites and in the evening at the existing Tinsley Green building. The second event was held before and after school at the existing school buildings and there was an opportunity to meet privately with the local Member of Parliament.

A summary of the comments made has been submitted as part of this application.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The key principle 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.

Capacity Need

The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

Policy CS43 (Schools) within the Sheffield Development Framework Core Strategy (CS), identifies a requirement to provide sufficient modern education facilities to meet identified needs.

In September 2013 a report was submitted to Cabinet to update on the impact of the growth in population and the requirement to provide further additional primary school places from 2014/15. Despite a previous temporary expansion the Tinsley schools were reported to still be unable to offer school places to all applicants, for example 30 primary aged pupils currently travel to other parts of Sheffield and a number also travel to Rotherham. This recommendation to expand was made to meet the statutory duty of the council to provide sufficient primary school places.

Approval was granted to consult on the expansion partly based on forecast pupil numbers and analysis undertaken by the Schools Organisation Team, but the relocation also had to factor in the poor teaching environment on the current sites as a result of air quality and noise from the M1.

A project to rebuild the Tinsley schools away from the motorway was recognised as being unaffordable within the normal capital allocation and a successful bid for additional funding through the Department for Education's Targeted Basic Need Programme was made. Funding of £1.9m was secured with conditions on the timeframes within which this funding had to be spent.

The above clearly demonstrates a need for additional school places in the catchment area and the proposal therefore accords with Policy CS43 and the spirit of the NPPF.

Environmental Issues

- Air Quality

Policy GE23 (Air Pollution) within the UDP 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.

Policy CS51 (Transport Priorities) within the CS states that one of the strategic priorities for transport is to improve air quality.

Policy CS66 (Air Quality) within the CS states that action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

The Air Quality Action Plan 2015 was approved by Cabinet in July 2012 and identifies the need to mitigate the impact of the M1 Motorway (particularly in the Tinsley Area) as one of seven key action areas.

Reference is firstly made to the Health Impact Assessment (HIA) that was produced to inform the original Cabinet decision to move the schools in April 2014 and accompanies this application. This Assessment identifies a number of indicators that contribute towards a need to intervene in the area in order to help improve opportunities and health.

These indicators include School attendance, which is poor compared to the rest of the city. For example, Tinsley has the lowest secondary school attendance rate and the lowest rate of Y11 children staying in learning in Sheffield, as well as significantly lower primary school attendance rates than the city average.

In addition, the HIA identifies Tinsley as having significantly higher rates of emergency admissions and A&E attendances for all ages (overall) and for the under-fives. Tinsley also experiences higher rates of hospital admission for chronic

diseases, including coronary heart disease and the respiratory diseases of chronic obstructive pulmonary disease and asthma.

The HIA identifies air pollution as an important determinant of health, which has been associated with a wide range of adverse effects. For example, poor air quality is estimated to cause 6% of coronary heart disease deaths and 11% stroke deaths in Sheffield. The HIA notes that there are several different causes of air pollution with motor vehicles remaining a significant source of urban air pollution.

The HIA then identifies Children as a particularly vulnerable group to the effects of air pollution. 'Their lungs and immune systems are still developing and as children tend to spend greater amounts of time outside playing, they experience higher exposure and higher doses of pollutants reach their lungs. This aggravates asthma and increases the prevalence of respiratory infections.'

In relation to Tinsley, the HIA recognises that air quality is generally poor, but identifies that NO₂ air pollution would be expected to be lower on the new Tinsley Green site largely due to the increased distance from the M1. This conclusion is supported by the representation made by the East End Quality of Life Group, which provides a table showing the levels of nitrogen dioxide on the school sites and at Tinsley Green over the period that Tinsley Forum monitored at the Tinsley Green building before it closed. The results consistently show the nitrogen dioxide levels at Tinsley Green being notably below the existing school sites.

The application is also accompanied by an Air Quality Impact Assessment (AQIA), the final version of which was received via email dated 10 June 2015. The Assessment considers issues such as the current baseline conditions, potential impacts and mitigation proposals.

The AQIA reinforces much of what the HIA reported. It identifies that the current school buildings are affected by emissions from the high volume of traffic using the M1 motorway.

The specific pollutants assessed were nitrogen dioxide (NO₂) and particle matter (PM₁₀) of size less than 10 micron, which are largely produced from internal combustion systems, such as motor vehicle engines and construction dust. The Government have identified NO₂ and PM₁₀ pollutants amongst others, for control in order to protect health, as detailed in the Air Quality (England) Standard Regulations 2010.

The AQIA has used data gathered from local diffusion tubes and monitoring stations to assess the existing situation and model the scenario if the proposal went ahead (the impact of the operational phase).

Table 4.6 within the AQIA shows the diffusion tube monitoring results from 2012 to 2014. This shows both school sites regularly breaching the target annual mean concentration of $40\mu\text{g.m}^{-3}$ for NO₂. The highest recording at the Junior School building was in 2012 and this was $43\mu\text{g.m}^{-3}$.

In relation to the operational phase, an increase in local traffic will have the most notable impact on air quality. The modelling within the AQIA (Table 5.4) provides a modelled scenario during the first operational years (2016).

Table 5.4 shows that with the additional traffic generated in the local area, of the 34 modelled receptors, only one showed an increase and this was negligible in accordance with the latest version of the EPUK and the Institute of Air Quality Management Guidance (2015). 3 receptors showed a nil impact and 30 a likely reduction in NO₂ concentration. This is primarily due to a modal shift with more school pupils now attending school within their own catchment area and thus reducing the reliance on cars for these trips.

The AQIA modelling also shows only a negligible impact in PM₁₀ and PM_{2.5} concentrations as a result of the operational phase of the development.

Table 5.4 also models the scenarios on the existing school sites and at the existing Tinsley Green building if the development went ahead (do something scenario) and never went ahead (do nothing scenario). Although these results show negligible change in each case, they do help show the difference in the target annual mean concentration for NO₂ at each site.

At the new school site the facade of the existing building, which would be the section closest to the M1 Motorway, would have an anticipated annual NO₂ mean concentration of $32.6\mu\text{g.m}^{-3}$. In comparison the best case scenario at the existing school buildings would be:

- Infant School (façade closest to motorway) would have an anticipated annual NO₂ mean concentration of $52.1\mu\text{g.m}^{-3}$.
- Junior School (façade closest to motorway) would have an anticipated annual NO₂ mean concentration of $39.4\mu\text{g.m}^{-3}$.

This clearly shows a significantly improved air quality environment on the Tinsley Green site in comparison to the existing sites. Of particular note is the infant school site, which is far in excess of the target annual mean concentration.

In relation to the construction phase issues such as dust and construction traffic will have the main impact on local air quality. The AQIA concludes that with the approval of a Construction Environmental Management Plan, which will detail how

matter such as dust will be controlled the construction phase of the development would have a negligible impact.

- Noise

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

Along with air quality, noise was also a key consideration within the Health Impact Assessment (HIA) that was produced to inform the original Cabinet decision to move the schools in April 2014.

This report identifies that children are a group considered to be particularly vulnerable to the adverse effects of environmental noise by the World Health Organisation (WHO). As with air pollution, they tend to be more exposed to environmental noise as they spend more time outdoors than adults. They are also likely to be more vulnerable to its adverse effects during their schooling as noise can affect learning and cognitive performance

Primary data of noise monitoring carried out at Tinsley Junior school recorded noise in the playground of 73.2-65.8 dB(A) and an empty classroom level of 38.9 dB(A) with the windows closed and 48.2 dB(A) with the windows open.

These levels appear to reflect the mapped noise data with both exceeding WHO guideline levels for schools. Based on the mapping data above, the proposed new site is likely to experience a reduction in noise levels of up to 10dB, which represents a subjective halving of current noise levels but is still likely to exceed WHO guidelines. A reduction of 5dB is also likely to be associated with a considerable reduction in annoyance from noise.

- Conclusion

The Health Impact Assessment and Air Quality Impact Assessment have demonstrated that the current air quality and noise environments on both existing school site are in excess of various guidelines. These documents have also identified that the new location would improve the situation on both counts.

In addition, it has been demonstrated that the impact of the proposed development in both the construction and operational phase will have a negligible impact on existing residents.

The proposals are therefore considered to comply with the policies highlighted above.

Site Selection

Whilst the need to find a solution to the environmental and capacity issues identified above is acknowledged, an understanding of why Tinsley Green has been chosen as the only viable site for this development must be demonstrated.

The applicant has provided a document, which takes extracts from the approved January 2015 report to the Leader of the Council. This was the report that approved the final location of the facility. This identified the relevant sites within the catchment area under consideration and why these have been ruled out.

- Rotherham United Football Club (RUFC) Training Ground

Discussions were opened with RUFC in February 2014 with regards to the potential sale to Sheffield City Council (SCC) of the site located at Bawtry Road. Dialogue between SCC and RUFC continued up to January 2015, when it was confirmed that RUFC were not in a position to conclude any deal on the site at that time.

Any further delay to the project would heighten the risk to the £1.9m funding for the extra places, which under the terms of the funding need to be committed by September 2015. On this basis the RUFC site had to be ruled out.

- Park House School

This site was suggested by some local residents. It shares the key location disadvantages of the current school sites, being between Bawtry Road and the motorway.

The site is not being marketed but has a commercial/industrial value based on the existing footprint that offers a developable area and the commercial/industrial nature of adjoining sites. It is, however, ruled out on the basis that it cannot provide a suitable environment in terms of noise and air pollution.

- Meadowhall Soccer Centre

The site is in private ownership and it is understood that the site would not be available at a valuation based on the current designation of recreational space. That higher valuation would give a purchase cost in excess of its current value.

The council would also need to replace the pitch and pavilion. On this basis the site is ruled out as it would not be possible to finance a new school on this site.

- DC Cook Sports Ground

This site was historically used for sport but has not been for a number of years. It has now been split into smaller plots with multiple owners and 'land banked' therefore any future purchase would be difficult and would require the use of Compulsory Purchase Powers which would be a long process and put the available funding in jeopardy

- Conclusion

It is considered that the alternative sites analysis is suitably comprehensive and follows the sequential principles advocated within planning process. The site search area is restricted due to the need to locate the school within walking distance of the population which it serves which, in reality, means that there are very few options available.

Land Use

- National Context

One of the Core Planning Principles of the NPPF is the encouragement of the effective use of land by reusing land that has been previously developed (brownfield land). A section of the application site, namely the car park and existing building are classed as brownfield land. The remaining sections of the site would be classed as greenfield and this requires further consideration.

The NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the need for which clearly outweighs the loss.

In relation to these criteria, an open space audit for the Tinsley area shows that there is a shortage of both formal and informal open space against the recognised standards for quantitative provision and the proposal is not for alternative sports and recreational provision. Therefore points 1 & 3 above are not satisfied.

In relation to point two, it will be identified below and within the sister application being considered at this Committee (Ref: 15/01265/RG3) that the formal and informal open space lost as a result of the proposed development would be replaced by equivalent or better provision in terms of quantity and quality. To summarise; the informal open space would be replaced on the existing Junior School site set across Bawtry Road to the west. The formal facilities (cricket nets and MUGA) would be replaced within The Green.

- Local Context

In respect of the local policy context, the entire site is set within an Open Space Area as defined by the Unitary Development Plan (UDP).

Policy LR5 (Development in Open Space Areas) within the UDP lists a number of criteria that must be met for the development of open space to be considered as acceptable. This includes that new development should not harm the character or appearance of the public space. The relevant criteria set out in LR5 are considered further within various sections of this assessment.

Policy CS45 (Quality and Accessibility of Open Space) within the CS states that safeguarding and improving open space will take priority over the creation of new areas.

Policy CS46 (Quantity of Open Space) within the CS states that as opportunities arise new open spaces will be created where a quantitative shortage of open space is identified in the local area.

Policy CS47 (Safeguarding Open Space) within the CS is the more up to date policy and again sets out the parameters against which the loss of open space must be considered.

Section a) of CS47 states that the loss of existing open space would not be permitted if it would result in a quantitative shortage of the relevant type of open space.

Given that formal and informal open space in the area is already underprovided, on the face of it the proposal contravenes section a). However, the creation of new publically accessible open space on the existing Junior School site will provide the community with approximately 2.79 hectares of new green space and, when the 1.03 hectares lost on The Green is subtracted, this will result in a quantitative increase, which is advocated by Policy CS46.

In addition, the formal facilities on the existing Green will be relocated elsewhere on The Green and the community will therefore still have access to these.

Section b) of CS47 states that the loss of open space would not be supported if that open space is of a high quality.

The existing Green is of a high quality and on the face of it the proposal contravenes b) of Policy CS47. However the applicant has identified that the new open space on the existing Junior School site will be of an equivalent quality. The final details of this project are to be provided following a community consultation exercise and this will be secured through a proposed Grampian condition on this application if Members are minded to approve it. This point also relates to section e) of the policy as this requires equivalent open space to be provided to remedy any loss.

Section c) of CS47 states that people in the local area should not be denied easy or safe access to a local park that is valued or well used.

The application will result in the creation of a local park on both sides of Bawtry Road, which is a heavily trafficked road, and as a result a reasonable conclusion could be that easy or safe access to local parks is improved as a result of the proposals.

Section d) of CS47 states that the development should not increase a break in the green network.

As only a section of The Green is proposed to be built on the proposal would not result in a break in the existing green network.

Given the commitment to create additional open space on the existing Junior School site, which will be secured through a Grampian condition, on balance, the proposal is considered to be in accordance within the relevant national and local policy frameworks.

Design & Landscape

The NPPF states that development should always seek to secure high quality design but decisions should not attempt to impose architectural styles or particular taste, albeit they should promote and reinforce local distinctiveness.

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

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

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

- Siting

Locating the development in the north-east section of The Green is considered to be appropriate for several reasons:

- If the school was located more centrally the remaining space would feel disjointed.
- It allows the existing building, vehicle access and car park to be utilised.
- It is the furthest distance from the M1 Motorway.

In addition, the front of the building is set back from the fence line to ensure the scale and impact of the building from within the park is softened.

The proposed siting is therefore supported.

- Layout

The principle elevation of the building will front onto Tinsley Green, which is an appropriate response to the context.

The internal layout has been given careful consideration to ensure the multiple functions of the building can be carried out efficiently. This results in the teaching spaces being largely grouped in the new build element and other functions, including those available to the wider community, such as the resource centre and main reception being located in the refurbished element. This approach is considered to be appropriate.

- Massing and Appearance

The two principle materials to be used for the new build element are red brick and timber cladding system. The use of red brick is supported as this is the dominant material across the area. The use of the timber cladding ensures a contrast is created with the brick, which aids in creating interest and also represents a lighter material, which is appropriate in the context.

The height of the building will be two storeys, but it will appear as up to three owing to the nature of the parapet. This height is considered appropriate and is reflective of the height of the adjacent two storey residential properties when their roof form is accounted for.

The scheme utilises a number of features to ensure a significant degree of modelling and visual interest is created. The more notable features include:

- The use of a variety of window sizes and types, including variations in reveal depths to create window seats.
- Projecting canopies, which double up as outside teaching spaces.
- Stepping within the roofline.

It is considered that through the use of such features, the overall composition of the building is successful.

The footprint is determined by function and given the large open space created by The Green it does not appear as inappropriate.

- Landscaping and External Spaces

The scheme includes the repositioning of several existing facilities being displaced by the new school. The cricket nets and children's play space/equipment are to move further to the south.

The play equipment will be located close to the school boundary and will be adjacent to a paved area. This new area will also incorporate seating and it is hoped this will help create a small HUB for families waiting for children at the school.

The positioning of the car park was pre-determined as this was largely in place already.

The remaining external areas have been designed to define a number of different play and teaching spaces and these are considered to be well thought out.

Generous tree planting is incorporated and the landscaping has also been utilised to soften the scheme in key places, such as around the boundaries.

The new MUGA is positioned to ensure direct out of hours access can be gained from the existing path within the park.

Overall therefore the proposals are considered to accord with the above design policies.

Highways

The NPPF promotes the location of developments that generate significant movement to be where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Policy CS51 (Transport Priorities) within the CS, identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

The application has been submitted with an accompanying Transport Assessment (TA) and an additional note received via email dated 17 June 2015. These documents have considered a number of factors, including issues around car parking, junction capacity and AM/PM drop off and pick up demands in relation to the surrounding highways.

In relation to car parking, the proposed scheme provides 47 in curtilage staff parking spaces, plus five additional mobility spaces. Although it is noted this figure may reduce slightly in order to provide an amended dedicated mobility drop-off area. The original TA identified a maximum requirement for 71 spaces, which was based on the staff modal split information from the existing schools. The additional note makes reasonable adjustments for potential car sharing and therefore presents a final figure of 68 staff parking spaces. There is therefore a shortfall of approximately 21 spaces. There are benefits to this as it limits land take from The Green, but this parking would need to be catered for on the surrounding highways.

As well as a requirement to accommodate additional staff parking spaces, the surrounding highways would also need to accommodate the dropping off and picking up of students at the relevant times. The TA surveyed the immediate highways, within 400 metres of the site.

The surveys identified a significant number of available car parking spaces on these surrounding highways in both the relevant school AM (approx. 190 spaces) and PM peak hours (approx. 250 spaces). The AM peak is defined as 08:00 hours to 09:00 hours and the PM peak is defined as 15:00 hours to 16:00 hours. The methodology behind this survey work is considered to be appropriate, as are the results.

The TA has produced a worst case scenario, which identified that there could be up to 185 movements in both the AM and PM peak hour. The additional transport note has expanded on this and considered a more realistic scenario that accounts for factors such as pupil absenteeism and the fact that the new school is now moving closer to the more densely populated part of the catchment, which will result in more people walking to the site. This is also more likely as a significant number of the catchment will no longer have to cross the busy Bawtry Road. The overall conclusion is that a more realistic number of peak hour trips would be 115,

although this could be further reduced when for example car sharing is accounted for.

These identified trips are of course spread across the peak hour and additional staggering is created by function such as breakfast and after school clubs. It is anticipated that the busiest time would be between 08:10-08:20 in the morning and 15:10-15:20 in the afternoon. For example in the afternoon there would be a requirement for 82 spaces for drop off and pick up and approximately 21 staff spaces (103 in total). At no point would the parking occupancy breach 71% of the overall capacity on the surveyed highways, which demonstrates that any drop-off/pick up and overspill parking demands can be catered for on this streets.

The TA also considers the capacity of several junctions in the vicinity, which have been agreed in advance with Highways. The TA concludes that these junctions would still function effectively with the extra demand accounted for. The relevant junctions modelled where:

1. A631 Bawtry Road / Norborough Road.
2. Norborough Road / Lifford Street.
3. St Lawrence Road / Norborough Road.

The TA has considered what highways improvements would be required to ensure people traveling to the school on foot can do so in a safe manner. It firstly concludes that existing measures are in place as a result of The Green already being in place. This includes existing raised platforms and 20mph speed limits on all surrounding roads. Several additional highway improvements have been agreed in principle, which include limited new waiting restrictions to ensure the network still functions effectively.

10% of the on-site car parking spaces are mobility compliant and 10% are extra-large and therefore flexible/easily adaptable, which is very welcome.

In relation to the impact on Junction 34, the TA identifies how, even with 12 possible additional teachers travelling through the junction in the AM peak hour, the development will ease capacity on this key junction. This is because the increased school places will result in displaced students no longer having to travel out of the catchment. At present 33 primary age children live in Tinsley and attend schools elsewhere in Sheffield.

The location of the vehicle ingress and egress point from Norborough Road will be retained and this is considered to be fit for purpose.

Given the above, the proposals are considered to comply with the relevant highway policies.

Sustainability

Policy CS64: Climate Change, Resources and Sustainable Design of Development within the CS sets out a suite of requirements in order for all new development to be designed to reduce emissions.

In practice, to satisfy the main body of the policy non-residential developments should achieve a BREEAM rating of Very Good. CS64 has further requirements that may fall outside BREEAM, such as designing buildings flexibly from the outset to allow a variety of possible future uses.

Policy CS65: Renewable Energy and Carbon Reduction within the CS sets out objectives to support and require renewable and low carbon energy generation and also to further reduce carbon emissions. Policy CS65 requires new developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy unless it can be demonstrated that it is not feasible and viable.

CS65 did also require the generation of further renewable or low carbon energy, or the incorporation of design measures, sufficient to reduce the development's overall predicted carbon dioxide emissions by 20%. As this is now a requirement of Building Regulations it is no longer being sought as part of planning applications.

The developer has confirmed that the scheme for the new extension will meet the BREEAM Very Good standard.

In relation to the 10% requirement set out in section a) of Policy CS65, the intention is for the development to achieve this through the use of photovoltaic panels. A condition will be attached to secure the final details of this, or agree an alternative proposal if required.

In addition to the above, the extra school spaces being created will remove student journeys out of the catchment. The scheme also includes a number of additional features to promote sustainable design, such as extensive landscaping, a green roof, cycle parking and recycling facilities.

Given the above, it is considered that the development will comfortably meet the sustainability requirements introduced by the CS.

Ground Conditions

The Environmental Protection Service has confirmed that there is potential for remediation to be required as a result of the current ground conditions. Relevant

conditions will be imposed to ensure the development is carried out in a safe manner.

Archaeology

South Yorkshire Archaeology Service has confirmed that the only potential archaeological feature on the Tinsley Green site that could be disturbed by the new school here is a potential Roman Road from Brough-on-Noe (in the Peak District) to Doncaster. It is noted that the exact location of this road is not certain.

It is therefore recommended that a condition to secure appropriate investigations, in the form of archaeological monitoring during site works, is imposed.

Drainage

Policy CS67: Flood Risk Management within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include:

- Requiring the new development to limit surface water run-off.
- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.

Although the site is within Flood Zone 1 (low risk), as it is over one hectare, the application is accompanied by a Flood Risk Assessment. This lists a range of proposals, including attenuation measures and permeable surfacing, to manage and reduce the existing discharge rates from the site.

Subject to a condition dealing with drainage from areas of hard standing, the Environment Agency has confirmed that these proposals are acceptable.

Following clarification of the drainage plans Yorkshire Water have removed an initial objection and have confirmed they are satisfied with all matters, including the proposed limits to discharge rates.

The Lead Local Flood Authority has confirmed they are satisfied with the identified reduction in run-off rates and how the use of Sustainable Urban Drainage, such as a green roof, is being utilised.

The scheme will include other sustainable drainage techniques to reduce surface water run-off, which includes extensive landscaping and the inclusion of sections of green roof.

Public Art

Policy BE12: Public Art within the UDP encourages public art as an integral part of the design of major developments.

It would be a lost opportunity if the public art to be delivered as part of the scheme did not involve the input of students. It has therefore been agreed that the public art scheme will be delivered after the school has opened following consultation between students, teachers and a public artist. This will be secured through a planning condition.

Amenity

Policy GE24 (Noise Pollution) within the UDP requires that development should not create noise levels causing a nuisance, and sensitive uses and noisy uses should not be located close together. In addition to policy GE24 other forms of amenity impact on surrounding residents also require consideration.

Planning conditions will be attached to ensure that noise emitted from the rooftop plant will not be a nuisance. Conditions will also be imposed to ensure any odours emitted from the kitchens are suitably managed.

There is potential for new lighting from the development, most notably the MUGA, to create nuisance to surrounding residents. It is therefore proposed to utilise a planning condition should Members be minded to approve the scheme to control this. A condition would also allow the use of the MUGA out of school hours to be controlled to mitigate any excessive noise from this facility.

In relation to general noise, such as children playing, given that this is not taking place during unsocial hours it creates no concern.

It is considered that the height coupled with the distance between the new school building and the closest residential property, approximately 38 metres to the rear boundary and 48 metres to the rear elevation, will ensure the proposal does not lead to undue dominance issues.

The applicant has provided a sun path study which generally shows no over shadowing on surrounding residential properties as a result of the development. The exception to this are mornings in winter when garden areas are least likely to be used for external leisure time.

In relation to privacy an existing fence and hedge line will be retained to the northern boundary, which will ensure this is not an issue.

In light of the above the scheme is viewed as being acceptable from an amenity perspective.

Community Use

Policy CF1 (Provision of Community Facilities) within the UDP states that the provision of community facilities will be promoted. Several examples of when these would be particularly desirable are given and this includes when they would be for be located where there is a shortage and within the community they are intended to serve.

It is firstly noted that access will be retained to the brick pavilion building set to the north of the car park, which it is understood is used as a youth centre.

In addition, it is intended to provide a number of community facilities within the building, which, with the exception of the MUGA, would be focused within the refurbished Tinsley Green building. These facilities would include the use of an information technology drop-in centre, a bookable meeting space and out of hours use of the main hall, dining hall and creative studio.

The final details of these facilities, including out of hours use would be secured through a Community Use Agreement should Members be minded to approve the application.

Access

Policy BE7: Design of Buildings Used by the Public within the UDP requires safe, equal and easy access for people with disabilities to buildings used by the public.

Level access will be provided to all principle entrances and suitable mobility parking and drop-off is provided. In addition, the internal arrangements and facilities meet the requisite guidelines.

In respect to the external areas it is noted that the majority of these spaces will be useable for all.

The proposal is therefore considered to comply with the above access policies.

Ecology

Policy GE15 (Trees and Woodlands) within the UDP states that trees and woodland will be encouraged and protected. This would be achieved in part by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

Along with Policy GE15 other ecology implications require further consideration.

The initial ecology information identified a moderate potential for bats within the existing building and recommended further investigations. An updated ecology report was submitted via email on 16 June which further explored the potential for bats to be present in the existing building and, following a more intrusive investigation, this has confirmed that there is negligible risk.

The ecology reporting does not identify any further notable concerns in terms of endangered species.

In relation trees the majority evident on the site are not notable in terms of size. As well as retaining some of these existing trees, the scheme will also incorporate notable areas of new shrub and tree planting. The scheme will also incorporate a green roof, which is a welcome feature.

Health and Safety Zone

Although the south east section of The Green is within a Hazardous Substance Installation Zone, this does not include any of the school site. Indeed this proposal moves the existing Junior and Infant Schools out of this zone.

Environmental Impact Assessment (EIA)

The requirement for the provision of an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 was assessed during the pre-application process. This is because the proposed development is considered to be an Urban Development Project under Part 10, Schedule 2 of the Regulations

After full consideration of the selection criteria, a screening opinion was issued by letter on 01 April 2014, which concluded that an Environmental Statement was not required to form part of the submission.

It is noted that updated Regulations were issued in 2015 and the relevance to this application is in respect of the changing of trigger thresholds. In this respect the threshold for urban development projects has been increased from 0.5 hectares to 1 hectare of urban development. This increase in the thresholds is considered to reinforce the original decision not to require an Environmental Statement as part of the submission.

RESPONSE TO REPRESENTATIONS

The majority of the matters raised within the representations have been addressed in the above planning assessment. The remaining issues are addressed as follows:

- The new open space is not overlooked by properties and this could create safety issues if children use it.

This matter relates to the sister application (Ref: 15/01265/RG3) and will be addressed in that report, which is also being presented to Members.

- There are no playing fields as part of the school development and this will lead to children having to travel elsewhere, which is not efficient.

The children will have access to the remainder of The Green and other facilities within the site, including the MUGA.

- The creation of new open space on the existing Junior School site would place users of this space next to the M1 and they would suffer the associated health issues.

This matter relates to the sister application (Ref: 15/01265/RG3) and will be addressed in that report, which is also being presented to Members.

- Tinsley is not only affected by air pollution from the Motorway but also the waste disposal site at the bottom end (Sheffield Road) of Tinsley near the River Don and Canal. The bad fumes from this site can reach Tinsley as far up as Harrowden Road, if not further. So these will still reach the kids if the school was built at the proposed site. If these fumes can reach the site then what evidence is there that the fumes from the Motorway will not also reach the site?

This overall air quality in Tinsley has been accounted for within the submitted Air Quality Impact Assessment and this includes other sources of pollution. In addition, there is no suggestion that the new site does not suffer from air pollution from the Motorway. The evidence provided simply shows that the effect of this pollution on air quality is much lower at Tinsley Green than the existing school sites.

- The proposed scheme will devalue surrounding property, or make it unsellable.

The impact on the value of property as a result of granting planning permission for development is not a material planning consideration.

- Under the Human Right Act in particular Protocol 1, Article 1, which states that a person has the right to peaceful enjoyment of all the possessions

which include the home and other lands. I choose to live opposite a green space not a school. In addition, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

In making its decision, the Council should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority to act in a manner which is incompatible with the European Convention on Human Rights. Particular reference is made to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of possessions, including land). In addition, under Article 6 the applicant and those third parties (including local residents) who have made representations have the right to a fair hearing which means that full consideration should be given to their comments.

When making its decision the Council must balance any likely private harm against the wider public good to ensure that interference with anyone's rights shall only be permitted if it is proportionate (the degree of harm to the individual balanced against the public interest). On this occasion it is the view of Officers that any interference is in accordance with the law and justified as being in the public interest and on the basis of the planning merits of the proposal. Any restriction on rights caused as a result of the proposed development is considered to be proportionate to the wider benefits of granting permission and that such a decision falls within the margin of discretion afforded to the Council.

- The Council has wasted so much money building an airport that no one wanted or used, and then closed it down. Then it built a world class athletics stadium and then decided to knock that down, wasting millions of pounds. Now cash strapped it decides to build a monstrous 3 storey school in the middle of a park.

The design element has been considered in the relevant section of this report and the other points are not considered relevant to the determination of this application.

- Tinsley residents have already objected to the proposals at other stages of the decision making process and have not been listened to.

Representations at other stages of the decision making process (outside of the planning process) have been summarised in the application submission. Relevant community consultation, including site notices and letters to surrounding residents, has been undertaken in relation to this application. The recommendation has

considered these representations in the overall balance, together with all the other material planning considerations.

- Building a two in one primary school in the park is not a very good option and this will send out the wrong message to the Tinsley community who are already frustrated with a possible closure of Tinsley Library and the loss of Tinsley Green nursery.

Community facilities, including a nursery, are proposed as part of this development.

SUMMARY AND RECOMMENDATION

There is a clear and overriding need to provide for increased primary school capacity in the Tinsley catchment area, as well as to move the existing school pupils away from sites which are adversely affected by noise and air pollution. These are substantial material planning considerations which must be given significant weight in reaching a decision in this case.

Against this overriding need is the need to assess the implications of the loss of the designated public open space upon which it is proposed to site the new school.

On this point the report demonstrates that when taking account of the new public open space to be created on the existing junior school site following its demolition there would in fact be an overall increase of public open space. As a result the development of this section of allocated open space for educational purposes is considered to be acceptable.

The new building will address The Green and the proposed scale reflects the existing terraced properties in the area. In addition, the applicant has ensured suitable modelling and detailing is provided in order to deliver a high quality building. The principle materials are red brick, which respects the context, and timber cladding, which is appropriate in this park setting.

The scheme has taken advantage of the opportunities available to offer a variety of high quality external areas, including a roof garden and extensive hard and soft landscaped areas.

Sufficient details have been provided to demonstrate that the existing highways/junctions can cope with school journeys, drop-off/pick up demand and any overspill staff parking.

The Air Quality Impact Assessment has identified that the significance of the development on local air quality will be negligible.

The scheme is considered to have excellent sustainability credentials, which includes meeting BREEAM Very Good in the new school wing, providing 10% of energy needs through decentralised and renewable energy and providing a green roof.

Overall the proposal will deliver a modern teaching environment and increased capacity in this deprived area of the city and will ensure that young children are no longer subjected to the long-term adverse effects of exposure to unacceptable levels of air and noise pollution.

The development is therefore recommended for conditional approval.

Case Number	15/01176/FUL
Application Type	Full Planning Application
Proposal	Erection of 42 dwellinghouses with car parking spaces and provision of associated roads, footpaths and landscaping works
Location	Land Between 26 And 84 Musgrave Road, Land At Junction With Crumpsall Drive And Crumpsall Road And Land Opposite 1 Miles Road Miles Road (known As Shirecliffe 2) Sheffield
Date Received	01/04/2015
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:

B Drawing Number:
00922_S_01 Revision P (Planning Layout)

00922_HT_J1 Revision - (House Type J1 plots 15 and 20)
00922_HT_H_03 Revision - (House Type H plot 17)
00922_HT_H_02 Revision - (House Type H plots 11 and 32)
00922_HT_H_01 Revision - (House Type H plots 10,16,19,24,26 and 33)
00922_HT_F2 Revision - (House Type F2 plots 07 and 42)
00922_HT_E3_01 Revision - (House Type E3 plots 05 and 25)
00922_HT_E1_02 Revision - (House Type E1 plot 18)
00922_HT_E1_01 Revision - (House Type E1 plots 21,29,30,and 31)
00922_HT_C3_01 Revision - (House Type C3 plots 02,13,22,28,35 and 38)
00922_HT_C2_01 Revision - (House Type C2 plots 03,14,34,37,and 39)
00922_HT_B_02 Revision - (House Type B plots 06,08,09,40,41)
00922_HT_B_01 Revision - (House Type B plots 04,23,27)
00922_HT_A_01 Revision - (House Type A plots 01,12,and 36)

00922_S_06 Revision B (Boundary details)
00922_S_03 Revision E (Boundary Treatment Layout)

c-2014-41 Rev A Detailed Landscape Proposal

00922_D_01 Revision - (Eaves detail)
00922_D_02 Revision - (Verge detail)
00922_D_03 Revision - (Ridge detail)
00922_D_04 Revision - (Window reveal detail)
00922_D_05 Revision - (Raised brick band detail)
00922_D_06 Revision - (Window surround detail, House Type J1)

QD908-06-01 Road Construction Details

00922_SX_01 Revision - (Site Section Plot 01,03 and 04)
00922_SX_02 Revision - (Site Section Plot 10,11 and 12)
00922_SX_03 Revision - (Site Section Plot 31,36 and 37)
00922_SX_04 Revision - (Site Section Plot 32,33,41 and 42)

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. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:
 - Windows and doors including
 - Entrance canopies
 - Mortar and pointing/fixing details
 - Service meter boxes

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

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

5. Details of the new park entrance and public footpath to link with 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

6. 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.

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

7. 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.

8. The dwellinghouses 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

9. 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.

10. The dwellinghouses 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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 Parkwood Springs 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

Other Compliance Conditions

16. 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 dwellinghouses; 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.

17. Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works as detailed in drawing No.QD908-03-01 dated January 2015 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.

18. 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.

Attention is Drawn to the Following Directives:

1. 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

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:-

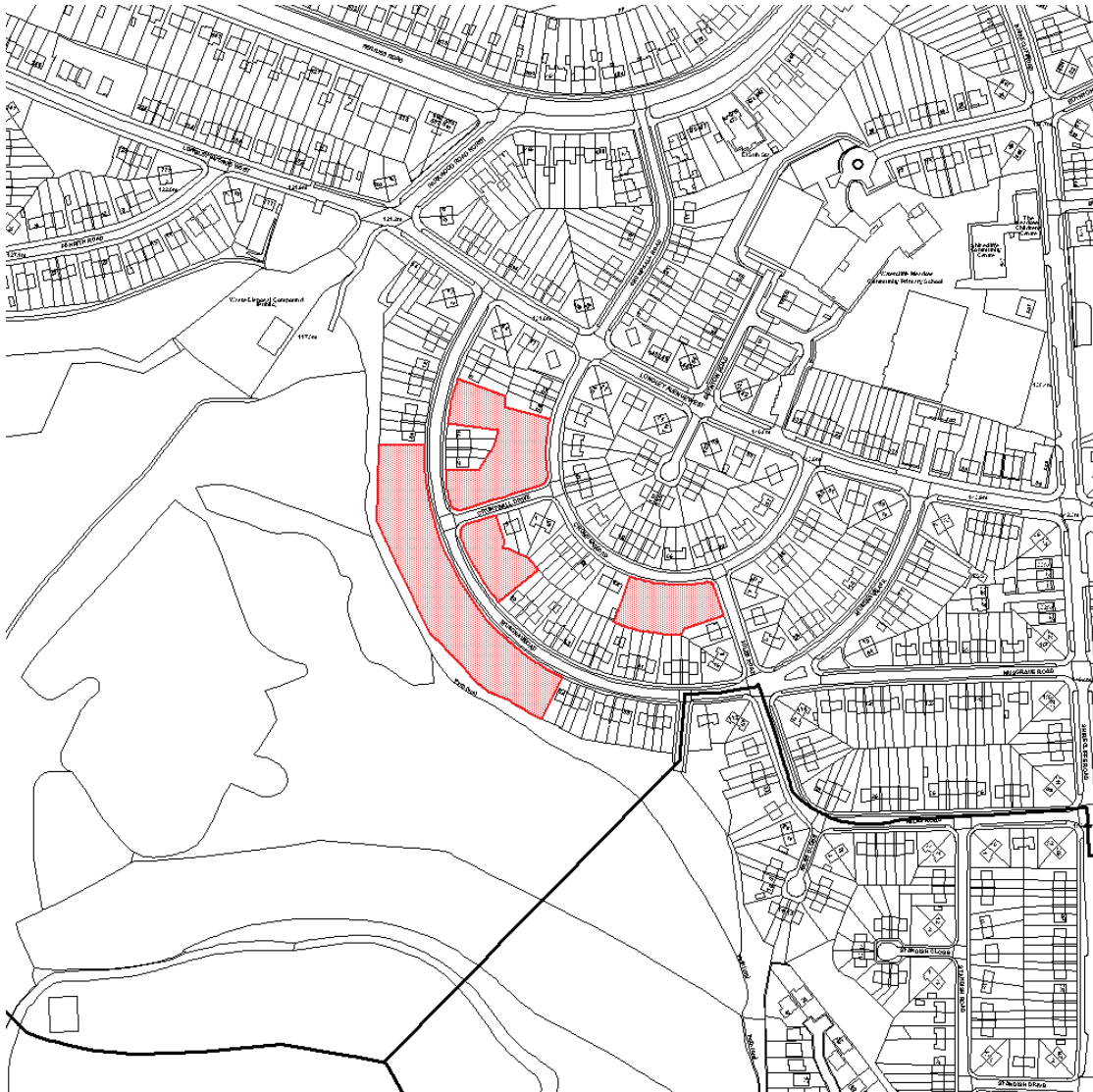
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

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. 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, Falstaff 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 in fill plots on Musgrave Road, Crumpsall Road and Crumpsall Drive within the Shirecliffe neighbourhood to the north of Sheffield City Centre. The combined sites have a gross area of 1.18 hectares and were formerly occupied by post war social housing. The sites have been cleared for some time and have returned to grass which is mowed from time to time.

The site is to the north of Parkwood Springs open space and there are level changes across the site. Musgrave Road slopes up fairly steeply as you proceed from Longley Avenue West. Each of these plots fronting Musgrave Road have a gentler slope up towards the park land to the rear. Crumpsall Drive falls away steeply with land on the northern side at a lower level than that of land on the southern side. The site at the junction of Crumpsall Road and Miles Road also slopes comparatively gently up from north to south.

The surrounding properties are residential in character with a mixture of runs of 4 terraced properties and semi-detached properties. These are generally of a red brick and rough cast render finish.

Planning permission is sought for the erection of 42 dwellings. These would be in the form of semi-detached properties, runs of 3 terraced rows and a few detached dwellings. The properties would be largely 2 storeys in height with a pair of three storey buildings located at the part of the development where a new entrance into the park would be formed from Musgrave Road.

The site is identified on the Unitary Development Plan proposals Map as being within a Housing Area and is within Zone 1 for CIL charging (no CIL charge would apply).

RELEVANT PLANNING HISTORY

There is no relevant planning history relating to the sites.

SUMMARY OF REPRESENTATIONS

The application was advertised by way of neighbour consultation letters which were sent to 77 properties. In addition several site notices were displayed at various points across the site and a notice published in the Sheffield Telegraph on 14th April 2015.

As a result one representation has been received. This is from an occupier of a dwelling on Crumpsall Road. Whilst they are in favour of the development they raise concerns regarding parking, setting out that Crumpsall Road is fairly small with few properties having their own drives.

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 site is identified on the Sheffield Unitary Development Plan (UDP) Proposals Map as being within a housing area. UDP Policy H10 confirms that housing is the preferred use in such areas. The broad principle of housing on the site is, therefore, acceptable. UDP Policy H14 sets out conditions on development in housing areas. The policy states that new development and extensions will only be permitted where they are well designed and in scale and character with neighbouring buildings, where the site would not be overdeveloped or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood, and it would provide safe access to the highway network and appropriate off street parking.

Policy H14 is supplemented by an adopted SPG on Designing House Extensions. This document provides more detailed guidance on matters such as design, overbearing and overshadowing impacts as well as privacy.

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.

The development of the site for housing would also comply with the Council's Corporate Plan 2015-18 which seeks to encourage redevelopment of sites for housing.

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.

These sites are not near to a District Centre or high frequency public transport route and therefore the appropriate density range is 30 - 50 dwellings per hectare. The proposal for 42 new homes represents a density of 36 dwellings per hectare which is within this range.

Core Strategy Policy CS41 aims to ensure the creation of mixed and balanced communities by encouraging development of a wider variety of homes to meet the needs of larger households, especially families, in locations such as this. The proposal includes 28 homes with 3 and 4 bedrooms which will be suitable for larger households and therefore meet the aspirations of the policy

Viability Issues

The application has been submitted by the Sheffield Housing Company which is a joint venture between various partners with a long term purpose to regenerate the area. This application forms part of the second phase of development and four other planning applications submitted by the Sheffield Housing Company were considered (and subsequently approved) by the Planning Committee on 26th May 2015.

A full independent costing exercise has been carried out on behalf of the Housing Company in relation to the sites within Phase 2. 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.

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."

As such the developer has not been asked to enter into a Section 106 agreement to finance the improvement / enhancement of open space within the catchment of the area.

The site is also within an area where affordable housing would not be required.

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) sets out 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 is considered to be of good quality.

The challenge with the sites has been to integrate the new properties within the existing settlement pattern in a sympathetic manner. The applicant has done so with a range of semi-detached and terraced runs of three dwellings. 4 detached properties are also proposed which assist in improving the mix of building types and styles within the area.

The new properties along Musgrave Road and Crumpsall Road largely follow existing building lines so do not appear at odds with their older neighbours. Along Crumpsall Drive the properties are built closer to the highway to allow for parking to the side of the properties rather than to the front. This gives an improved street scene and provides more in the way of useable outdoor space to the rear.

The properties would be of predominantly red brick construction with key properties picked out with grey brick. All roof tiles and window frames would be dark grey with black doors and rainwater goods. The majority of the properties would be two-storeys in height.

A new transition space between Parkwood Springs and Shirecliffe has been created, introducing a new street with a distinctive character of its own. The new entrance way is 'signposted' by two 'landmark' buildings either side of the new access along with street tree planting. The proposed buildings at the junction of the new street and Musgrave Road are three storeys (the upper floor would partially be within the roof space), and would be predominantly of grey brick construction. The new street would have a block paved shared surface, further landscaping and at the entrance into the park some form of public art is proposed.

The proposed garden sizes are largely commensurate with those of existing properties within the area. A few of the plots do have restricted useable outdoor space, however it is considered that on balance each property does have adequate space.

Within the public domain brick walls and contemporary metal railing boundary treatments are proposed in order to provide the high quality boundary edge. The landscape plan also indicates that some of these boundary treatments would be reinforced with ever green hedge planting.

It is considered that the development would accord with UDP Policy BE5 and H14 as well as Core Strategy Policy CS74.

Residential Amenity

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.

With respect to existing residents, there are houses across the application site on Musgrave Road, Crumpsall Drive and Crumpsall Road and being infill plots the new development will sit alongside neighbouring dwellings.

As previously stated the new properties will largely follow existing (or previously existing building lines) and so will not result in significantly greater overlooking or overshadowing than occurs elsewhere within the estate.

Planning guidelines contained in the Council's SPG on Designing House Extensions 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 to preserve privacy and outlook. The guidelines also set out a 45 degree rule to prevent unreasonable levels of overshadowing from occurring.

It is considered that these guidelines have been achieved throughout the site and the development would not be harmful to the amenity of occupiers of existing properties or the proposed development. The development is considered to accord with UDP Policy H14 and H15 as well as the Council's SPG on Designing House Extensions.

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 24% 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.

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 UDP Policy H7.

Sustainability Issues

Policy CS64 of the Core Strategy deals with climate change and the sustainable design of developments. This sets out 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, the applicant has set out that the new dwellings will be designed to minimise energy consumption, as required by Policy CS64.

The design and access statement confirms that the development will achieve Code for Sustainable Homes Level 3, as required by Policy CS 64 and the aspiration of the SHC is to try and achieve Level 4 wherever viable.

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 that will be incorporated within the scheme; however the applicant has explored options available and it would seem that the use of photovoltaic panels is the most likely solution where practicable and viable.

Sustainability features that have been incorporated within the design of the development include:

- Water butts within rear gardens
- Roofs have been designed to be structurally capable of accommodating photovoltaic panels
- Through the detailed specification of the building envelope; energy demand for space heating and cooling has been reduced.

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

Highways and Parking 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.

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.

The properties will largely be accessed using the existing highway network. Alterations are proposed along Crumpsall Drive to provide some landscaping and

to slow traffic down. At the junction of Musgrave Road and Crumpsall Drive a raised platform is proposed, again to slow traffic as well as to 'announce' the access to the new street which would be a shared surface, providing pedestrian access through to the park.

A Transport Statement has been provided. A report undertaken by Queensbury Design 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. The proposal will not have substantial implications for the road network.

The proposed alterations to the highway raise no highway safety concerns.

With regard to car parking, each house would have two spaces, provided within their plot. These are located largely to the side or front of the property; however due to the site layout and topography three properties have parking to the rear of their properties, accessed either from the road or the rear garden. Additional visitor parking would be accommodated on street.

It is considered that the development would provide sufficient suitable and secure parking and in this respect would comply with UDP Policy H14.

The applicant has also indicated that each of the properties would have a secure cycle shed located within their rear garden. No dedicated cycle path is proposed, however traffic flows are low within this area and use of the existing road network for cycling is deemed to be acceptable.

The site is within a relatively sustainable location with schools and shops within walking distance. There are also high frequency bus routes within close proximity of the site on Longley Avenue West.

It is considered that the development would accord with Core Strategy Policies CS51, CS53 and CS55.

Landscape Proposals

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

There are few trees within the sites and these are thought to be remnant garden trees. The plans indicate that where practical trees will be retained; however several are detailed to be removed. The trees in question are not of particularly high amenity value and the benefits of the scheme would outweigh any harm caused by their removal. The landscaping scheme for the development indicates that 156 trees of a variety of species would be planted across the development site.

During pre-application discussions the provision of street trees was discussed; however due to existing services within the street this has been restricted to a few trees to be provided along Crumpsall Drive and along the new street that is to be created.

Other landscaping features include the provision of grass verges along the road side and boundary hedging. It is also intended to further define the key Crumpsall Drive / Musgrave Road junction by the use of vertical green walls on the property boundaries.

It is considered that the development would accord with UDP Policy GE15.

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. In summary the sites are considered to have limited scope for wildlife, being largely grassed and their development would not be harmful to protected species. Of most value to wildlife is the area of land to the south of the site, between Musgrave Road and Parkwood Springs. The development would necessitate the removal of a few trees, however these are not particularly important specimens and the submitted plans indicate that more trees would be planted.

The report recommends that opportunities be provided within the site for wildlife. 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 structures to increase nesting and roosting opportunities.

Overall, the application is considered to be compliant with Policy GE11.

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 has been undertaken. This 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.

The Environment Agency have been consulted and raise no objections to the development in terms of flood risk.

Being smaller infill plots surface water is proposed to drain to existing systems with measures put in place to attenuate the flow. This approach is accepted by the Land Drainage as lead Local Flood Authority and also by Yorkshire Water.

The proposal is considered to satisfy the flood risk and drainage the requirements of Policy CS 67.

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 it is recommended that such a condition be applied again.

The applicant has indicated that the new entrance to the park would be a suitable location for any public art to be located and this approach is supported.

It is considered that the development would satisfy the requirements of Policy BE12.

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.

The proposal complies with Policy CS40 and the IPG.

RESPONSE TO REPRESENTATIONS

One representation has been received raising concerns regarding parking.

During the design development of the proposals, consideration of existing residents' concerns relating to parking requirements were taken on board at an early stage of the design process. Each new property has two off-street parking spaces to alleviate pressure for on-street parking.

As set out in the report above the level of off-street parking is deemed to be adequate and the proposal raises no highway safety concerns.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of 42 dwellings within infill plots on Musgrave Road, Crumpsall Road and Crumpsall Drive within the Shirecliffe area of Sheffield.

The properties would be a mixture of runs of three terraces, semi-detached and detached dwellings. The majority of the properties would be of red brick construction with key buildings picked out with grey brick work. A new entrance from Musgrave Road into the Parkwood Springs open space is proposed. This would have a shared surface, providing vehicular access to the new properties as well as pedestrian access to the park beyond.

The development is considered to be of good quality design and would provide much needed housing on land that has been previously developed. The density of development is considered to be appropriate for this location and the proposal would not adversely impact upon the amenity of existing residents.

The car parking provision would be acceptable and it is considered that the surrounding road network can absorb the likely increases in traffic that would be generated by the scheme.

Detailed landscaping proposal have been provided and it is considered that the development would significantly improve the character and appearance of the area. The development would not result in loss of any special habitats or protected species.

The development is considered to accord with the National Planning Policy Framework as well as the adopted Sheffield Unitary Development Plan, Core Strategy and Supplementary Planning Guidance.

Members are advised to grant planning permission subject to the imposition of the proposed conditions.

Case Number	15/00739/FUL (Formerly PP-03813659)
Application Type	Full Planning Application
Proposal	Erection of 1 no. detached dwellinghouse with integral garage including provision of landscaping/amenity space (Amended plan)
Location	Curtilage Of 172 Prospect Road Bradway Sheffield S17 4HY
Date Received	01/03/2015
Team	South
Applicant/Agent	SLA Design
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 by e mail dated 19 June 2015

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 building is/are brought into use.

Highway Improvements:

Prospect Road (alterations to footway to provide vehicular access)

Reason: In the interest of pedestrian safety

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.

5. 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 interest of pedestrian safety.

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

Reason: In the interests of the safety of road users

7. Prior to the development commencing full details of the impact on or alteration to any highway retaining wall shall be submitted to and approved in writing by the Local Planning Authority and all works carried out shall be in accordance with the approved details.

Reason: In the interests of safety of road users.

8. 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 dwellinghouse 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.

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.

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

Other Compliance Conditions

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. There shall be no gates or barriers erected at the means of access to the site.

Reason: To ensure access is available at all times.

12. 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 road safety.

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

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

14. 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.

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. 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.

Site Location



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INTRODUCTION

This application was submitted earlier this year as a proposal to erect 3 dwellinghouses within the grounds of the existing dwelling. The proposal has been amended and the following planning assessment relates to amended drawings received on Friday 19 June 2015 which reduce the scheme to the erection of one dwelling.

During the consultation period of the application, it was brought to the Local

Planning Authority's attention that an application had been made by a third party to Historic England which has requested that the original dwelling and boundary wall be added to the List of Buildings of Architectural or Historic Interest.

The application to Historic England is currently ongoing. However, it has been confirmed by Historic England that the proposed application for one dwelling can be assessed and determined independently from their assessment which will determine whether the building is of a standard and of historic value, worthy of protection under the List of Buildings of Architectural or Historic Interest.

Historic England has advised that, as the property which is being assessed with a mind to being added to the Listing is not in danger from demolition, given that the applicant resides in the property, the proposal for the dwellings can be assessed and determined even though Historic England's assessment is currently being carried out. They have stated that whilst the assessment does look at the setting of the building, the potential for listing, in this case, is based more on the merits of the property and its historical importance and, provided that any proposal has sufficient information to determine the impact upon the character of the building, a determination of the application can be made.

The proposal has been put before Members of the Committee due to the number of responses to proposal at the various stages of consultation and because there is an ongoing assessment of the existing dwelling by Historic England.

LOCATION AND PROPOSAL

This application relates to a site which is occupied by a large arts and crafts styled property. Designed by Edgar Wood, the property has been dated as 1905 and is thought to be the only building designed by him in Sheffield.

The large triangular corner plot is situated in between two roads; Prospect Road and Woodland Place. The site is accessed from Prospect Road near the junction with Woodland Place and there is an area of hard standing that leads down from the road to the dwelling and a detached garage.

The property is set on a parcel of land which steeply falls away from east to west. The property is surrounded by tall boundary treatments and various landscaped areas and some of the walls are also retaining structures due to the topography of the site. The boundary treatments along the edge of the site that fronts Woodland Place has architectural features which were frequently included in the buildings designed by the architect, Edgar Wood. These features include small doors and windows.

The site is set approximately 8km from Sheffield city centre and is within an established residential area whereby the properties vary in size and architectural style. The site is wholly within an area which is defined in the Local Planning Authority's Unitary Development Plan as being a Housing Area.

The amended application seeks permission for the erection of one large dwellinghouse within the grounds of the original dwelling and on the prominent

corner section of the site. The proposed dwelling would be set back into the site from the pinnacle of the plot where the two main roads meet. A driveway would link the dwelling with the public highway and would also provide access to an integral garage. The proposal would make minimal changes to the boundaries and all changes around the site would aim to improve the setting of the original building.

RELEVANT PLANNING HISTORY

There is no relevant planning history associated with this application.

SUMMARY OF REPRESENTATIONS

The application has been publicised in accordance with the Council's adopted Statement of Community Involvement and site notices have been posted on both Woodland Place and Prospect Road.

Concerns have been raised regarding the amount of publicity given to the proposal. Neighbours also informed the Local Planning Authority that the original notices which were posted on site were removed before they had expired. The Local Planning Authority replaced the notices and it is considered that the proposal has been sufficiently advertised in line with legislation and the Council's Statement of Community Involvement.

Original Submission

In response to the initial consultation processes, 18 representations have been received objecting to the initial proposal for 3 dwellings. These representations have included a representation from Councillor Martin Smith and not all the representations are from different neighbours.

Councillor Martin Smith originally commented on the proposed scheme and raised concerns with the height of the dwellings and their impact upon the neighbouring properties.

The material planning concerns, which are relevant to this application and can be taken into account in the planning assessment, are summarised as:

- The number of dwellings (three) is an overdevelopment of the site and a severe case of garden grabbing;
- The siting, design and layout of the proposal would negatively impact upon the character of the original dwelling and that of the wider area;
- The comments stress that the height of the dwellings, from the rear, would not reflect the character of the wider area and the close proximity of the three units would exacerbate this issue;
- The number of properties leaves very little room for gardens and landscaping and this again does not reflect the character of the area;
- The parking provisions are not adequate for the large dwellings. This will inevitably lead to more cars parked on what is a fairly narrow road. At certain times of the day, traffic can already only pass in a single direction for a long stretch of that part of Prospect Road because of parked cars on the

roadside. The road is narrow and the pavements are also narrow. The proximity of the junction with Woodland Place makes it worse because of the tight turn that traffic have to make when arriving uphill on Woodland Place and turning right into Prospect Road. This development will make the parking/traffic situation much worse;

- The garages/ drives are lower than the highway and would be problematic;
- The development would overbear upon the neighbouring properties on Woodland Place;
- The proposal would impact upon the amenities of the neighbours in terms of loss of privacy and noise disturbance;
- The proposal does not satisfy the policies outlined in the National Planning Policy Framework, the Local Planning Authority's Core Strategy and their UDP.

The comments also state that the land is restricted by covenants and these do not allow for the sub division of a plot in the Abbeydale area to more than 2 dwellings. This is a civil matter which cannot be resolved through the planning process and is not therefore considered within the planning assessment. It is under separate legislation that this issue should be resolved and this point is not therefore material to this planning assessment.

First Amendment

After the initial submission of the proposal for three dwellings, very small amendments were made to the scheme. These included small changes to the design of the most prominent corner dwelling and the removal of the detached garage within the grounds of the original dwelling. Neighbours were re-notified of these changes and another seven representations were received. These raised the following material planning concerns:

- The amended plans have not really changed much and three houses is still too many for the plot. The overdevelopment of the site would be visually intrusive and detrimental to the character of the area given that the scale and nature of the proposal is not in the right setting;
- The amenity issues such as overbearing/ loss of privacy and outlook still remain;
- They would still create highway safety problems due to the road level and the level of the drives, although some extra space has been provided for car parking within the site;
- The concerns raised in the initial representations still stand;

The comments also state that the drawings are inaccurate. These issues have been questioned with the applicant and there is no reason to doubt that the existing and proposed site plan is not accurate.

The concerns which have been raised relate to the proposed scheme which incorporated three dwellings. Some of the initial representations stated that whilst they fiercely object to the three dwellings, if the scale of the proposal was reduced, they would not object/ object as vehemently. The comments outline some suggestions which they believe would help a proposal fit in with the overall

character of the area. As well as reducing the number of units, one of the representations states that further landscaping, including stone walls, would help reduce the overall impact of the proposal.

Second Amendment

The applicant has taken the comments on board and the proposal has been reduced from three dwellings to one. The dwelling would include a stone wall between the original dwelling and the proposed dwelling and the dwelling would be set within larger grounds. The neighbours have been re-notified for 14 days, regarding the changes. However, as the drawings have reduced the scale of the proposal significantly, and in line with some of the comments initially raised, as stated within the Statement of Community Involvement, this round of consultation would not have strictly been necessary.

At the time of writing no representations have been received, and any that are received between the preparation of this report and the committee date will be reported to Members on the day.

PLANNING ASSESSMENT

National Planning Policy Framework

The NPPF is a material consideration to be taken into account in determining planning applications. The framework has been adopted and full weight should be given to its principles.

It is important to acknowledge that the key message that can be taken from the NPPF is a 'presumption in favour of sustainable development'. The document summarises delivering sustainable development as planning for prosperity (economic role), for people (social role), and for places (environmental role).

Specifically with regard to Housing, the NPPF confirms the Government's key objective as increasing significantly the delivery of new homes, including increasing the supply of housing; delivering a wide choice of high quality homes and opportunities for home ownership; and creating sustainable, inclusive and mixed communities.

In addition, the NPPF attaches great importance to the design of the built environment. It seeks to ensure planning decisions which optimise site potential to accommodate development, whilst responding to local character and the identity of local surroundings. Chapter 12 of the NPPF, 'Conservation and Enhancement of the Historic Environment', outlines that although a property might not be officially designated as a heritage asset, the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. It further states that in weighing applications that affect directly or indirectly on non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 53 of the NPPF, states that Local Planning Authorities should consider setting out policies to resist inappropriate development of residential gardens, where these would cause harm to the local area. The Local Planning Authorities response to this aspect of the NPPF is outlined in its Core Strategy policy CS74 which requires proposals to be in character with their local surroundings.

Principle of Development

The proposal involves the re-development of a site that is occupied by one large dwelling house. The National Planning Policy Framework (NPPF) promotes the use of previously developed land; however, it places a strong emphasis on sustainability. Although the grounds of the original house are excluded from the definition of previously developed land by the NPPF, the presumption in favour of sustainable development would prevail here and in line with Government policy which seeks to increase housing supplies, the principle of development is considered acceptable.

Housing Land Availability

Based upon the most current information available, a deliverable supply of housing land over the coming 5 years cannot be demonstrated. The net supply for this period is less than 50% of the net housing requirement.

It is also noted that the NPPF has been adopted and therefore due weight should be given to the relevant policies in existing plans according to their degree of consistency with the NPPF.

Paragraph 49 of the Framework advises that relevant policies relating to housing supply should not be considered to be up to date if a five year supply cannot be demonstrated and that the presumption in favour of sustainable development should apply.

This issue of a shortage in housing land availability supports the principle of residential development at this site.

Principle within the Unitary Development Plan and the SDF Core Strategy

The application is located within a Housing Area under the provisions of the Adopted Unitary Development Plan. The main local planning policies are found in the Unitary Development Plan and the Core Strategy, both of which have been considered to be sound when viewed in the context of the NPPF.

Policy H10 of the UDP states that Housing is the preferred use in this location. Therefore, the principle of residential development would be considered to be acceptable. However, this would be subject to the provisions of Policy H14 'Conditions on Development in Housing Areas'.

Policy CS24 of the Core Strategy sets a target of no more than 12% of new housing to be developed on Greenfield land. A number of circumstances are given where this would be acceptable. Part (b) allows greenfield sites to be developed for

housing 'on small sites within the existing urban areas and larger villages, where it can be justified on sustainability grounds'. The site is within the urban area in a relatively sustainable location and would fit the criteria within the policy.

As such, the proposal is not considered to be contrary to the provisions of policy CS24 of the Core Strategy, and it is not considered that it would be possible to support an argument for refusal based upon this issue.

Overall, the principle of the proposed development is considered to be acceptable, and there are not considered to be any reasons to resist the proposed scheme based on the above issues. Indeed the delivery of a new housing unit would support the aim of recent Government Policy.

In the representations which were received, comments were made that the proposal would be contrary to CS31 'Housing in the South-West Area'. This policy is not applicable to this application. Although the area is to the South-West of the city, the policy specifically refers to the area between Abbeydale Road (A621) and Manchester Road (A57). Proposals that fall outside this area are not subject to the provision made within this policy.

Efficient Use of Land

Policy CS26 of the Core Strategy promotes efficient use of housing land, but identifies that high densities are not acceptable where they would be out of character with the surrounding area.

CS26 states that a density range of 30 to 50 dwellings per hectare is an efficient use of urban located housing land. As such, the scheme is not the most efficient use of the parcel of land. However, within policy CS26 it also states that density ranges outside this figure can be acceptable provided that they achieve good design and reflect the character of the area. The design and detailing of the proposal are considered further in the subsequent report.

In the case of this particular scheme, the parcel of land previously played host to one dwelling and in this respect, the proposal reflects the existing, and past, character of the wider area. The general principle of one dwelling, set within large grounds, is a reflection of the wider area. With regards to this particular policy, the proposal is therefore considered to be satisfactory in respect of policy CS26.

Design Issues

Policy BE5 of the UDP states that the new buildings 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, and (c) not result in the site being over-developed.

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.

The large property, which is set within large grounds, is quite similar to other large detached properties within the area. However, many of the large, older properties within the area have had their original grounds divided up to accommodate further houses. The grounds of the subject property are not typical of the area and neither is the architectural style.

The properties within the area vary significantly in size and architectural style and although most are detached dwellings, more modern semi-detached properties can be found quite close by. The immediate surrounding area comprises of modest sized detached dwellings along Woodland Place and, larger detached properties which are set within larger grounds, to the east of the site along Prospect Place.

It is proposed to demolish an existing detached garage and erect a dwellinghouse on the northern section of the site. This would leave the original property centrally within its own large grounds. The garage is a latter addition to the main dwelling and it is not considered that the flat roofed structure is complementary to the character and appearance of the original dwelling. The loss of the structure is not considered to be harmful to the character and appearance of the wider area or the setting of the main dwelling. Accordingly, the proposed demolition of the garage is therefore considered to be acceptable.

The proposed property, which would be sited in the northern corner of the site, is a four bedroomed property with an integral double garage. Due to the fall of the land, the dwelling would appear to be a typical two storeys high dwelling from Prospect Road, whilst at the rear of the property the proposal would be three storeys in height. The proposal seeks permission to use natural stone and a high quality artificial slate roofing material. This would create a proposed dwelling that is fairly traditional in style. The traditional styled property is considered to reflect the wide variety of property styles and materials used within the surrounding area.

Confirmation has been received that the existing garage, which is to be removed, would be used to create the boundary wall between the original dwelling and the proposed property. Further landscaping would be provided within the site and conditions could be attached to any approval to ensure that the boundary details and the future landscaping schemes are provided before the development is commenced.

This proposal, unlike the initial scheme that was submitted, is considered to be of a scale and nature which is more akin to the properties and their settings within the wider area. The sub division of the plot makes a parcel of land which fronts the main highways and would not appear to be incongruous within the site due to the space that has been created for further landscaping. It would be sited within large grounds, which is a reflection of the properties along Woodland Place and Prospect Road, and would be set by the existing/ enhanced boundary treatments. Due to the retention of reasonable grounds which forms the setting of both the existing and proposed properties, the scale of development in this case is not considered to represent an overdevelopment of the site.

Although the property has a tall rear elevation that is larger in scale than the immediate neighbouring properties, it is considered that this reflects the wider area which accommodates properties that are three storeys in height due to the topography of the land.

The property is set within the grounds of a building which is currently being assessed by Historic England as to whether it is of a quality worth of protection under the national List of Buildings of Architectural or Historic Interest. The property is not listed and the policies within the UDP for listed buildings are not therefore relevant. However, from the information provided regarding the history of the building and, given the merits of the properties setting and appearance, its architectural style and setting is considered to be important and it is considered that the property should be treated as a non-designated heritage asset as defined in the NPPF.

The property itself would not be affected by the proposal and the removal of the existing garage would improve the setting of the existing building. Furthermore, it is not proposed to remove the existing boundary wall which plays a significant part in the setting of the existing dwelling. Whilst it is acknowledged that the proposal would separate the existing property from some of the existing grounds, the property would still sit centrally within large grounds. A replacement garage is not being proposed and the boundaries within the site are to be constructed of stone. Accordingly, the setting of the existing building is considered to be enhanced and views of the property maintained. The scale and nature of the most recent proposal is considered to have limited harm upon the setting and character of the original dwelling and is therefore acceptable when viewed in light of paragraph 135 of the NPPF.

The application has been responsive to the concerns raised by neighbours of the site and those of the Planning Officer. The proposed dwelling is set within fairly large grounds and is not considered to be an overdevelopment of the site. It is considered that the character and appearance of the property is respectful of the wider character of the area and, mindful of the historic value and setting of the original dwelling. By virtue of its scale, massing, built form and detailing, subject to conditions attached to any approval it is considered that the proposal would meet the requirements of UDP policies BE5 and H14 (a and c), together with Core Strategy policy CS74 and the NPPF.

Amenity Issues

UDP policy H14 seeks to protect the amenities of the neighbouring properties in terms of light, outlook and security and to help interpret this policy, guidance can be found in a Supplementary Planning Guidance document; Designing House Extensions. Although specifically used for small scale residential extensions, the aims of the guidance are applicable to new build residential schemes as well.

The proposed property is set within fairly large grounds and although the site slopes away to the west, the area is highly usable amenity space for the future occupants of the site. The amenities provided for the proposed dwelling are considered to be generous and fairly private, given the existing and proposed

boundary treatments.

As this proposal has reduced the scale of the proposal quite significantly, the number of windows which face the properties along Woodland Place has been reduced. Although the properties along Woodland Place are set lower down than the subject property, these properties, at the closest point, are approximately 24 metres away and would be set at an angle to the rear facing windows of the subject property. Owing to the corner plot location of the dwelling, all windows would have outlooks onto either the rear amenity space of the plot or public highways. The windows do not have any direct outlook onto private amenity spaces of the neighbouring properties. Furthermore, although there is a side window facing the existing dwelling, this would serve a non-habitable room and it would be glazed with obscure glass.

The siting of the dwelling and its relationship to the neighbouring properties is considered to negate any issues of significant loss of privacy from occurring. In this respect, the proposal is considered to be acceptable in terms of UDP policy H14 and SPG guidelines.

The property is slightly higher than the properties on Woodland Place, however, given that the property is set within fairly large grounds and there is approximately 22 metres between the subject property and the neighbours set along Woodland Place, it is not considered that the proposal would significantly overbear upon these neighbouring properties. Furthermore, although the distance to the properties along Prospect Road are slightly closer, there is still approximately 17 metres between the proposed property and the existing neighbours and these are also set higher up. Owing to the above reasoning, the proposal is not considered to significantly impact upon the neighbours in terms of loss of light and or overbearing to the extent that the proposal would warrant a refusal on this basis alone. Accordingly, the proposal is considered to be acceptable in this respect when assessed against policy H14.

The amenities of the neighbouring residents are not considered to be significantly affected by the proposed dwelling and it is therefore considered to be acceptable in terms of UDP policy H14 and supplementary planning guidance.

Landscaping

None of the trees within the site are protected specimens and it is not proposed to remove any of the landscaping along the boundaries. The proposed dwelling is fairly central within the site and the proposed site map shows that existing and proposed dwellings will be set within large landscaped grounds.

The areas indicated as hard and soft landscaped areas are acceptable, in principle, and the fine details of these areas can be dealt with through conditions attached to any approval. Accordingly, the landscaped areas are considered to be acceptable and satisfactory in planning policy terms.

Ecology

The site has been cleared in the recent past, however, no record of protected species nesting within 500 metres of the site has been found. Whilst the proposal would remove some soft landscaped areas, the majority of the proposal is on an area which is currently a driveway and the proposal is not considered to be harmful to the ecology of the site, especially as further substantial soft landscaping is being proposed.

Drainage Issues

It is acknowledged that the proposal would include areas of hard standing which ultimately would have a small impact upon the drainage capacity of the site. However, whilst the proposal would increase the amount of hard surfaced areas within the site, once the development is finished, there would still be wide areas of soft landscaping to drain any surface water run-off into. Details of the proposed areas of hardstanding have not been included in this proposal and any approval should request details of all the proposed materials.

The proposed materials could be porous to allow for surface water drainage or, details may be provided to show that all water can be drained away within the boundaries of the site. Subject to a condition requesting further information being submitted regarding the hard surfaced areas within the site, the proposal in this respect is considered to be acceptable.

Highways Issues

The proposal has been scaled down significantly and the proposed four bedroomed dwelling has now been shown with a large double width integral garage and a drive which is sufficient to accommodate two vehicles. Also, a further space for two vehicles is provided within the curtilage of the existing dwelling. With potentially six car parking spaces within the entire site, the proposal is considered to be acceptable with regards to the councils parking provision standards.

The proposed dwelling would be sited close to the original entrance of the site. As some sections of the footpath, which are close to the boundary on Prospect Road, are set lower down than the road, alterations are proposed to allow safe vehicular access into the site. The applicant has indicated that these alterations will be done and details of this can be dealt with through a condition. These alterations would improve access within the street and provided that the conditions are attached to any approval, such improvements to the highway are considered to be acceptable.

The proposal is considered to improve the existing highways arrangement and is, therefore, acceptable. Subject to amendments to the highway been secured through conditions, the proposal is acceptable with regards to UDP policy H14.

SUMMARY

The proposal, as amended, is considered to be of a scale and nature which is more akin, and respectful, of the wider area within which it is sited. The proposal is not considered to be an overdevelopment of the site as it is now proposed to set

one large property within fairly large grounds. The design and siting of the property is considered to be acceptable and reflective of the wider area.

As the boundary treatments are to be enhanced and the existing garage is to be removed, the proposed setting of the existing building is not considered to be harmed by the proposal and should the building eventually be designated as a national heritage asset, the proposed new building is not considered to detrimentally impact upon the heritage of the existing building and wider site.

The proposal has been designed to minimise its impact upon the neighbouring properties. The siting of windows and the general massing and built form are not considered to be harmful to the amenities of the immediate neighbouring properties.

In light of the above reasoning, it is therefore considered that the scheme meets the relevant requirements of the National Planning Policy Framework; UDP policies BE5, H14, H16 and Core Strategy policy CS74.

Accordingly, the application is recommended for approval.

Case Number	15/00731/FUL (Formerly PP-04014362)
Application Type	Full Planning Application
Proposal	Demolition of existing office building (use class B1) and erection of 72 studios/one bedroom apartments and 1 two bedroom apartment in a 7 storey building
Location	Minalloy House 10-16 Regent Street And 2 Pitt StSheffieldS1
Date Received	27/02/2015
Team	City Centre and East
Applicant/Agent	Cadenza VM Ltd
Recommendation	Grant Conditionally Legal Agreement

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 refs:

563_SK3_01 Rev A Proposed Basement and Ground Floor Plans;
563_SK3_02 Rev A Proposed First and Second Floor Plans;
563_SK3_03 Rev A Proposed Third and Fourth Floor Plans;
563_SK3_04 Rev A Proposed Fifth and Sixth Floor Plans;
563_SK3_05 Rev A Proposed Roof Plan;

563_SK3_06 Rev A Proposed Sections A and B;
563_SK3_07 Rev A Proposed Elevations 1;
563_SK3_08 Rev A Proposed Elevations 2; and
563_SK3_10 1:20 Wall Details
All received on 23/6/2015

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development shall commence until the scheme of intrusive site investigations recommended in the Shallow Coal Mining Risk Letter Report by Tier Environmental Ltd and dated 27th February 2015, has been carried out and a report of the findings arising from the intrusive site investigations has been submitted to the local planning authority for approval.

Reason: In order to assess the potential risks to the proposed development from historic unrecorded shallow coal mine workings it is essential that this condition is complied with before the development commences.

4. The surface water discharge from the site shall be subject to a reduction of at least 30% compared to the existing peak flow. This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site. 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 per/second in total should be demonstrated. The detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted and approved by the Local Planning Authority prior to the commencement of development. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of achieving a sustainable drainage solution it is essential that this condition is complied with before the development commences.

5. 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.

6. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted

to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

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.

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

7. 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.

8. 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:

Parapets
Entrance Doors, glazing and portico

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

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

9. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed layout and marking out of the basement car and cycle parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The basement shall not be used unless the parking accommodation has been provided in accordance with the approved plans and thereafter such parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

10. Any remedial works recommended in the report of the findings arising from intrusive site investigations shall be submitted to and approved by the local planning authority. Thereafter, the approved remedial works shall be implemented prior to the commencement of development.

Reason: In order to ensure that any risks to the proposed development from historic unrecorded shallow coal mine workings are properly dealt with.

11. 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 an approved noise survey of the application site, including an approved method statement for the noise survey.

- b) Be capable of achieving the following noise levels: Bedrooms: LAeq (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).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation 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.

- 12. Before the use of the development is occupied, 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.

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

- 13. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

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

- 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.

Other Compliance Conditions

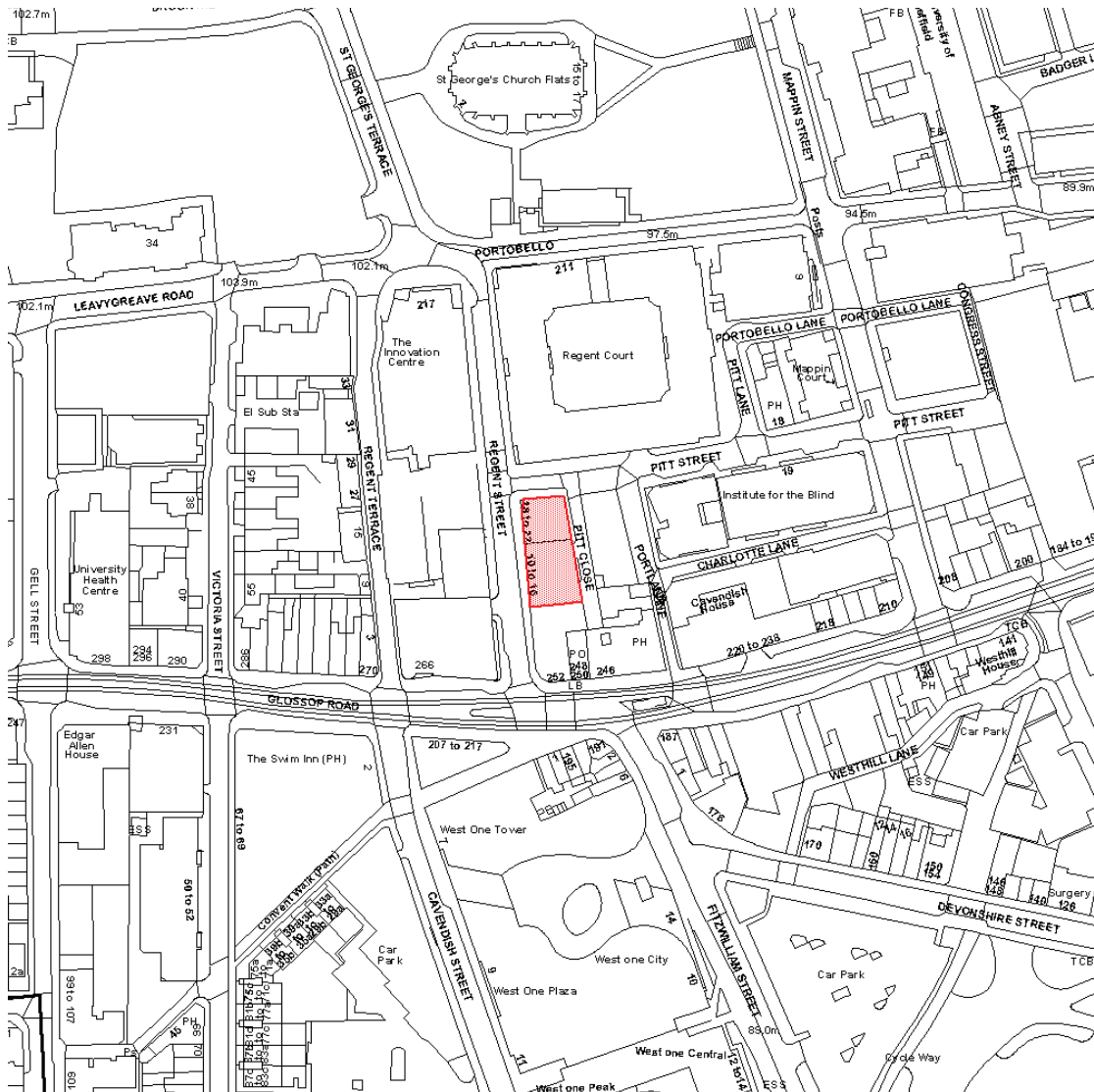
- 15. Seventeen Mobility Housing Units shall be provided, as shown on the approved plans, in accordance with the Council's Supplementary Planning Guidance 'Mobility Housing'.

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

Attention is Drawn to the Following Directives:

1. The applicant is advised that further investigations are recommended to ensure that the potential risks to human health arising from ground contamination, ground gas and the potential pollution of ground or surface waters, are fully addressed prior to the occupation of the building. In the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
2. 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.
3. The applicant is advised that the signage indicated on the submitted drawings is not approved as part of this permission and will require separate Advertisement Consent. To discuss arrangements for obtaining such consent, and to request application forms, the applicant should contact Development Control Section, Development Services, on Sheffield (0114) 2039183 or go to www.sheffield.gov.uk/in-your-area/planning-and-city-development
4. You are advised that residential occupiers of the building should be informed in writing prior to occupation that:
 - (a) limited/no car parking provision is available on site for occupiers of the building,
 - (b) resident's car parking permits will not be provided by the Council for any person living in the building.
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.

Site Location



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LOCATION AND PROPOSAL

The application site is located on the eastern side of Regent Street, at the junction with Pitt Street, and backs on to Pitt Close. It comprises of a four storey office building, built in the 1960s, which has a basement car park. The site slopes down approximately 2 metres from north to south.

Land on the western side of Regent Street is occupied by a surface level car park (serving the Sheffield Innovation Centre which provides serviced office space and workshops) and number 5, a seven storey building with a ground/mezzanine floor currently occupied by an ice cream parlour (formerly Boudica Bar) plus five storeys of student accommodation over. The building is clad in red brick with black brick detailing and a set back upper floor. To the south of number 5 is the Sinclair Building, a 6 storey black brick clad building fronting Glossop Road. The ground and first floors of the Sinclair Building are in commercial use with 4 floors of private apartments over.

Adjacent to the application site, to the immediate south, is a three storey building which fronts onto West Street. The ground floor of the premises is occupied by Boots Chemists. The upper floors were recently converted into apartments under office to residential permitted development rights. The building is not listed but it is identified as an Unlisted Significant Building in Sheffield's Urban Design Compendium and has a highly decorated tiled façade.

To the east of the application site, on the opposite side of Pitt Close, is a single storey building occupied by a vehicle repair garage, and beyond a 10 storey student accommodation block known as the IQ Steel Building. To the north is a four storey building occupied by the University of Sheffield.

Planning permission is sought for the demolition of the existing office building and erection, as amended, of a 7 storey building of 69 studios, 3 one bedroom apartments and 1 two bedroom apartment. The existing basement will be retained to provide bin storage, bike and car parking accommodation.

RELEVANT PLANNING HISTORY

The site's planning history relates entirely to telecommunication equipment, largely mounted on the roof, including (most recently):

10/02127/FULTEL	An application for the removal of 4No. antennas to be replaced by 2No. antennas and 2 new antennas with ancillary apparatus, was approved in August 2010.
04/04568/FUL	Consent was granted for the erection of telecommunications antennae and associated equipment in February 2005.
04/01790/FUL	In August 2004, consent was granted for the installation of 4 antennas mounted on 2 poles,

equipment cabinet and ancillary equipment on roof of building and 1 meter cabinet at ground level.

SUMMARY OF REPRESENTATIONS

Three representations were received in relation to the initially proposed development. The concerns raised by neighbours include:

- The proposed apartment block has large habitable room windows facing toward Regent Street and, whilst offset from the Sinclair Building, it will harm the privacy of occupants of the Sinclair Building. In particular it will impact upon use of the balconies and top floor terraces which provide the private space for the individual apartments.
- Little more than 12 metres separates the Sinclair Building from the proposed development, considerably lower than the 21 metres normally required between facing habitable room windows. The loss of privacy will be made worse by the height of the proposed building, which will enable views from windows within it, down into the nearest balconies and terraces.
- The proposed building would be to the north east of the Sinclair Building, reducing general levels of daylight throughout the day.
- The proposed building is 8 storeys in height, higher than the majority of surrounding buildings, and so it will have a significant effect on the skyline. The Sheffield Design Compendium suggests that in areas of sensitivity within the St Georges Quarter (which include the application site) new development should respect the scale of existing historic buildings and conform to the existing height of 2-4 storeys.
- The neighbouring tall building on Pitt Street was not recommended for approval by Officers and should therefore be discounted in the assessment of any new proposals.
- The dominant landmark building in the St Georges Quarter is St Georges Church which is visible in views up Regent Street from West Street, but also over a wide area of the southern side of the city. The proposed building will not obstruct views up Regent Street but will partially obscure views of the church in wider views from the south and south east.
- The proposed building adjoins an historic building on the corner of West Street and Regent Street (no 252) which is identified as an 'unlisted

significant building' in the Compendium and would dominate it to the detriment of its historic significance.

- Regent Street is narrow, and is quite oppressive, and an increase in height would make it more so.
- The windows of the building would look over and above existing apartments only 12 metres away. It will also overshadow the adjacent building of significant importance on the corner of West Street.
- The development will prevent us from undertaking any further development to our property (in a vertical direction).

Two further representations were received by the occupant of an apartment in the Sinclair Building, the second following the submission of amended plans with a storey removed. While some of the previously raised issues were reiterated, the following concerns were also made:

- References, made by the architect, to The Diamond, St. Georges Church and the IQ Steel Building on Pitt Street to justify the height of the proposed development are not relevant. The Diamond is not in direct view of the site and is designed as a landmark building which justifies its height and appearance, while St. Georges Church is a landmark building whose height is supposed to dominate views up Regent Street.
- A 7 storey building will still dominate number 252 West Street - further storeys should be removed.
- The loss of privacy affecting the occupants of the uppers floors of the Sinclair Building has not been addressed. The proposed building will still allow views towards the windows and exterior spaces in the north eastern section of the Sinclair building at a distance of little more than 12 metres, contrary to Policies H5 and H14 of the UDP.

In addition, the Conservation Advisory Group considered the proposals at their meeting on 21st April 2015.

The Group felt that the form of the development would dominate the Boots Building, West Street and would have an adverse impact on the views from West Street up to St George's Church. The Group considered that the scale should be reduced to no more than six storeys and recommended that the building should not become student accommodation. The Group felt that it was a matter of regret that the Town Hall Conservation Area did not extend to the Boots Building and that the

nearby Cavendish Building and the Boots Building were not listed, even though they both had considerable architectural character.

PLANNING ASSESSMENT

Land use

The site lies on the edge of the Central Shopping Area as defined in the Unitary Development Plan (UDP) where offices are an acceptable but not preferred use. Policy CS3 of the Core Strategy (Locations for Office Development) promotes offices in the City Centre, but policy CS4 (Offices in the City Centre) does not identify the application site as an area where offices must be promoted. Therefore the loss of the existing office accommodation is acceptable in policy terms.

Policy S3 of the UDP (Development in the Central Shopping Area) defines housing as a preferred use in the Central Shopping Area and, as the site lies outside the retail core, housing at ground level is also acceptable. Furthermore, Core Strategy Policy CS17 (City Centre Quarters) identifies new roles for areas like West Street by removing them from the Primary Shopping Area. The residential nature of the proposed development is also, therefore, considered to be acceptable under this policy.

The application site is classed as previously developed and so the proposed apartment scheme will help to achieve the aims of Core Strategy policy CS24 which seeks to maximise the use of previously developed land for new housing. Core Strategy Policy CS26 (Efficient Use of Housing Land and Accessibility) sets appropriate density ranges in different locations according to accessibility. The density required in the City Centre is at least 70 dwellings per hectare. The proposed development of 73 apartments on a 0.0475 hectare site represents a density of around 1536 dwellings per hectare, which is high but acceptable in a City Centre location.

Core Strategy Policy CS41 (Creating Mixed Communities) (a) aims to promote the creation of mixed communities by providing for a broad range of smaller households in the City Centre. Typically this means that no more than half the new homes in larger developments should consist of a single house type. The proposed development of 72 studios/one bedroom apartments and 1 two bedroom apartment is clearly contrary to part (a) of CS41. However, the agent has confirmed that, while the development is not aimed at students, it will be marketed at young professionals and key workers working in the nearby University and Hospitals that are suited to the site's location on the periphery of the University of Sheffield campus. Moreover, the layout and lightweight structural design of the development will allow the grouping together of two or more studios to create larger units should the demand for such accommodation increase. On this basis, it is

considered that the contravention of CS41 (a) is acceptable and that the proposed development offers sufficient flexibility to adapt to changing needs in the future.

Design and Residential Amenity

The application site lies within an Area of Special Character as defined in the UDP. Policy BE18 (Development in Areas of Special Character) expects the retention of buildings and other features that contribute to the character of the Area, and new development to respect the appearance and character of the Area. However, the UDP also makes clear that the Area of Special Character designation was given to areas that were likely to become Conservation Areas and that the tighter controls in these areas was designed to safeguard them until such time that their declaration as conservation areas could be considered. The UDP was adopted in 1998 and the evidence base that supported its policies is older still. In that time, a small number of Areas of Special Character have been declared as new Conservation Areas, but there are no proposals to designate further Conservation Areas or to carry an updated Area of Special Character designation forward in the new Local Plan.

While it is considered that the Area of Special Character designation can be afforded little weight, Policy BE5 of the UDP (Building Design and Siting) also expects good design and the use of good quality materials in all new buildings. BE5 encourages original architecture, but states that new buildings should complement the scale, form and architectural style of surrounding buildings. Similarly, Policy S10 of the UDP (Conditions on Development in Shopping Areas) requires new development to not cause residents to suffer from unacceptable living conditions and to be well designed and of a scale and nature appropriate to the site.

The site lies within the St George's Quarter and is surrounded by buildings of varying scales and styles. The Urban Design Compendium (2004) advises that, in the St. Georges Quarter, new buildings should generally conform to the existing height of 2 to 4 storeys. However, buildings in the immediate vicinity of the application site now range between 4 and 7 storeys in height. There are also a small number of taller buildings close to the site, but it is felt that these constitute anomalies rather than setting the character and context for development. It was therefore considered that a maximum height of 7 storeys would be acceptable, and the submitted proposals have been reduced by one storey accordingly.

Concerns regarding the impact of the development on views of St George's Church from the south and south-east are considered to be unfounded. The proposed building, at 7 storeys in height (a similar height to the building on the opposite side of Regent Street), will be visible above the roofline of the lower Boots building. However, other than the key view up Regent Street, there are few locations to the

south in which the tower of St. George's can be seen, largely as a result of the falling topography and existing development. Longer views from the south are dominated by West One. The application site is located to the immediate south of St George's Church and so longer views from the south east, from which the church tower can be seen, will remain unaffected.

A minimum distance of approximately 12 metres separates the front elevation of the proposed development, facing onto Regent Street, from the elevations of the residential accommodation to the west. This distance is far less than the desired 21 metre privacy distance between facing main windows described in the Council's supplementary planning guidance 'Designing House Extensions'. However, distances of 12 metres or less between habitable room windows are not uncommon in the city centre. Indeed, suburban levels of privacy are both difficult to achieve and arguably detrimental in urban settings where buildings are generally expected to be built up to the back edge of the footway and setting them back in order to achieve greater privacy distances would have an adverse impact on the character of the area and result in the inefficient use of land.

While occupants of apartments to the west, who have objected to the proposals on the basis of loss of light and privacy, will experience some impact on their amenities – particularly those living on the upper floors who have benefitted from the smaller scale of the existing building and who, in some cases, have east facing external terraces set back from the front facade – it is considered that their amenities will not be significantly harmed. Only the uppermost level of the Sinclair Building has set back external terraces (the lower levels have projecting balconies) and they are located to the south of the application site and so will not be subject to direct overlooking.

The proposals, as amended, are clad in red brick at ground level to reflect neighbouring premises and provide a robust base. The five storeys over are clad in red terracotta tiles. This is a lighter solution to a full masonry façade which is necessary in order to be able to re-use the existing basement and foundations. The large extent of terracotta façade is given texture through the use of smooth and ribbed tiles and is punctuated by regularly spaced large glazed openings with generous 315mm reveals. The set-back upper floor is clad in a copper coloured cladding. This colour is reflected in the heavy, circular column at the junction of Regent Street and Pitt Street which draws attention to the entrance, itself defined by a bronze coloured portico.

At 7 storeys in height, the proposed development projects 3 storeys above the adjacent Boots building, the Unlisted Significant Building (as defined in the Urban Design Compendium) at the junction of Regent Street and West Street which has a highly decorated tiled façade. Prior to its conversion under permitted development

rights, consent was granted in April 2013 for alterations to the building, including the raising of the roof and the insertion of dormer style windows facing Regent Street for use as three apartments (Houses in Multiple Occupation). Though the increase in height was minimal (approximately 0.5 metres), the principle was acceptable and would have increased the prominence of the building onto West Street.

The terracotta façade of the proposed building is two storeys higher than the Boots building (a little over a storey higher than the corner turret and Dutch gable) and could be considered to reflect the street's rising topography. In any case, the relationship between the two buildings is not considered to be uncomfortable.

It is therefore considered that the amended proposals are an appropriate response to the application site and that development is in keeping with the character of the area, both in terms of its scale and appearance. The proposals are therefore considered to comply with Policies BE5 and S10 of the UDP.

Sustainability

Policy CS 64 of the Core Strategy (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings to be energy efficient and to use resources sustainably. The proposed development is situated in a sustainable location well served by public transport and central facilities. It re-uses the existing foundations and basement car park and makes efficient use of a previously developed site. The submitted sustainability statement also suggests that consideration will be given to grey water recycling.

Policy CS 65 (Renewable Energy and Carbon Reduction) requires new developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy. The developer has indicated their intention to generate energy on site via the use of roof top photo voltaic (pv) panels. Compliance with this requirement is reserved by condition.

Highways

The proposed development does not raise any highway safety concerns. The existing basement is to be retained for cycle parking and a small number of car parking spaces but the development will be largely car free and, given the site's city centre location and close proximity to amenities, this is considered to be satisfactory.

Coal Mining and Land Contamination

The application site falls within the defined Development High Risk Area, an area where there are coal mining features and hazards that need to be considered in relation to the proposed development.

The submitted Coal Mining Risk Assessment confirmed that the site lies within the 'zone of influence' of a coal seam, approximately 10 metres below the site and last worked in 1871. There are no coal mine entries within 20 metres of the site and there has been no known damage due to geological faults or other weaknesses caused by coal mining. However, the coal mining legacy potentially poses a risk to the proposed development and the Assessment concludes that intrusive site investigation works should be undertaken prior to the commencement of development in order to establish the exact situation regarding coal mining legacy issues.

The Coal Authority recommended that, should planning permission be granted, a condition is imposed requiring the site investigation works to be undertaken prior to the commencement of development. In the event that investigations confirm the need for remedial works to treat the areas of shallow mine workings, such works should also be undertaken prior to the commencement of development. Subject to the imposition of such conditions, The Coal Authority confirmed that they have no objection to the proposed development.

While it is proposed to retain the existing basement, with minor modifications to the ramp, an assessment of the site's history suggests that previous uses may have resulted in the land being contaminated. The Environmental Protection Service has confirmed that the rotary borehole assessment required as part of the above investigations may not be sufficient to address potential land contamination issues. Further investigations are recommended (via a directive) to ensure that the potential risks to human health arising from ground contamination, ground gas and the potential pollution of ground or surface waters, are fully addressed.

Open Space Enhancement

Policy H16 of the UDP (Open Space in New Housing Developments) requires that the developer make a financial contribution towards the provision or enhancement of public open space within the vicinity of the application site. The applicant has agreed to enter into a unilateral planning obligation and agreed to pay the Council the sum of £87,210.10.

The City Centre Breathing Spaces Strategy sets out the strategy for providing a network of public open spaces of varying characteristics within the city centre to the direct benefit of people living in the city centre (as well as indirectly benefitting visitors to it).

The Community Infrastructure Levy Regulations 2010 (CIL) have to be considered in respect of this contribution.

Firstly, CIL limits the ability of a local authority to pool more than five S106 contributions towards a single infrastructure project.

In addition, Regulation 122 within the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) Necessary to make the development acceptable in planning terms.
- (b) Directly related to the development.
- (c) Fairly and reasonably related in scale and kind to the development.

In response to section a), the necessity for new residential developments to contribute towards open space within the city centre is set out in planning policy and is based on the fact that very few city centre schemes provide on-site public open space provision. One of the key reasons is to ensure the ever growing residential population in the city centre is provided with the infrastructure needed to create a sustainable environment.

In response to b), although the scheme will be not immediately adjacent to the development site, it is part of a wider strategy to create new and improve existing open spaces throughout the city centre to form a network of spaces to suit a variety of needs, as promoted within the City Centre Breathing Space Strategy. Identified projects will continue to create the infrastructure needed to support this and other residential schemes in a sustainable way going forward. Therefore it can reasonably be viewed as being directly related to the development proposals.

In relation to c), the contribution has been worked out on the basis of the number and size of units and thus is proportionate to the scale and of the development.

It is therefore considered that this contribution is compliant with the CIL Regulations.

Education

Policy CF5 of the UDP (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, and it is recognised that new housing developments may create new demand on existing community facilities, including schools. Furthermore, as a result of population growth, the catchment schools (Springfield infant and Junior School and Silverdale Secondary School) are already at capacity

Education contributions are calculated using a standard yield of 3 pupils per year group from every 100 two bedroom properties. Given that the proposed development contains only 1 two bedroom apartment and is unlikely to attract, and will not be marketed at, families, no education contribution is sought in this instance.

RESPONSE TO REPRESENTATIONS

The representations have been responded to in the main body of the report.

SUMMARY AND RECOMMENDATION

The proposed development of 72 studios/one bedroom apartments and 1 two bedroom apartment in a seven storey building is considered to be an appropriate re-use of the application site given its edge of campus position, while the reduced scale and amended elevations are considered to be in-keeping with the general characteristics of the St. Georges Quarter. Moreover, it is considered that the proposals do not cause significant harm to the amenities of the occupants of neighbouring residential properties and that suburban levels of privacy are not achievable in such an urban setting.

Members are therefore recommended to grant planning permission subject to the proposed conditions and the completion of a legal agreement with the following Heads of Terms:

Heads of Terms

- A contribution of £87,210.10 towards the enhancement of an identified open space project in accordance with Policy H16 of the Unitary Development Plan, the City Centre Living Strategy and the Breathing Spaces Strategy.

Case Number 15/00679/FUL (Formerly PP-03941689)

Application Type Full Planning Application

Proposal Retention of fence/gate to front/side of dwellinghouse

Location 42 Wostenholm Road Sheffield S7 1LL

Date Received 24/02/2015

Team South

Applicant/Agent Ms R Palmer

Recommendation Refuse with Enforcement Action

Subject to:

- 1 The Local Planning Authority consider that the proposed development by reason of its prominent location and external appearance gives rise to an unsatisfactory design, detrimental to the character of the Nether Edge Conservation Area and contrary to the aims of Policies BE15 and BE16 of the Unitary Development Plan and Policy CS74 of the Sheffield Core Strategy, and paragraph 134 of the National Planning Policy Framework.

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:

Site location plan

Accompanying photographs

2. Despite the Local Planning Authority wishing to work with the Applicant in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with the planning application, the development has shown insufficient regard for planning policy requirements and an agreed solution was not possible that involved retaining the development.

Site Location



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LOCATION AND PROPOSAL

The application relates to the boundary of the residential curtilage of a two storey semi-detached dwelling house located on the corner of Montgomery Road and Priory Place. The site is located within a Housing Area and within the Nether Edge

Conservation Area. The property is covered by the Nether Edge Conservation Area Article 4 Direction which limits domestic Permitted Development rights.

The street scene of Wostenholm Road is characterised by stone built dwellings in medium sized domestic curtilages. The prevailing boundary treatments consist of stone boundary walls (as existing at this site) surmounted by soft planting or railings. There are examples of timber fencing in the street scene but these are very much the exception and are historically established.

The application seeks permission to retain the existing unauthorised fence and gate boundary treatment.

The fence is up to 1.1 metre in height and surmounts the main boundary wall giving an overall height of approximately 1.9 metres. The fence is close boarded and consists of 5-6 horizontally mounted boards mounted between timber posts located on the inner face of the fence. The fence fronts both Priory Place and Wostenholm Road.

At the junction of these fences a corner gate is located. Once again the gate is close boarded though the boards are vertically mounted.

The Applicant has submitted the covering sheet for a Supporting Statement but no body of text though it would be realistic to assume that the fence is intended to provide screening and privacy to the garden area which is overlooked from the public domain.

PLANNING ASSESSMENT

Policy Issues

NPPF states at Paragraph 134 of the National Planning Policy Framework requires that where a development results in less than substantial harm to the significance of a designated heritage asset, such as a Conservation Area, this harm should be weighed against the public benefits of the proposal.

Policy BE15 'Areas and Buildings of Special Architectural or Historic Interest' states:

Buildings and areas of special 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.

Policy BE16 'Development in Conservation Areas' states:

“Permission will only be given for proposals which...would preserve or enhance the character or appearance of the conservation area”

Policy CS74 ‘Design Principles’ of the Sheffield Core Strategy states:

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

c) the townscape and landscape character of the city’s districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials;

d) the distinctive heritage of the city, particularly the buildings and settlement forms associated with:

Victorian, Edwardian and Garden City suburbs

The following documents are also material considerations.

The Nether Edge Conservation Area Appraisal states that ‘

stone walls are a very significant feature within the area ...and many are topped with well-maintained native hedges...’

The ‘Problems, Threats, Opportunities and Challenges’ section states the following at paragraph 22.1

‘The construction of poor quality timber fences or walls in styles unsympathetic to the area is also highly damaging’

Visual Amenity and the character of the Conservation Area.

This property is located in a highly prominent corner position and as such its boundaries are highly visible from both Montgomery Road and Priory Place. The boundary treatment to both frontages is considered to be out of character with the prevailing street scene and the context of the wider Conservation Area. Whilst there are limited examples of timber fencing in the street scene these should not be considered a precedent for further deleterious additions to the area.

The traditional boundary treatments in the locality consist of stone walls and hedges/railings and it is considered that the design of the proposed fencing and gate are inappropriate by virtue of their visual appearance.

Both are therefore considered contrary to Policies BE15 and BE16 of the adopted Unitary Development Plan, Policy CS74 of the Core Strategy and to the aims and intentions of the Conservation Area Appraisal.

The development and consideration of NPPF paragraph 134.

Whilst it is noted that the fence and gate would improve privacy and security at the property, this private benefit is not considered to outweigh the harm the development causes to the character and appearance of the Conservation Area for the reasons given.

ENFORCEMENT

The fence and gate are existing, and if permission is to be refused it will be necessary to take enforcement action to secure the removal of the unauthorised fence and gate.

SUMMARY AND RECOMMENDATION

The design and materials used for the boundary treatment in the Nether Edge Conservation Area are considered to be inappropriate for the area. Neither the design nor the materials proposed are considered to relate appropriately to either the local street scene or the prevailing character of the Conservation Area. The fence/gate is therefore considered contrary to Policies BE15 and BE16 of the adopted Unitary Development Plan and Policy CS74 of the Core Strategy.

It is therefore recommended that planning permission is refused, and 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 fence and gate.

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

Case Number	15/00467/FUL (Formerly PP-03970374)
Application Type	Full Planning Application
Proposal	Alterations and extension to height of building to provide 5 student cluster flats at second, third and fourth floor levels with ancillary cycle store and bin store at ground floor level (As amended 23/06/2015)
Location	Broompark House 200-208 Broomhall Street Sheffield S3 7SQ
Date Received	09/02/2015
Team	South
Applicant/Agent	Mr Kevin Pullan
Recommendation	Refuse

For the following reason(s):

- 1 The Local Planning Authority consider that the proposed increase in the height of the building and the proposed flat roof form would detract from the building proportions and roof form of a key unlisted heritage asset building within the Hanover Conservation Area. The proposed increase in the height of the building and the proposed flat roof form would also detract from the appearance of a strong grouping of buildings, including No's 194, 196, 200 and 210 Broomhall Street and No. 177 Upper Hanover Street. The Local Planning Authority consider that the less than substantial harm caused would be detrimental to the character and appearance of the Hanover Conservation Area and is not outweighed by any public benefit considerations. The proposed development is thereby contrary to Policies BE5, BE15, BE16 and S10(d) of the Unitary Development Plan and Policy CS74 of the Core Strategy and is unjustified having regard to Paragraph 134 of the National Planning Policy Framework.

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:

Drawings (James M Fielding):

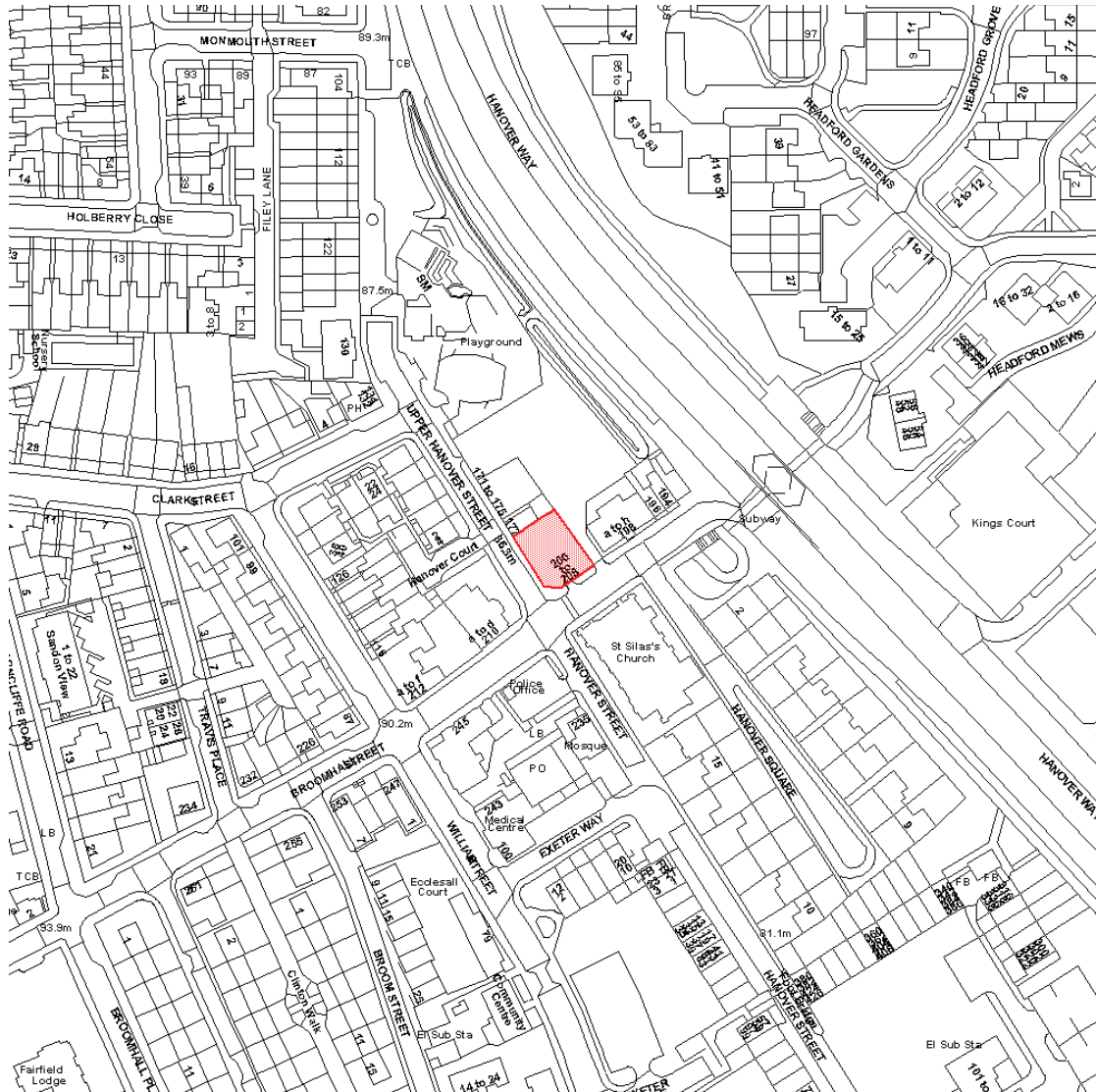
PH3/2B (existing plans and elevations)

PH3/3C (proposed plans)

PH3/04D (proposed elevation/section)

2. Despite the Local Planning Authority trying to negotiate in a positive and proactive manner during the life of the application the proposal has shown insufficient regard for policy requirement(s), so it has not been possible to reach an agreed solution.

Site Location



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LOCATION AND PROPOSAL

Broompark House is an imposing 3 storey Victorian brick building on a level site at the junction of Broomhall Street with Upper Hanover Street. It immediately abuts both road frontages and has no curtilage. The building is currently in use as a mix of offices, a large store and flats. The building adjoins a narrow driveway beyond which is a new 4 storey brick building comprising 12 flats (No198 Broomhall Street). The driveway leads to an area of vacant land which is owned by the Council. Traditional two storey properties adjoin No198.

A 2 storey Victorian dwelling abuts the building at No177 Upper Hanover Street and adjoins a terrace of 3 new townhouses which are occupied as houses in multiple occupation (Class C4). The terrace is on the site of the former St Silas Church Room.

St Silas Church (Grade II Listed Building) lies directly opposite the site in Broomhall Street at the junction with Hanover Street. A substantial 2 storey rendered Victorian building lies directly opposite the site in Upper Hanover Street. On the opposite side of the Hanover Street junction is a car park behind which are a parade of c1960s shop units and the Al-Huda Islamic Centre and Mosque.

The proposals have been amended during the course of the application. The amendments have removed proposals to convert the ground floor to a 9 bed cluster unit and have altered the roof pitch of the building. The proposals are for the conversion of the existing vacant office space at second floor level to form 2 x 4 bed student cluster units, the construction of a third floor to provide 1 x 4 bed and 1 x 5 bed student cluster units and the raising and alteration of the roof to form 1 x 6 bed student cluster unit in the roof space. The existing 9 x 1 bed flats at first floor level are proposed to remain unaltered. The existing ground floor office/storage space will remain with a bin store and cycle store being provided within the storage area. The proposals will result in an additional 23 bed spaces within the building (total 32).

RELEVANT PLANNING HISTORY

Planning permission was refused in 2007 for 8 x 1 bed and 1 x 3 bed flats at second and third floor level and raising and alterations to the roof to form 7 x 1 bed flats and 1 x 3 bed flat in the roof space (ref 07/02028/FUL). The application was refused for the following reasons:

1. The Local Planning Authority consider that the proposed increase in the height of the building would be overbearing in relation to the adjoining properties and would detract from the setting of the Grade II Listed Building at St Silas Church and the character and appearance of the Hanover Area of Special Character and the adjacent Hanover Conservation Area. The proposed development is thereby contrary to Policies BE5, BE15, BE16, BE18, BE19 and S10(d) of the Unitary Development Plan.
2. The Local Planning Authority consider that the proposed roof form would detract from the character and appearance of the building and the street scene and would detract from the setting of the Grade II Listed Building at St Silas Church and the character and appearance of the Hanover Area of Special Character and the adjacent Hanover Conservation Area. The proposed development is thereby contrary to Policies BE5, BE15, BE16, BE18, BE19 and S10(d) of the Unitary Development Plan.
3. The Local Planning Authority consider that the proposed development would provide cramped living conditions and inadequate use of natural light in a number of the units. Together with a lack of external amenity space and the absence of

any provision for people with disabilities, the proposed development would be contrary to Policies H5(b) and H7 of the Unitary Development Plan.

The appeal decision upheld the Council's concerns about the roof design, architectural treatments, impact on the setting of St Silas Church and the Hanover Conservation Area. However, the Inspector felt that there would be no great difficulty in increasing the height of the building to the extent proposed. Despite some changes to the accommodation (introduction of communal living rooms) that were introduced post-decision and immediately prior to the appeal hearing, the decision upheld the concerns about cramped living conditions with a lack of natural light.

A revised application for the conversion of the existing vacant office space at second floor level to form 2 cluster units (4 and 5 bedrooms respectively), the construction of a third floor to provide identical accommodation and the raising and alteration of the roof to form a single cluster unit (6 bedrooms) in the roof space was subsequently granted planning permission (ref 08/04706/FUL). These proposals involved construction to the same height as previously refused (and currently proposed) but were considered to address the appeal Inspector's concerns.

The 3 new multiple occupancy townhouses in Upper Hanover Street were granted planning permission in June 2008 (ref 08/01767/FUL).

2 planning permissions and listed building consents for the conversion of St Silas Church (opposite the site) to cluster flats/houses in multiple occupation were granted in December 2013 and January 2015, respectively (refs 13/01353/FUL; 13/01355/LBC; 14/03161/FUL; and 14/03162/LBC). The 2013 permission also included a 2 bed dwelling (Class C3). The permissions have not been implemented. Applications to discharge the planning conditions attached to the 2015 permissions are currently under consideration whilst conditions attached to the 2013 permissions in respect of the roof works have previously been discharged.

SUMMARY OF REPRESENTATIONS

The Broomhall Park Association has made several representations objecting to the proposals. The objections are summarised below:

- this is a lovely Victorian building with very fine stonework details and elegant proportions - splendid example of architecture associated with industrial past and now relatively rare in the city - fits perfectly in corner plot and melds with surrounding buildings
- notes building now in Hanover Conservation Area and designated as a 'key unlisted heritage asset' which is taken to mean that its architectural merit and history supports and adds to Conservation Area status - raised height affects character and appearance and is contrary to Policy BE16
- overwhelming overdevelopment of building - raised height will devastate proportions and dominate site, destroying its sympathy with close by buildings close by - St Silas church currently and properly dominates street

- scene - raising roof line of Broompark House well above that of the church nave would be completely inappropriate
- buildings in locality have been renovated to high standard externally since 2008 permission - increased height detrimental to streetscape
- St Silas's consent is for only 27 units. If the church's developers are comfortable with 27 units, then that should more than suffice for Broompark House - current size of Broompark House would easily allow 4 floors for residential development, allowing probably more than 27 units, without destroying building proportions
- Should include suitable secure bike storage - acknowledged that outdoor car parking arrangements not possible
- bin storage area wholly inadequate for number of tenants proposed
- confirms no objection to proposed change of use to student dorm
- queries whether fire exits are adequate
- queries extent of neighbour notification

Jillian Creasy (in her former capacity as Councillor) has objected to the application:

- Travel plan - residents parking scheme in area with restrictions on weekday parking - has any thought been given to loading/unloading students' belongings at the beginning and end of the year?
- Why is there no provision for cycle parking?
- Small bin store may not be large enough for size of development and doesn't have an entrance from inside building - danger that students may leave rubbish in passageway/on pavements if external door is locked? - if not locked then there is risk of entry and vandalism
- no elevations showing relationship with St Silas church - hard to judge impact of additional height - has impact on listed building been considered?

It should be noted that these objections relate to the originally submitted scheme. The amended plans reduce the number of units/bed spaces, alter the proposed roof pitch and increase storage for bins and cycles. No additional publicity has been carried out in respect of the amended plans.

The Sheffield Conservation Advisory Group also considered the original plans. The relevant minute is reproduced below.

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.

PLANNING ASSESSMENT

Policy

The policy context has significantly changed since planning permission for extension and conversion of the building was granted in 2008. The Local Plan

Core Strategy was adopted in 2009 and the National Planning Policy Framework (NPPF) replaced former national Planning Policy Statements and Guidance in 2012. Other policy documents/areas have also changed or been introduced as referred to in subsequent paragraphs.

The site lies within a Local Shopping Centre (LSC) as defined in the adopted Unitary Development Plan (UDP). The UDP Hanover Area of Special Character was in place in 2008 but has since been included within Hanover Conservation Area which was extended in 2012.

In the Local Plan, LSC designations are replaced by Neighbourhood Centres. The Draft Proposals Map reduces the size of the former LSC to exclude the application site. The site is proposed to be within a Housing policy area.

The following UDP and Core Strategy Policies are most relevant in assessing the merits of the proposals:

(UDP)

- S7 (Development in District and Local Shopping Centres)
- S10 (Conditions on Development in Shopping Areas)
- BE5 (Building Design and Siting)
- 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)
- BE19 (Development affecting Listed Buildings)
- H5 (Flats, Bed-sitters and Shared Housing)
- H7 (Mobility Housing)

(Core Strategy)

- CS3 (Locations for Office Development)
- 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)
- CS39 (Neighbourhood Centres)
- CS41 (Creating Mixed Communities)
- CS63 (Responses to Climate Change)
- CS64 (Climate Change, Resources and Sustainable Design of Developments)
- CS65 (Renewable Energy and Carbon Reduction)
- CS74 (Design Quality)

The Hanover Conservation Area Appraisal and Management Proposals were approved in 2012 and are a material planning consideration.

The Supplementary Planning Document "Climate Change and Design" and the Supplementary Planning Guidance "Mobility Housing" are also relevant.

The National Planning Policy Framework sets the context for the formulation and application of local policies. It takes precedence over the earlier UDP and Core Strategy policies where necessary.

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.

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.

The site lies within the area covered by the Broomhall Local Centre Masterplan. The Masterplan was prepared in June 2005. In October 2006, Cabinet endorsed the Masterplan's vision for Broomhall Local Centre as a basis for guiding its future regeneration. The Masterplan has no implications for the application site although it notes the potential for conversion of the ground floor of the building.

Principle of Proposed Use

Retail uses (Class A1) are the preferred land use within LSC's in accordance with Policy S7. The policy lists housing (Class C3) as an acceptable land use. Class C4 (Houses in Multiple Occupation - 3-6 residents) uses are also deemed to be acceptable as C4 uses were formerly within Class C3 and the UDP pre-dates this amendment to the Use Classes Order.

Policy S10(a) allows for changes of use within Shopping Areas provided that the dominance of the preferred use and/or the principal shopping function is not prejudiced. In this instance the proposals relate predominantly to the upper floors of the building with no material change at ground floor level. There is no loss of retail use and the impact on the shopping function will consequently be neutral. The proposals therefore comply with Policy S10(a).

Policy CS39 encourages facilities to serve the everyday needs of the community in Neighbourhood Centres. The proposals will have a neutral impact on serving everyday needs and there is no conflict with Policy CS39. Notwithstanding this, it is a material consideration that the Council considers the site as no longer being appropriate to include in a local centre and a degree of weight can be given to the proposed Housing policy area designation in the Draft Proposals Map. Although not currently being pursued to adoption, the Draft Proposals Map was subject to a formal consultation process and ultimately approved for pre-submission purposes. No objections to the proposed Housing designation were received during this process.

The NPPF is centred on a presumption in favour of sustainable development. Paragraph 51 states that local planning authorities should normally approve planning applications for change to residential use and any associated development from commercial (Class B) buildings where there is an identified need

for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

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 marginally increase the supply of 'deliverable' housing sites.

Paragraph 50 states local planning authorities should plan for a mix of housing and should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

The Core Strategy pre-dates the NPPF but Policy CS41 (Creating Mixed Communities) is consistent with Paragraph 50. The policy aims to help reduce the segregation of different types of housing between areas of the city and to reduce concentrations of particular types of housing that can create problems for their neighbourhoods. It aims to promote mixed communities by, amongst other things, limiting new or conversions to hostels, purpose-built student accommodation and Houses in Multiple Occupation where the community is already imbalanced by a concentration of such uses or where the development would create imbalance. Implementation of this part of the policy is achieved by limiting these forms of housing where more than 20% of residences within 200 metres of the application site are in shared housing uses.

An assessment based on current records has been carried out and indicates that the current incidence of shared housing within the 200m catchment is 15.4%. Two extant planning permissions, at St Silas Church (directly opposite) and on the site of RJ Stokes' building at Egerton Street (opposite side of Hanover Way), will increase this concentration to 19.6% and the application proposals will take the concentration to 20.1% which would be contrary to Policy CS41. The applicant disputes the accuracy of the assessment of the concentration of shared housing uses.

The records cannot be guaranteed to be 100% accurate and, in response to the applicant's concerns, further research during consideration of the proposals has resulted in the concentration being acknowledged as lower than originally calculated. However, it is worth noting that there will be non-licensable HMOs that, prior to the relevant Article 4 Direction, were not required to notify the Council of change of use from Class C3 to Class C4 (unless the owner decided to sign up to the responsible landlords scheme). Consequently, the quoted figures are more likely to be on the low side if there is still any inaccuracy and the proposals remain contrary to Policy CS41.

The contravention of Policy CS41 due to the resulting concentration of marginally over 20% has to be balanced against the direction in the later NPPF (para.51). The NPPF directs that changes to residential use from commercial (Class B) buildings should be granted permission where there is an identified need for additional housing in that area unless there are strong economic reasons why such development would be inappropriate.

The facts are:

The proposals represent a change of use from vacant Class B1 office space to residential use.

The principle of residential use for this building has previously been accepted.

The proposals re-use the existing building which is a sustainable form of development.

There is currently an acknowledged shortfall in deliverable housing sites.

Policy CS3 seeks to locate 65% of all office development within the City Centre or at its edge (ie within 300m).

The proposals are contrary to Policy CS41.

The loss of office space in this 'edge of centre' location will reduce such provision which is currently only 61.2% and below the threshold requirement in Policy CS3. However, the retention of the outdated and long term vacant offices cannot be justified on 'strong economic' grounds. In the absence of 'strong economic' reasons for refusal and given only a very marginal over-concentration of shared housing uses, it is considered that the direction in the NPPF (paragraph 51) should take precedence. On these grounds, it is concluded, on balance, that the principle of the proposed form of residential use is acceptable.

Conservation

In considering the appeal against refusal of the 2007 application, the Inspector upheld the Council's concerns about the roof design, architectural treatments, impact on the setting of St Silas Church and the Hanover Conservation Area but felt that there would be no great difficulty in increasing the height of the building to the extent proposed. With no changes in the intervening period in relation to the policy context or physical environment, there was little option but to grant permission for the 2008 proposals which significantly improved the external appearance of the building.

With the exception of the addition of external doors to serve the proposed cycle and bin stores, the external appearance currently proposed reflects the 2008 scheme. Material physical changes in the immediate area are restricted to the replacement of the St Silas Meeting room in Upper Hanover Street being replaced by 3 townhouses. Planning permission for the townhouses had been granted earlier in 2008. The townhouses are taller than the former meeting room but are appreciably lower than Broompark House.

Key policy changes relative to conservation considerations since 2008 are:

- inclusion of the site within an extension to the Hanover Conservation Area and approval of Hanover Conservation Area Appraisal and Management Proposals (2012)
- adoption of Core Strategy with commitment to enhancing the distinctiveness of heritage assets (Policy CS74)
- replacement of PPG15 "Planning and the Historic Environment" by the NPPF. Paragraph 132 directs that 'great weight' should be given to a heritage asset's conservation

In determining the 2008 application, it was considered that the proposed structural alterations and detailing were acceptable and complied with UDP Policies S10(d), BE5, BE15, BE16, BE17, BE18 and BE19. With the exception of Policy BE18 (Development in Areas of Special Character), these policies remain relevant and only a change in circumstances could reasonably justify taking a different view in considering this application.

The key change is the designation of the building as a heritage asset by virtue of its inclusion in the Hanover Conservation Area. The building is also identified as a building of townscape merit in the Conservation Area Appraisal. In accordance with the NPPF (para.132) 'great weight' should be given to conserving the asset. The NPPF says "...The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification...."

Whilst the physical impacts of the proposals are no different to the 2008 proposals, the importance of the site has significantly increased through the Conservation Area designation and, in particular, the formal identification of the building as having townscape merit that contributes to the character of the Area. As the building is now a designated heritage asset, it is reasonable to give greater weight to its conservation than was permitted in the 2007 appeal. This must be tempered to some degree by the previous status of the area as an Area of Special Character (ASC) but noting that the ASC did not enjoy the same level of protection as Conservation Areas.

Paragraph 133 of the NPPF goes on to direct that development leading to "substantial harm" to or total loss of significance of a designated heritage asset should be refused, unless specified criteria are satisfied. Whilst the raised height of the building will detract from the original proportions that contribute to the historic interest of the building, it cannot be said that 'substantial harm' is caused. If this was the case, the appeal decision can reasonably be expected to have objected to the increase in height.

Paragraph 134 goes on to direct that development leading to "less than substantial harm" to the significance of a designated heritage asset should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The building is now recognized as a 'key unlisted heritage asset' in the Hanover Conservation Area Appraisal. The Appraisal notes that the application building is

part of a "strong grouping" which also provides an attractive setting in relation to the listed St Silas Church.

The revisions to the policy context do not affect the impact on the setting of the listed church, which was fully considered in the 2008 appeal decision. However, the fact that the building is now a designated heritage asset means that more weight can be given to the impact on its character and appearance. The increased height and flat roof infill between the two dual pitch roofs are considered to harm the proportions and roof form of the original building that contribute to its special character. The alterations will also affect the appearance of the 'strong grouping' referred to in the Appraisal. This is considered to amount to 'less than substantial harm' and the proposals must therefore be weighed against the public benefits, including securing the optimum viable use of the building.

The building is currently partly occupied. The existing office use covering part of the ground floor and the existing residential use on the first floor should be sufficient to ensure that the building is kept in a reasonable state of repair in the long term. The future of the fabric and appearance of the building is therefore considered to be relatively secure and not granting planning permission is not expected to result in any significant deterioration.

Leaving the upper floor vacant represents an under use of the building which is not regarded as sustainable in the long term. However, there is no problem with the principle of converting the upper floor to residential which can probably be regarded as the optimum viable use given that the existing vacant office space is outdated and unlikely to attract a viable market. No development appraisal has been submitted and there is no indication in the application that an extension of the building is necessary in order to economically develop the site.

The increase in height would result in 3 additional units which is specific to the student housing market. Resisting these 3 units would not be materially detrimental to housing supply or the range of housing across the City. Despite the acknowledged shortage in deliverable housing sites, it is considered appropriate in these circumstances to attach only very limited weight to the very small contribution and limited scope that the 3 additional units would provide for the public benefit.

In a balanced judgement, it is considered that there are no significant public benefits that would be sufficient to outweigh the harm to the character of the building and the impact on the grouping within the Hanover Conservation Area. It is therefore considered, that the proposals are contrary to Policies BE5, BE15, BE16, S10(d) and CS74 and refusal of planning permission would be in accordance with paragraph 134 of the NPPF.

Sustainability

The site lies within easy walking distance of the City Centre and is in close proximity to a range of local facilities. The location, together with the re-use of the building, results in a sustainable form of development in accordance with the

principal thrust of policies in the NPPF and also in accordance with the general objectives of Policies CS63 and CS64.

Opportunities for renewable energy and efficiency measures are constrained by the character of the existing building. However, solar panels are proposed to the flat roof element of the raised roof to provide a renewable source of energy which should be sufficient to comply with the requirement in Policy CS65 to meet 10% of predicted energy needs through renewable/low carbon energy. Notwithstanding the concerns previously raised about the flat roof, the solar panels will not be visible in this location and therefore will not affect the appearance of the Conservation Area or the setting of St Silas Church.

Residential Amenity

The proposals will provide a sufficient standard of internal amenity for future residents with adequate space and outlook to all rooms and good sized communal areas.

The cluster units will require artificial light in the corridors. This is considered acceptable given the constraints caused by the depth of the existing floor plans and is not uncommon in many large scale buildings. Low energy lighting is proposed.

There is no communal external amenity space to serve the units. The absence of any external amenity space would not normally be acceptable. However, given that the building has no external curtilage and the existing first floor units similarly have no external space, and considering the benefit of securing the full use of the building and the difficulties in finding an alternative use for the upper floor, the lack of external amenity space is, on balance, considered acceptable and has previously been accepted. The policy position on external amenity is not significantly different although the South Yorkshire Residential Design Guide has been published and does indicate that external space should be a minimum of 50sq.m plus 10sq.m per unit.

The building is exposed to noise from the dual carriageway in Hanover Way on two facades. The existing glazing is sub-standard or missing in many windows and a suitable scheme of glazing and ventilation will be required. This can be conditioned if planning permission is granted.

The proposals will not result in any loss of privacy or nuisance to any other property.

In view of the above, the proposals comply with Policies H5(b) and S10(b).

Mobility Housing

An element of the shared housing should be provided to mobility housing standards in accordance with Policy H7. In this instance, the new accommodation is at least two floors above ground level and would therefore require lift access. The proposals utilize the existing floor space and existing staircase. The

configuration of the staircase is such that there is insufficient space to accommodate a suitable size lift between stair flights and provision of a new lift shaft is likely to have implications for the roof. In these circumstances, there is considered to be sufficient justification for not including mobility units within the accommodation. However, provision for ambulant disabled access is appropriate and could be conditioned if planning permission is granted.

Highway Matters

A resident's permit parking scheme operates throughout this area.

The proposal to considerably increase the number of residents is less than ideal due to the absence of any off street parking. However, the location is easily accessible and the provision of suitable cycle parking and the implementation of a Travel Plan are considered appropriate in these circumstances. The development would need to be designated as 'car free' which will mean that residents will not be eligible for parking permits.

Cycle parking has been included in the revised plans and is in a secure location at ground floor level. A large bin store is proposed in the same area. These facilities are intended to be accessed from the adjoining driveway in Broomhall Street. Security doors with combination locks are proposed to be provided for ease of use. There is a slight concern that the applicant has no control over the driveway and it is a possibility that access over it may cease to be available at some point in the future. However, the applicant has confirmed that alternative access arrangements will be made if the access is ultimately withdrawn. A route through the building is possible (and preferable).

Overall, the proposals are considered acceptable in the circumstances and there is no conflict with Policy S10(f).

SUMMARY AND RECOMMENDATION

The building is currently in use as ground floor offices and storage and first floor residential accommodation. The upper floor is vacant office accommodation. Planning permission was granted in 2008 for residential conversion and for the upward extension of the building. The approved extension reflects the current proposals. An alternative conversion/extension to provide additional residential units had previously been refused, partly on the grounds of design and impact on the setting of historic assets. The decision was upheld on appeal but the Inspector has opined that the building height could be raised if treated appropriately.

Since the appeal decision and subsequent (2008) planning permission the policy context has significantly changed and the site is now also included within the Hanover Conservation Area. The increased height and flat roof infill are considered to harm the proportions and roof form of the original building and will impact on the grouping of buildings that now constitute designated heritage assets and significantly contribute to the special character of the Conservation Area.

In a very finely balanced judgement, it is considered that there are no significant public benefits that would be sufficient to outweigh the 'less than substantial' harm to the character of the building and the impact on the group of buildings. The proposals are therefore considered, on balance, to be contrary to Policies BE5, BE15, BE16, S10(d) and CS74 and refusal of planning permission would be in accordance with paragraph 134 of the NPPF.

In view of the above it is recommended that planning permission is refused.

Case Number	15/00138/FUL
Application Type	Full Planning Application
Proposal	Demolition of former conference facility and erection of 5 detached dwellinghouses and 9 apartments in a 3-storey block including provision of garages/parking
Location	Whirlow Grange Conference Centre Whirlow Grange Drive SheffieldS11 9RX
Date Received	15/01/2015
Team	South
Applicant/Agent	Mitchell Proctor
Recommendation	Grant Conditionally Subject to Unilateral Agreement

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:

14/438/9 R (June 2015) (layout)
14/438/10 R (May 2015) (sections)
14/438/13 R1 (tree protection)
14/438/1 (house type - plot 1)
14/438/2 (house type - plot 2)
14/438/3 (house type - plot 3)
14/438/4 (house type - plot 4)
14/438/5 1 (house type - plot 5)
14/438/7 R (apartment elevations)

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development shall commence until the approved tree protection fencing has been provided in accordance with the approved plans and thereafter 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.

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

4. 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.

5. Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the apartments shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport.

6. 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.

7. 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. Such landscape scheme shall include additional tree planting to the south east boundary of the site.

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

8. 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.

9. Notwithstanding the approved plans, a minimum of 3 of the proposed dwellings shall be capable of adaptation to provide mobility housing in accordance with the Council's adopted Supplementary Planning Guidance 'Mobility Housing'.

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

10. The dwellings shall not be used unless the car parking accommodation 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.

11. Before any work commences on site a construction management plan shall be submitted and approved in writing by the Local Planning Authority. Such details shall include access, parking and manoeuvring areas for construction vehicles and contractor parking arrangements. Thereafter the development of the site shall proceed in accordance with the approved construction management plan.

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

Other Compliance Conditions

12. 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.

13. 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.

14. 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.

15. 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.

Attention is Drawn to the Following Directives:

1. 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

2. 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.

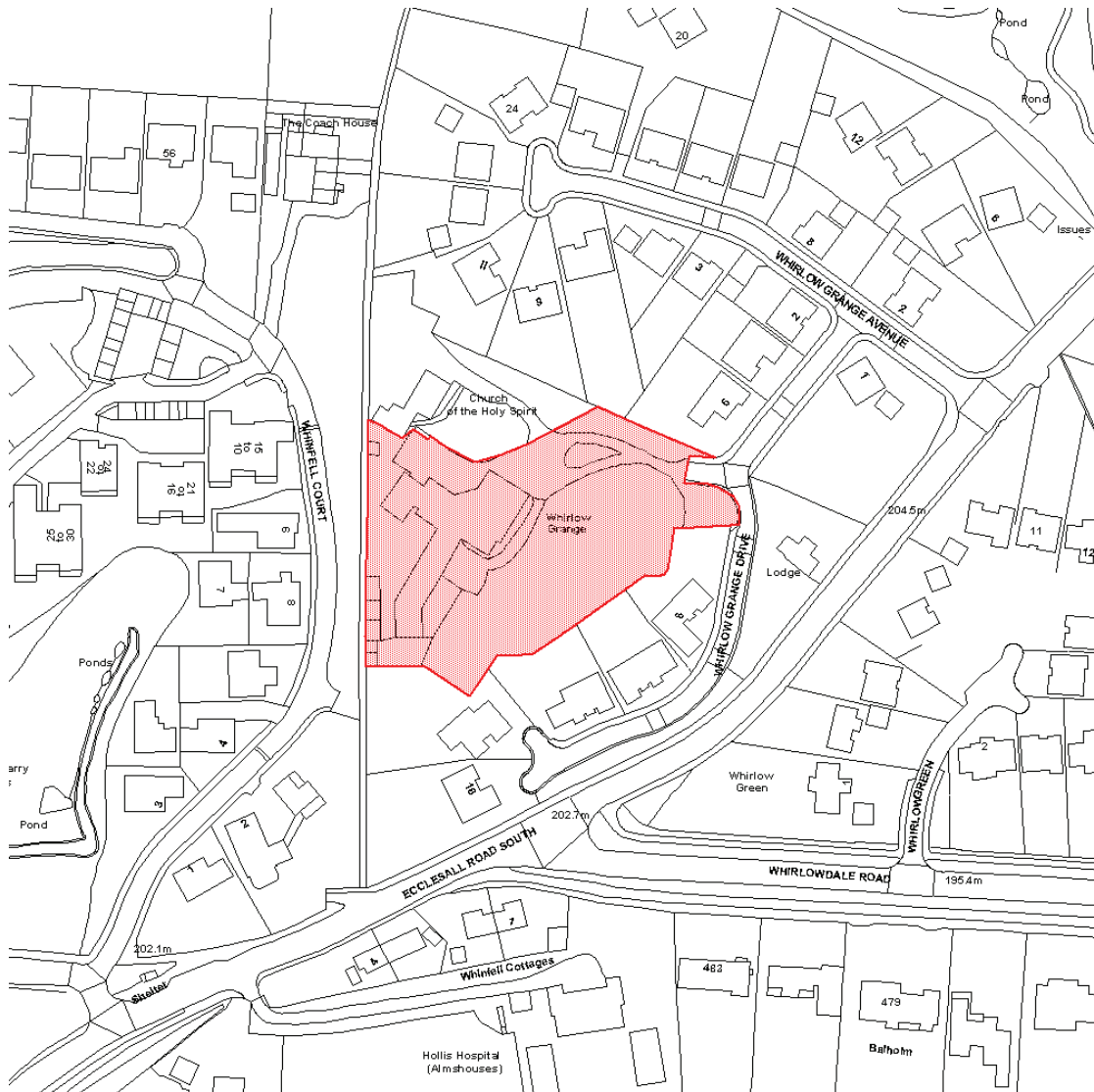
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

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

3. 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.

4. 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.
5. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
7. 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.
8. 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

Whirlow Grange Conference Centre is a large stone-built Victorian villa with large scale 20th Century additions set in large mature landscaped gardens. It was sold in 2014 and is now vacant. Ground works have commenced and protective fencing is in place in connection with the demolition of the villa (see Planning History below).

The original building is centrally located with the extensions spreading towards the north and west boundaries. The principal elevation faces extensive lawns and mature planting beds which sweep down to the boundary with the rear gardens of 5 x c2000 two storey detached dwellings in Whirlow Grange Drive. These

dwellings (Nos 8-16 Whirlow Grange Drive) are on land formerly within the grounds of the Conference Centre. An approx. 1.8m high fence screens the rear boundary. A former lodge on the opposite side of Whirlow Grange Drive was also within the grounds. There are two car parking areas to the side of the building with space for some 15 cars.

There are a number of mature trees within the site, some of which are protected by a Tree Preservation Order (ref TPO 808/242).

The site also has boundaries with the side elevation of a dwelling adjacent the access drive (No.6 Whirlow Grange Drive) and with Whinfell Court. Whinfell Court is screened by high stone walls and a dense tree belt. The trees are within Whinfell Court.

To the north of the site is a Church which incorporates the Whirlow Spirituality Centre. The Church is accessed from the private driveway serving the conference centre from Whirlow Grange Drive and has its own large car park to the rear. The driveway borders the rear boundaries of dwellings in Whirlow Grange Avenue. At the foot of the driveway, within the application site, is an informal car parking area enclosed by a timber post and rail fence. The car parking area is overgrown and does not appear to be used.

The application proposes the replacement of the conference centre with 5 large detached dwellinghouses and 9 apartments in a 3 storey block. The third floor level is within the roof space. The drawings have been amended during the course of the application to reverse the front and rear elevations of the dwellinghouses, re-orientate the apartment block and relocate the access drive to the dwellings. The dwellinghouses are proposed to be located in the existing main garden area with the apartments located towards the boundary with Whinfell Court. The houses have between 5 and potentially 7 bedrooms and there are 8 x 2 bed flats and 1 x 1 bed.

RELEVANT PLANNING HISTORY

Demolition of the conference centre building is 'permitted development'. Prior approval for the method of demolition was granted in February 2015 (ref 14/04609DPN).

The dwellings in Whirlow Grange Drive (Nos 8-16) were granted outline planning permission in 1996 (ref 95/00926/OUT). The reserved matters were granted in 2000 (ref 99/01561/REM). No6 Whirlow Grange Drive and the dwellings in Whirlow Grange Avenue are a further c2000 development on the site of a former sports ground adjoining the conference centre.

An existing extension to the Church formerly within the grounds was granted planning permission in 2008 (ref 08/02264/FUL).

SUMMARY OF REPRESENTATIONS

Original Submission

9 representations were received in response to notification about the originally submitted plans. The representations are summarised below.

Overdevelopment

- Overdevelopment relative to site area, particularly flats block which has no scenic surrounding grounds creating an oversized development in relation to its grounds
- Excessive overdevelopment and not in keeping with or respectful of plot size of neighbouring properties
- 5 houses is excessive and out of character with immediate area - should be reduced to 4 with larger plots

Character

- Flats block not in keeping with residential housing neighbourhood and is oversized in proportion - suggests reduction in size
- Houses seem to be very squashed in like a 'housing estate' rather than in keeping with executive neighbourhood
- Plots far too small relative to the proposed housing
- All neighbouring houses are two storeys and new housing should be in keeping with this
- Clear that developer aims to maximise units whilst staying under affordable housing requirements - suggests reducing to 4 houses and 6 apartments and increasing unit size to match nearby houses would be far more exclusive and will maintain a sizeable profit whilst not being at detriment to existing householders on Whirlow Grange Drive and Avenue

Residential Amenity

- Traffic and associated noise and light pollution will result in reduction in quality of living for residents in Whirlow Grange Drive - especially as major road (Ecclesall Road South) also in close proximity
- Concern re unmaintained trees and shrubs adjoining boundary with 7 Whirlow Grange Avenue - overgrown, block out sunlight and potentially unsafe - requests that developer should be bound to manage and maintain trees appropriate to residential boundaries and objectives of Tree Preservation Order
- Requests restriction to ensure reasonable construction hours (0800 - 1700 Mon-Fri) to protect against noise nuisance
- Requests lower apartment block so that roof-line no higher than existing chapel - could be set level with the existing main building which would help to protect privacy and reduce overbearing impact on proposed dwellings and existing properties in Whirlow Grange Avenue and Whinfell Court
- Layout designed to maximize plot numbers, resulting in a highway directly along boundary of dwellings in Whirlow Grange Drive which will replace open green space (lawn)
- Elevated dwellings arranged over 3 floors with front facing dormer windows will result in overlooking of windows and gardens in Whirlow Grange Drive

- Plots 1-4 will directly overlook gardens and habitable rooms to Nos8-14 Whirlow Grange Drive resulting in loss of privacy
- Acknowledges pressure for building but this proposal pushes boundaries too far for maintaining quality of living conditions - planting of mature trees along boundaries would help but will not prevent overlooking
- Suggests reduction in number of dwellings, re-orientation of houses, and relocate highway to opposite side of dwellings - would also benefit new residents as rear gardens would be south facing
- Proposed 3 storey properties will be directly behind and above 2 storey properties and will unacceptably dominate and overbear existing properties, even if built at same ground level and not on a higher ground
- Height will cause shadowing and blocking out of sunlight to existing Whirlow Grange Drive dwellings and their gardens
- Request 3m high evergreen planting to Whirlow Grange Drive boundary for privacy
- No provision for bin and cycle store - when these are added how much outdoor amenity space would be available for apartments?
- First and second floor apartments will have habitable windows overlooking rear of Plots 5 and 4 - proposed tree planting would need to be a considerable height for privacy which would then block light to the apartments

Car Parking and Road Safety

- Not unlikely that most of the 14 dwellings could be at least 2 car households - this level of vehicular traffic on this site and the proposed road will be unfair to existing residents of Whirlow Grange Drive and Avenue, especially as visitors already park in these roads
- Insufficient parking provision which will lead to proposed access drives and neighbouring narrow roads being blocked with parked cars
- Insufficient parking to serve flats and for visitors
- Inadequate provision for safe roads and parking on such a small site and with relatively large amounts of traffic - will be compounded by additional church traffic and will be real danger of traffic accidents occurring whilst accessing/exiting this site
- Existing access routes to this development not designed to accommodate this amount of traffic
- Requests construction management is controlled (mud, construction parking, 'give way' markings, TPO protection)
- Junction of site access from Whirlow Grange Drive is already very narrow and dangerous with frequent near misses due to cars failing to slow down or stop and unaware of oncoming vehicles having right of way - suggests that part of proposed visitor parking area should be allocated to widen Whirlow Grange Drive
- proposed visitor parking will cause problems as it is at point where 3 roads converge - reversing will cause danger to other road users
- Proximity of car parking from apartment block will result in these spaces being used by others - would make sense to assign to apartment block but would require 2 more spaces

Amended Submission

Additional notification was undertaken in respect of the amended plans and 4 further representations have been received:

- Acknowledges amendments and thanks developer for consideration but still concern that development is elevated above Whirlow Grange Drive and will lead to loss of privacy for these dwellings - requests reduction in number of dwellings to allow reconfiguration to prevent overlooking
- Overdevelopment - should reduce to 4 houses and 6 apartments
- Slight amendments do not address any of initial comments
- Grossly inadequate car parking provision for 9 apartments which will be compounded by visitors cars - will result in dangerous parking on narrow roads and on pavements and junctions - will also have negative impact on potential occupiers - existing road markings will need repainting to prevent illegal and dangerous parking
- Happy with new road position but still have concerns (below)
- Loss of 3 of proposed parking spaces will result in indiscriminate parking and location of visitor parking will cause problems for other road users where 3 roads converge
- No footpath to front of houses - pedestrians will have to walk in road
- Request for consideration by Planning Committee

PLANNING ASSESSMENT

Policy

The site lies within a Housing Area as defined in the Unitary Development Plan (UDP). This policy area is retained in the Local Plan Draft Proposals Map. No special designations affect the site.

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

- H10 (Development in Housing Areas)
- H7 (Mobility Housing)
- H14 (Conditions on Development in Housing Areas)
- H15 (Design of New Housing Developments)
- H16 (Open Space in New Housing Developments)
- BE5 (Building Design and Siting)
- BE6 (Landscape Design)
- BE9 (Design for Vehicles)
- GE15 (Trees and Woodland)
- 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)
- CS43 (Schools)
- CS45 (Quality and Accessibility of Open Space)

CS63 (Responses to Climate Change)
CS67 (Flood Risk)
CS74 (Design Principles)

The adopted Supplementary Planning Guidance "Designing House Extensions" is also relevant. Whilst not strictly applicable to new housing developments, the SPG sets out minimum separation standards for maintaining adequate residential amenity.

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 National Planning Policy Framework (NPPF) is relevant and sets the context for the formulation and application of local policies. It takes precedence over the earlier UDP and Core Strategy policies where necessary.

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.

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 (Class C3) are preferred in accordance with UDP Policy H10. The conference centre is a Class C2 use which is listed in the policy as an acceptable land use in Housing Areas. The proposals therefore represent the replacement of an 'acceptable' land use with a 'preferred' land use.

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. The proposals are in accordance with these policies and granting planning permission will increase the supply of 'deliverable' housing sites.

Policy CS24 gives priority to providing housing on previously developed sites. In this instance, the proposed apartment and one of the houses will be on previously

developed land as they are on land currently occupied by building. The remaining dwellings are considered to be on greenfield land, being within the existing garden area. Nevertheless, there is no presumption against greenfield development and there is no conflict with Policy CS24.

In view of the above, housing (Class C3) development is acceptable in principle.

Housing Density

The density equates to 22.95 units per hectare based on the entire curtilage of the site (0.61 hectares). 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. Policy CS31 (Housing in the South West Area) reinforces the need to respect the character of the attractive and distinctive neighbourhoods in the south west of the City and requires the density of new developments to be in keeping with them. UDP Policies BE5(a) and H14(a) require new development to complement the surrounding area in terms of scale, form and character.

In this instance, the size of the plots and the size of the proposed houses are comparable to those in Whirlow Grange Avenue and Whirlow Grange Drive. There are several 3 storey apartment blocks in the neighbouring development at Whinfall Court. In these circumstances, it is considered that the lower density scheme can be justified in this instance.

Design and Layout

The layout has been amended in response to concerns raised about the impact of the proposals on the rear of the adjoining dwellings in Whirlow Grange Drive and also to address concerns about the impact on a mature tree which is included within the Tree Preservation Order (TPO).

The resulting layout is well coordinated with the dwellinghouses aligned against a shared vehicle/pedestrian surface and the apartment block on the opposite side at an angle of approx. 45°. The shared surface was originally located towards the boundary with the dwellings in Whirlow Grange Drive.

The dwellinghouses are of individual design but complement one another in terms of scale, form and architectural detailing. The apartment block is larger but the scale is not inappropriate and the form and architecture is in keeping with the remainder of the development. Due to the rising ground levels, the ridge of the apartment block will be 4.2m above the height of the dwelling to Plot 5, 4m above Plot 4 and 6.3m above Plot 3. It will also be 1.5m above the ridge of the existing spiritual centre and set forward of the front elevation of that elongated building. Due to the relative close proximity of the apartments to the spiritual centre, the relationship is slightly awkward but this is eased by the revised orientation and will have no material impact in views from outside the site.

The buildings are proposed to be constructed in natural stone and slate and at least one dwelling is intended to be constructed in stone salvaged from the demolition of the conference centre. Subject to appropriate samples being submitted, the materials will be high quality and will ensure that the development has its own identity.

Overall, the design and layout is good quality and acceptable in accordance with Policies BE5, H14(a), H15 and CS74. The design also reflects the stated objectives with regard to requiring good design as set out in the NPPF.

Sustainability

There is a presumption in favour of sustainable development as set out in the NPPF. The proposals partially re-use previously developed (brownfield) land and would contribute to the local community and housing supply by providing smaller and larger dwellings to meet a range of needs for present and future generations. The site is within the urban area but not within easy walking distance of local shops and services. However, the site is well located for access to recreation space and there are regular bus services in Ecclesall Road South.

The development will be expected to meet at least 10% of its predicted energy needs from renewable or low carbon energy. This is feasible and can be conditioned in order to comply with Policy CS65.

The development would also normally be expected to incorporate 'green roofs' in accordance with the Supplementary Planning Document "Climate Change and Design". Guideline CC1 of the SPD allows dispensation where green roofs would not be compatible with other design and conservation considerations. In this instance, a traditional design approach has been adopted which is in keeping with the surrounding context. 'Green roofs' could be accommodated but the only realistic opportunity is for provision on the 2 detached garages within the scheme. Due to the prominence of the garages and close proximity to the dwellings, the flat roofs would appear uncoordinated with the remainder of the development. Given that the site is in close proximity to a diverse range of green spaces, the green roofs to the garages would have no material impact in increasing biodiversity in the area. In these circumstances, the absence of any green roofs is considered to be justified.

The development should incorporate measures to reduce surface water run-off compared to the previous rate of discharge. There is ample opportunity for reducing the run-off by draining to permeable areas and/or providing attenuation. Such measures can be conditioned in order to comply with Policy CS67.

Overall, the development is capable of complying with Core Strategy Policies CS63, CS64, CS65 and CS67 and the principles set out in the NPPF.

Mobility Housing

A minimum of 3 units should be capable of meeting mobility housing requirements in accordance with UDP Policy H7 and the associated Supplementary Planning

Guidance. Minor adjustments may be required to the internal configuration to provide the full quota and details can be secured by condition to ensure compliance.

Landscape

UDP Policy BE6 requires good quality landscape design in new developments and for existing landscape features to be integrated into the development. Policy GE15 requires developers to retain mature trees wherever possible and replace any trees which are lost.

A Tree Preservation Order (TPO) was made in respect of various individual trees when the developments at Whirlow Grange Drive and Whirlow Grange Avenue were granted planning permission. The TPO affects a number of trees within the application site. The protected trees are all either on or adjacent the boundaries of the site. Trees at Whinfall Court are also protected by a TPO and form a strong buffer on the opposite side of the public footpath adjoining the western boundary of the site.

The developer has already felled several trees within the site but none of the TPO trees are affected. The TPO trees can be adequately protected during construction and the dwellings are far enough away from them so as not to result in pressure for future removals or significant pruning works to alleviate shading in the future. The scheme also incorporates new tree planting. In these respects, the proposals comply with Policies BE6 and GE15 and a detailed landscape scheme can be secured by condition.

Residential Amenity

The development will provide a high standard of internal and external amenity for future occupiers. The houses will have private garden areas ranging between approx. 240sq.m and 480sq.m. The garden lengths vary between approx. 13m and 18m. There is also in excess of 300sqm to serve the apartments. This is comfortably in excess of the minimum guidelines set out in the SPG "Designing House Extensions" and the South Yorkshire Residential Design Guide which suggest minimum garden lengths of 10m and areas of 60sq.m for the houses and 50sq.m plus 10sq.m per unit for the apartments.

The arrangement of the dwellings also sits comfortably within the guidelines for maintaining adequate light and privacy for future occupiers.

The amended layout has removed the proposed access road from the boundary with the rear of dwellings in Whirlow Grange Drive and results in the rear elevations of the new dwellings facing the rear elevations of 4 dwellings in Whirlow Grange Drive. The original plans showed the front elevations facing the existing dwellings. The dwellings will directly face the rear of Nos 8, 10 and 12 Whirlow Grange Drive with the relationship with No14 being less severe due to the approx. 45° angle of that property relative to the plots behind. The minimum recommended separation distance between habitable room windows to ensure adequate residential amenity is 21m. The shortest separation distance between directly

facing windows is between the rear elevations of Plot 2 and No8 Whirlow Grange Drive and is approx. 26.5m. This is sufficient to compensate for the approx. 3.7m difference in site levels. Additional tree planting can be secured as part of the landscape scheme in order to filter views along this boundary and alleviate any perception of overlooking.

Overall, the development provides and maintains adequate residential amenity in accordance with Policies H14 and H15.

Highway Matters

The proposals include at least 4 parking spaces to serve each house (including double garages) and the apartments have one space each. The amended plans include 2 visitor parking spaces at the entrance to the development. This is in the process of being increased to 4 in line with the originally submitted plans following further investigation of the ground conditions in that area relative to the adjoining TPO trees. This will also help to address residents' concerns about the level of parking proposed to serve the apartments. There is evidence that this area has been used for car parking in the past and, as such, the ground appears capable of providing a sound base for a permeable surface without harming the trees. The area is well screened from the adjoining property and the existing access point will be reused which is away from the junction of the road and driveway.

There is adequate space within the curtilage of the flats to provide for disabled parking, cycle parking and bin storage. These details can be secured by condition. A swept path analysis has been provided following discussions between the applicant and Veolia and shows that there is sufficient manoeuvring for a 10.2m long refuse vehicle.

The proposals introduce a segregated footway to the existing driveway which provides a continuous pedestrian route to the foot of the existing driveway to the spiritual centre and along to the entrance to the apartments. A shared surface will serve the 5 houses. The provision of a footpath will improve road safety compared to the existing situation.

Overall, provision for car parking and manoeuvring is considered sufficient and appropriate to serve the development and there is no conflict with Policies H14 and T25.

Planning Obligations

Contributions have been agreed in respect of Open Space and Education (primary and secondary) in accordance with Policies H16, CS43 and CS45, and the associated Supplementary and Interim Planning Guidance documents. The Open Space contribution is required due to a local deficiency in the provision of children's play space and the need for enhancement of existing recreation space required to accommodate the increased population arising from the development. The Education contribution is required as there is a shortage of places within the local catchment primary and secondary schools.

The following contributions have been agreed:

Open Space - £11,077.65

Education - £63,492.00

The obligation is expected to be in place prior to the Committee meeting.

RESPONSE TO REPRESENTATIONS

The majority of the points raised in the representations are addressed in the Assessment above.

A neighbour in Whirlow Grange Avenue has raised concerns about the lack of management of the TPO trees to the boundary of the site with these dwellings. The trees in question adjoin the existing driveway and are not affected by the application proposals. It would therefore be inappropriate to seek to manage the trees through the development management process. Any problems caused by the trees are a matter for the relevant parties although consent will be required for any pruning works.

SUMMARY AND RECOMMENDATION

The proposals represent a preferred use in the Housing Area and provide a mix of house types within a good quality layout that does not compromise mature trees and provides a high standard of design. Amendments have been negotiated which will reduce the impact of the development on neighbouring dwellings in Whirlow Grange Drive which are at a lower level. Additional boundary planting can be provided to alleviate any perception of overlooking although minimum separation guidelines are comfortably exceeded.

The density of development is lower than normally expected but justified in terms of protecting the character of the area. Car parking accommodation is adequate for the development as a whole and there is adequate provision for service vehicles. A legal agreement is expected to be in place prior to the Committee meeting and will secure contributions for off-site recreation space and provision for education.

Overall, the proposals represent a sustainable form of development that complies with the quoted policies and guidelines. It is therefore recommended that planning permission is granted subject to conditions and the aforementioned legal agreement.

Heads of Terms for Legal Agreement

- The Owner shall pay, before the first occupation of any dwelling, £31,746, and a further £31,746 before the first occupation of any dwelling within phase 2 of the development, to be used towards the provision of education facilities within Education Planning Area S1.

- The Owner shall pay before the first occupation of any dwelling, £5,538.83 and a further £5,538.82 before the first occupation of any dwelling within phase 2 of the development, to be used towards a project for the provision or enhancement of open space within Whinfell Quarry Gardens or Whirlowbrook Park.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 07 July 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 7 JULY 2015

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

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

2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for Extension of balcony to second floor apartment at 15 Whinfall Court Sheffield S11 9QA (Case No 14/03326/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for erection of a dwellinghouse at land between 12 And 14 Cooks Wood Road Sheffield S3 9AB (Case No 14/02823/OUT) has been dismissed.

Officer Comment:-

The Inspector considered that the main issue in this case is the effect of the proposal on water mains that are located within the appeal site. He agreed with our view that the site would normally be acceptable to be developed for the purposes of a single dwelling given that it would not adversely affect neighbouring properties or the street scene.

However, he acknowledged that two water mains currently cross the site and in the absence of them being diverted it would not be possible to achieve the required 'stand-off' distances.

He therefore concluded that the mains should be protected from development as a matter of good planning practice in order that they can be properly maintained in the future. In the absence of any proposals to divert the pipes to accommodate the development he concluded that the appeal should be dismissed.

(ii) An appeal against the decision of the Council at its meeting on 9th December 2014 to refuse planning consent for demolition of existing garage and erection of a new dwellinghouse at Land Rear Of 45 To 47 Rodney Hill Occupation Lane Loxley Sheffield S6 6SB (Case No 14/00701/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that there were three main issues in this appeal.

- 1) The effect on the character and appearance of the area,
- 2) The living conditions of nearby residents especially with regard to outlook and privacy and
- 3) The effect on protected trees.

With regard to i), the area has a green and open character, the Inspector considered that the proposed dwelling would appearance alien and incongruous feature on the lane. The proposed parking area was considered to create a hard edge which would be out of keeping with the current character and appearance. In addition, the size of the plot would make the development appear over-developed and cramped. Overall the scheme would conflict with Core Strategy (CS) policy CS74 and Unitary Development Plan (UDP) policies H14 and BE5

The Inspector then considered the living conditions of residents,(issue 2). The stepped design of the house coupled with the distances from existing houses would mean the proposal would not overbear existing properties. The Inspector was concerned that given the level differences, would not prevent a loss of privacy. Moreover, the presence of the side elevation close to the boundary with No. 43 would create an unneighbourly sense of enclosure to the garden. This would be contrary yo UDP policy H14

The third issue was that of the effect on trees.

The Inspector was of the view that the three trees to Occupation Lane protected by a Tree Preservation Order, di make a significant contribution to the character of the area. Although the plans indicated the trees to be retained, the Inspector was nor convinced that the construction would be possible without causing damage to these trees . Even if this were possible, the proximity of the trees to the development would create significant overshadowing and whilst the proposed house has no windows in the closest elevation, nuisance from honeydew, falling leaves and potential damage would lead to heavy pruning or removal being sought in future. The overshadowing would also potentially affect the green roof on this part of the proposed house. This would therefore conflict with UDP policy GE15

The Inspector took into account the lack of a 5 year supply of housing land but considered that the harm caused outweighed the benefits of one additional dwelling.

Accordingly , the appeal was dismissed.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for replacement roof over existing single-storey

extension (re-submission) at 2 Ranmoor Road Sheffield S10 3HG (Case No 14/03971/FUL) has been allowed conditionally.

Officer Comment:-

The Inspector considered the main issues to be whether the proposal would preserve or enhance the character or appearance of the Ranmoor Conservation Area and, secondly, the effect on the setting of St John's Church, a Grade II* Listed Building.

Conservation Area

The Inspector considered that the replacement roof would add to the bulk and mass of the building but this would be outweighed by the arguments in favour of the proposal, namely that the existing flat roof is in a prominent location and has a negative impact on the character and appearance of the Conservation Area and on the building itself. The proposal to use matching materials on the proposed pitched roof was a sympathetic design respecting the form and character of the original building. It was considered also to conform to the predominant roof styles in the area and so would enhance the appearance of the building and the Conservation Area generally and comply with UDP and Framework policies.

Effect on St John's Church

The Inspector considered that the principal view of the church is from the junction of Ranmoor Road and Ranmoor Park Road. This view would not be affected by the proposal. There is a view of the church over the existing flat roof and whilst the lower part of the church would be obscured by the proposed pitched roof extension, much of the church would remain visible from Ranmoor Road. His opinion was that the setting of the church would not be harmed as a result of the development.

Accordingly, the Inspector allowed the appeal.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection of detached garage with provision of vehicular access from Baslow Road (Re-submission of 14/04440/FUL) at 6 Laverdene Close Sheffield S17 4HG (Case No 15/00205/FUL) has been allowed.

Officer Comment:-

The Inspector identified the main issues as being the effect of the proposal on highway and pedestrian safety on Baslow Road.

The Inspector noted a level of on street parking on the southern side of Baslow Road, and the busy nature of the carriageway at this point. He therefore acknowledged the Council's concerns about the potential for a hazard created by reversing vehicles.

However, he was satisfied that the development included sufficient provision for vehicles to enter and exit the site in forward gear, and noted no history of accidents on this stretch of highway.

He noted the Council's concerns that the gradients necessary to achieve access would present pedestrian safety concerns, however he concluded that the gradient would be relatively shallow, and was a feature of similar arrangements elsewhere, with no evidence of safety issues for the visually or mobility impaired.

He therefore concluded that the development would not be harmful to highway or pedestrian safety. As such he allowed the appeal.

5.0 APPEALS DECISIONS – WITHDRAWN

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for two storey extension to dwellinghouse (re-submission of 14/01350FUL) at Bassett House Bassett Lane Sheffield (Case No 14/04212/FUL) has been withdrawn.

Officer Comment:-

The withdrawal of this appeal follows the recent grant of a subsequent application by the Committee.

6.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

7 July 2015

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