

# Planning and Highways Committee

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**Tuesday 5 April 2016 at 2.00 pm**

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

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

## **Membership**

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Councillors Alan Law (Chair), 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.

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## **PUBLIC ACCESS TO THE MEETING**

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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](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. 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](mailto:martyn.riley@sheffield.gov.uk).

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## **FACILITIES**

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

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

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**PLANNING AND HIGHWAYS COMMITTEE AGENDA  
5 APRIL 2016**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 10)  
Minutes of the meeting of the Committee held on 15 April 2016.
- 6. Sheffield Conservation Advisory Group Minutes** (Pages 11 - 16)  
Minutes of the meeting of the Sheffield Conservation Advisory Group held on 16 February 2016
- 7. Site Visit**  
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 8. Highways Act 1980 Section 119 Proposed Diversion of Part of Public Footpath: SHE/232 Off Old Hay Lane, Dore** (Pages 17 - 24)  
Report of the Director of Regeneration and Development Services
- 9. Applications Under Various Acts/Regulations** (Pages 25 - 90)  
Report of the Director of Regeneration and Development Services
- 10. Record of Planning Appeal Submissions and Decisions** (Pages 91 - 94)  
Report of the Director of Regeneration and Development Services
- 11. Date of Next Meeting**  
The next meeting of the Committee will be held on 26 April 2016

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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](mailto:gillian.duckworth@sheffield.gov.uk).

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Planning and Highways Committee

Meeting held 15 March 2016

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

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**1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Nasima Akther but no substitute was appointed.

**2. MINUTES OF PREVIOUS MEETING**

2.1 The minutes of the previous meeting of the Committee held on 23 February 2016 were approved as a correct record.

**3. EXCLUSION OF PUBLIC AND PRESS**

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

**4. DECLARATIONS OF INTEREST**

4.1 Councillors Jack Clarkson and Alan Law declared personal interests in agenda item 7 (minute no. 6) 'Conversion of Parts of a Public Footpath to a Shared Footpath/Cycle Track: Fox Valley, Stocksbridge' as Stocksbridge Town Councillors. Councillors Clarkson and Law indicated that they were aware of the issue but would participate in the consideration of the item as they had not declared their position on the matter.

**5. SITE VISIT**

5.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with a Co-Chair, be authorised to make arrangements for a site visit on Monday, 4 April 2016, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

**6. CONVERSION OF PARTS OF A PUBLIC FOOTPATH TO A SHARED FOOTPATH/CYCLE TRACK: FOX VALLEY, STOCKSBRIDGE.**

6.1 The Director of Regeneration and Development Services submitted a report seeking authority to (a) process the Diversion Order required for closing parts of the Definitive Footpath numbered ST0/13 in the Stocksbridge area of Sheffield, as shown by a solid black line on the plan attached as Appendix A to the report and (b) process the Cycle Track Order required for converting parts of the Definitive

Footpath numbered STO/13 to a shared footpath/cycle track at Fox Valley, in the Stocksbridge area of Sheffield, as shown coloured green on the plan attached to the report.

6.2 **RESOLVED:** That (i) no objections be raised to the proposed diversion of the Definitive Footpath numbered STO/13, as shown on the plan attached to the report, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected;

(ii) delegated 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 and (C) submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved;

(iii) no objections be raised to the proposal to convert the Definitive Footpath numbered STO/13, as shown coloured green on the plan attached to the report, to a shared footpath/cycle track, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected; and

(iv) delegated authority be given to the Director of Legal and Governance to (A) take all necessary action to convert the footpath to a shared footpath/cycle track under the powers contained within Section 3 of the Cycle Tracks Act 1984, (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 and (C) submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

## 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 and as stated in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) (i) an application for planning permission for siting of a log cabin to rear of garden (retrospective application) at 38 Sandy Acres Close (Case No. 16/00263/FUL) be refused for the reasons outlined in the report and (ii) authority be delegated to the (A) Director of Regeneration and Development Services or Head of Planning to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the outbuilding or reduction in its height so that it complies with Permitted

Development criteria and (B) the Head of Planning, in liaison with a Co-Chair of the 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;

(c) following consideration of representations at the meeting from the applicant's agent speaking against the officer's recommendation and a local resident speaking in favour of the recommendation, and notwithstanding the officer's recommendation, consideration of an application for planning permission to allow the removal of the rear dormer roof extension and alterations to elevations (Application under Section 73 to vary condition No. 2 (approved plans)) as imposed by planning permission No. 14/02958/FUL – alterations to two office buildings to form 12 residential units and 1 retail unit, including a rear dormer roof extension to the rear building at Meade House, 96-100 Middlewood Road (Case No. 15/03524/FUL) be deferred pending a visit to the site; and

(d) following consideration of representations at the meeting from a representative of the applicant speaking in favour of the application, an application for planning permission for hybrid planning application comprising full permission for the erection of a 3,000 capacity indoor arena (Use Class D2), provision of access points and car parking and outline planning permission (with all matters except access reserved) for the redevelopment of the site to provide a mixed-use development (including landscaping and infrastructure) comprising: up to 5,000 spectator outdoor stadium (Use Class D2) with ancillary facilities including café (Use Class A3), gym and changing facilities; a hotel (use Class C1) with up to 100 bedrooms; Advance Wellbeing Research Centre (Use Class B1 (b)) with up to 4,000 sqm floorspace and up to 3,000 sqm ancillary office (Use Class B1) floorspace and additional office building (Use Class B1) with up to 7,000 sqm business floorspace (Amended Environmental Statement received 12 February 2016) at site of Don Valley Stadium, Worksop Road (Case No 15/02142/FUL) be granted, conditionally.

## **8. ENFORCEMENT OF PLANNING CONTROL: 3 AND 5 NURSERY STREET**

- 8.1 The Director of Regeneration and Development Services submitted a report in relation to a breach of Advertisement Regulations regarding the erection of unauthorised advertisements at 3-5 Nursery Street and making recommendations on any further action required.
- 8.2 The report stated that a complaint had been received from a member of the public, on 9 June 2015, concerning the excessive signage that had been applied to the supermarket's display windows.
- 8.3 On 22 July 2015, correspondence was entered into with the owners of the supermarket informing them that the Local Planning Authority had received a complaint concerning the number of advertisements that were being displayed on the property, and that although they would require advertisement consent, it was unlikely that it would be granted, and therefore, with the exception of the signs that advertised the name of the shop (for which an application for advertisement consent was invited), the remaining signs should be removed.

- 8.4 Although the Local Planning Authority recognised the supermarket's legitimate need to advertise, the number of advertisements currently on display was considered to be excessive. However, it was likely that a less visually intrusive scheme of advertising would be permitted.
- 8.5 The owner of the supermarket had initially agreed to submit an application for advertisement consent, and to remove the unacceptable signs, to date he had yet to do so.
- 8.6 **RESOLVED:** That (a) 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 removal of the unauthorised signs at 3-5 Nursery Street; and
- (b) the Head of Planning, in liaison with a Co-Chair of this Committee, 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.

**9. ENFORCEMENT OF PLANNING CONTROL: 87 HIGH STREET, BEIGHTON**

- 9.1 The Director of Regeneration and Development Services submitted a report informing Members of a breach of planning control in relation to the installation of mechanical extract flues at 87 High Street, Beighton and making recommendations on further action required.
- 9.2 The report stated that a complaint had been received on 14 March 2014 from a member of the public concerning the installation of extraction ducting and flues and the emission of odours from these flues.
- 9.3 A site visit to this property revealed that two commercial extract flues had been installed, both of which terminated approximately 1m above the level of the roof of a single storey side extension to the property.
- 9.4 Following this initial visit, the property owner was contacted and made aware that he was required to apply for planning permission for the flues. The owner responded to the letter on 22 July 2014 and asked for application forms to be sent to him so that retrospective planning permission could be applied for.
- 9.5 On 6 January 2015 because an application for planning permission had not been received, information notices were served, under Section 330(1) of the Town and Country Planning Act 1990, on all interested parties.
- 9.6 The information notices were completed and returned to the Local Planning Authority, along with assurances that an application for planning permission would be submitted to the Council. However, to date, no application had been received.
- 9.7 **RESOLVED:** That (a) the Director of Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement

action and the institution of legal proceedings to secure the removal of the unauthorised flues at 87 High Street, Bighton; and

(b) the Head of Planning, in liaison with a Co-Chair of this Committee, 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.

**10. ENFORCEMENT OF PLANNING CONTROL: 46 PADDOCK CRESCENT**

10.1 The Director of Regeneration and Development Services submitted a report in relation to a breach of the Planning Regulations regarding the erection of an unauthorised treehouse at 46 Paddock Crescent and making recommendations on any further action required.

10.2 The report stated that a complaint had been received from a member of the public on 20 June 2014 concerning the erection of a treehouse in the property's rear garden.

10.3 Correspondence was entered into with the owner on 13 August 2014 explaining that because the treehouse had more than one storey and a ridge height of more than 4m above ground level, it was not considered to be permitted development and therefore would have required Planning Permission.

10.4 The owners did not respond to this initial letter and so on 6 January 2015 a Section 330 Notice was served by the Local Planning Authority. To date no attempt had been made by the owner to remove the treehouse or to try and regularise it by submitting an application for retrospective planning permission.

10.5 **RESOLVED:** That (a) 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 removal of the unauthorised treehouse at 46 Paddock Crescent; and

(b) the Head of Planning, in liaison with a Co-Chair of this Committee, 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.

**11. UPDATE ON AFFORDABLE HOUSING OBLIGATION: DYSON REFRACTORIES LTD, GRIFFS FIRECLAY WORKS, STOPES ROAD**

11.1 The Director of Regeneration and Development Services submitted a report providing an update on application number 16/00341/MDPO – Application to modify Section 106 Agreement for Planning Permission 15/00122/FUL at Dyson Refractories Ltd, Griffs Fireclay Works, Stopes Road.

11.2 The report stated that at the meeting of this Committee on 23 February 2016, Members were updated in respect of the submission of an application to vary the Section 106 Agreement relating to the recently approved residential development

at the Dyson Refractories site at Stopes Road (previous application reference 15/00122/FUL).

11.3 Following the update to Members and subsequent to further discussions and comments from the District Valuation Office on the application, the applicant had withdrawn the application. In withdrawing the application, the applicant had set out the background to, and their original intention in, the submission of the application to modify the Section 106 Agreement. This was set out in the report for the benefit of Members.

11.4 **RESOLVED:** That the withdrawal of Case No. 16/00341/MDPO is noted.

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

12.1 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.

## **13. DATE OF NEXT MEETING**

13.1 It was noted that the next meeting of the Committee will be held on Tuesday, 5 April 2016 at the Town Hall.

## SHEFFIELD CONSERVATION ADVISORY GROUP

### Meeting held 16th February, 2016

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

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

Apologies for absence were received from Dr. Philip Booth (Co-opted Member) and Mr. Rod Flint (Georgian Group).

#### 2. **MINUTES**

The minutes of the meeting held on 19th January, 2016 were approved as a correct record, subject to the substitution;-

(a) in item 2(a) of the words “the cottage, barn, coach house and stables to Norwood Grange” in place of the words “Norwood Grange, Groom’s Cottage and Stable Block”;

(b) in items 2(e)(ii) and 2(Q), of the words “Nunnery Goods Depot”, in place of the words “Nunnery Goods Road”;

(c) in item 2(i) of the words “1000 conservation lights would be available to replace” in place of the words “1000 conservation lights would replace”;

(d) in item 2(j)(ii) of the words “the City Councillors” in place of the words “the Group”;

(e) in item 2(C), of the words “ use of Minalloy House ” in place of the

words “use of M House”

(f) in item 2(N), of the words “city wide” for the words “ at Nether Edge”;

(g) in item 3, of the words “research laboratories occupying only about 20% of the building, which would provide as much research accommodation as could easily have been provided within the Edwardian wing of the former Jessop Hospital and a smaller addition to it” for the words “research laboratories occupying only about 20% of the accommodation. However, it had as large a library and study area which could as easily have been provided within the Edwardian wing of the Jessop Hospital and a smaller addition to it.”;

(h) in item 4(c), of the words “The Dingle” in place of the words “the Dingle” and the words “Edgar Wood” in place of the words “Edgar Ward”;

(i) in item 6.3, of the words “Kelham Goit”, in place of the words “Kelham Goyt”;

(j) in item 7(a)(i)(B), of the words “the possible demolition of the former St George’s Vicarage, 197 Western Bank”, in place of the words “condition of the former St. George’s Vicarage, Portobello“; and

(k) in item 7(a)(iii), of the words “a row of prefab houses at Cliffe Road, Stannington” in place of the words “a prefabricated property at Cliffe Road”; and

arising therefrom, the Group noted that:-

(A); the Head of Planning would report back at a future meeting, on the attendance of City Councillors at meetings of the Group;

(B); there would be a presentation on the Urban Design Compendium at the meeting on 15th March next. The Compendium would take account of the location, within the City, of the station for the proposed High Speed Train route;

(C) as yet, no arrangements had been made for representation of the Group, on the Panel which had been established to consider the proposals for Amey to remove trees within the City;

(D) the planning application regarding the Broomgrove Bowling Club had been approved. The only amendment to the application had related to the retention of the gateway with coat arms some of the stonework;

(E) Mike Hayden would take up the post of Head of Planning on 22nd February next;

(F) applicants could appeal against decisions to refuse planning permission, provided that each new submitted scheme was different in some respect from all previous schemes for a site;



(G) the roof of a building on the site of the former St Vincent's Church was being replaced; and

(H) a letter from Mr Greaves, regarding the standard of architecture of the new development on the Moor, had been published by the local press, on the day after the previous meeting of the Group;

**3. CHAIR'S REPORT**

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

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

The Head of Planning reported that Historic England was considering listing the War Memorial at Barkers Pool, which was not a building within the curtilage of the City Hall, as the buildings did not have a common purpose.

The Group noted the information.

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

The Head of Planning reported that the Sheffield Sustainable Development and Design Panel would begin holding meetings again in the near future and that during the next few weeks existing Members, including Dr. Booth, would receive letters asking them whether they wished to remain on the Panel.

**6. HERITAGE ASSETS**

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

**6.1 Partial demolition of the existing Grade II boundary wall, to form new vehicular access on site of Haqqani House, Vincent Road (Case Number: 16/00463/LBC)**

The Group felt that there was no objection, in principle, to the development.

**6.2 Erection of an apart-hotel comprising 70 self-contained units on site of Haqqani House, Vincent Road (Case Number: 16/00308/OUT)**

The Group felt the fact that the site was in a very prominent position, in a very dense area, should be taken into account. The Group considered that the former church had been a bastion and the replacement should be a bastion or landmark building, within the context of Abbeydale Road. The Group observed that there was not enough land on the site for 70 parking spaces. The Group felt that 70 units in this design form was an overdevelopment of the site. The Group considered that the previous planning permission was irrelevant, since the church had been demolished.

**6.3 Alterations to the facades of the arches facing Walker Street, including provision of cladding and individual letters to windows, infilling of archway to form dancefloor and construction of an open timber deck to the rear of the building facing Savile Street, at Wicker Arches, Walker Street (Case Number: 15/03823/LBC & 15/03308/FUL)**

The Group felt that there was no objection, in principle, to the alterations to the facades. The Group observed that the submitted drawings were inaccurate. The Group expressed concern at the safety issues particularly regarding the terrace, which had an effect on the Grade II\* listed structure. The Group felt that, if approved, the development must not set a precedent, for the other, adjacent arches.

**6.4 Demolition of existing carport and provision of single-storey side extension, single-storey rear extension, alterations to roof including new rear slope, provision of rooflights, widening of first floor front window, replacement of all other windows, removal of render to rear, internal alterations including replacement joists, walls and bathroom at 1 West Carr Cottages, David Lane (Case Number: 16/00350/LBC & 16/00349/FUL)**

The Group felt that the principle of development was acceptable, provided it was to create accommodation for occupation by one or two persons, rather than a family. The Group felt that the listed cottages were very small buildings, but accepted that they should be made habitable. The Group considered that the provision of a two-storey extension at the rear could be achieved and the roof could be extended, if the properties were treated with a sensitivity, which was not apparent in the submitted drawings. The Group expressed its

concern at the proposed removal of the plan form of the buildings.

## **7. MISCELLANEOUS ITEMS**

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

- (a) John Stonard would report on the Sheffield Retail Quarter development at the next meeting;
- (b) the manager of the John Lewis store in Sheffield would be transferring to the store in Leeds;
- (c) (i) the planning application regarding Brincliffe Tower had been withdrawn, but there had since been a pre-application meeting regarding the site and work was being done to further the scheme and (ii) Dr. Woudstra had inspected the plans of the Tower, which were part of the archive of papers of the Bagshawe family, held at the Derbyshire Record Office, in Matlock;
- (d) the Guardian newspaper had reported that the Manchester branch of the Twentieth Century Society was taking an interest in the “brutalist architecture” of buildings in Sheffield, such as the Parkhill Flats and the Hallam Tower Hotel;
- (e) the Environment Weeks would be held in May next. The Victorian Society and the South Yorkshire Industrial History Society would lead walks on the 18th of May, around Broomhall, on the 21st of May along the Loxley Valley and on the 25th of May, around the Sheffield Cathedral area;
- (f) Mr. Richard Farnsworth, of Ryecroft Farm, who had championed environmental issues in that area, had died recently; and
- (g) the website of Historic England featured a current exhibition of listed public art, at the Courtauld Institute of Art in London, including public art within Sheffield. The exhibition was also featured on the ‘geotouristsheffieldpostwarpublicart’ app.

(Note; These minutes are subject to amendment at a future meeting)

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## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Development Services

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**Date:** 5 April 2016

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**Subject:** HIGHWAYS ACT 1980 SECTION 119 PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH SHE/232 OFF OLD HAY LANE, DORE, SHEFFIELD

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**Author of Report:** MARK REEDER 0114 273 6125

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**Summary:**

To seek authority to process the Public Path Diversion Order required to alter the course of definitive public footpath SHE/232, off Old Hay Lane,

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**Recommendations:**

**Raise no objections to the proposed diversion of definitive public footpath SHE/232, as shown 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 & Governance to

1. take all necessary action to divert the footpath under the powers contained within Section 119 of the Highways Act 1980;
  2. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved;
  3. submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.
- 

**Background Papers:**

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**Category of Report:** OPEN

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HIGHWAYS ACT 1980 SECTION 119 PROPOSED DIVERSION OF PART OF  
PUBLIC FOOTPATH SHE/232 OFF OLD HAY LANE, DORE, SHEFFIELD

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required to alter the course of definitive public footpath SHE/232, off Old Hay Lane, Dore.

2.0 BACKGROUND

- 2.1 The City Council has received an application from the landowner requesting the diversion of part of definitive public footpath SHE/232, off Old Hay Lane, Dore, as shown on the plan included as Appendix A (hereby referred to as 'the plan').
- 2.2 Footpath SHE/232 runs for 460m, from Old Hay Lane at Dore to join Penny Lane at Totley.
- 2.3 The proposal is for approximately 45m of this, running through the grounds of Old Hay Cottage, to be moved a maximum of 16 metres east and south of its current course, as shown on the plan.
- 2.4 The current route is less than a metre from the applicant's front door; as such they feel that moving the path away will be beneficial to them in terms of security and privacy.

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. But of those that have responded, no objections have been received.
- 3.3 The Ramblers' Association have responded that they have no problem with the proposal, provided that no gates or stiles are erected at the point where the path meets the applicant's garden, shown as point A on the plan. The Council will make this a condition on the construction of the new path.

3.4 The Dore Village Society has been consulted on the proposal and has requested that if any stock barriers are necessary they are in the form of gates rather than stiles. The Council will make this a condition on the construction of the new path.

3.6 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 & Governance has been consulted and has advised that if the Council was minded to agree to this application it would be appropriate to process the diversion using the powers contained within Section 119 of the Highways Act 1980. These powers provide for a public footpath to be diverted if it is expedient in the interests of the landowner, and if the Council believes that the proposed alternative will be substantially as convenient to the public as the existing path.

#### 5.0 HIGHWAY IMPLICATIONS

5.1 The subject path SHE/232 is part of the definitive public footpath network in the Dore and Totley area.

5.2 The proposed alternative route will be 10 metres longer in length than the existing course, though its gradient and ambience are similar to the current route. It also has the benefit of avoiding a steep stone stile at the field boundary.

5.3 The proposed diversion should therefore not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

#### 6.0 EQUAL OPPORTUNITY IMPLICATIONS

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

#### 7.0 ENVIRONMENTAL IMPLICATIONS

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

#### 8.0 FINANCIAL IMPLICATIONS

8.1 All the costs of the Diversion Order process and the provision of the new path will be met by the applicant.



8.2 If the application is successful then the new path, once satisfactorily provided by the applicant, will be maintained by the Council's Public Rights of Way team, in lieu of the old path. It is slightly longer but similar in nature to the old route and consequently the effect on the Public Rights of Way maintenance budget is considered to be negligible.

## 9.0 CONCLUSION

9.1 Based on the above information, the proposed diversion of definitive public footpath SHE/232, as shown on the plan included as Appendix A, is supported by Officers.

## 10.0 RECOMMENDATIONS

10.1 Raise no objections to the proposed diversion of definitive public footpath SHE/232, as shown 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 & Governance to

- a. take all necessary action to divert the footpath under the powers contained within Section 119 of the Highways Act 1980;
- b. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved;
- 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

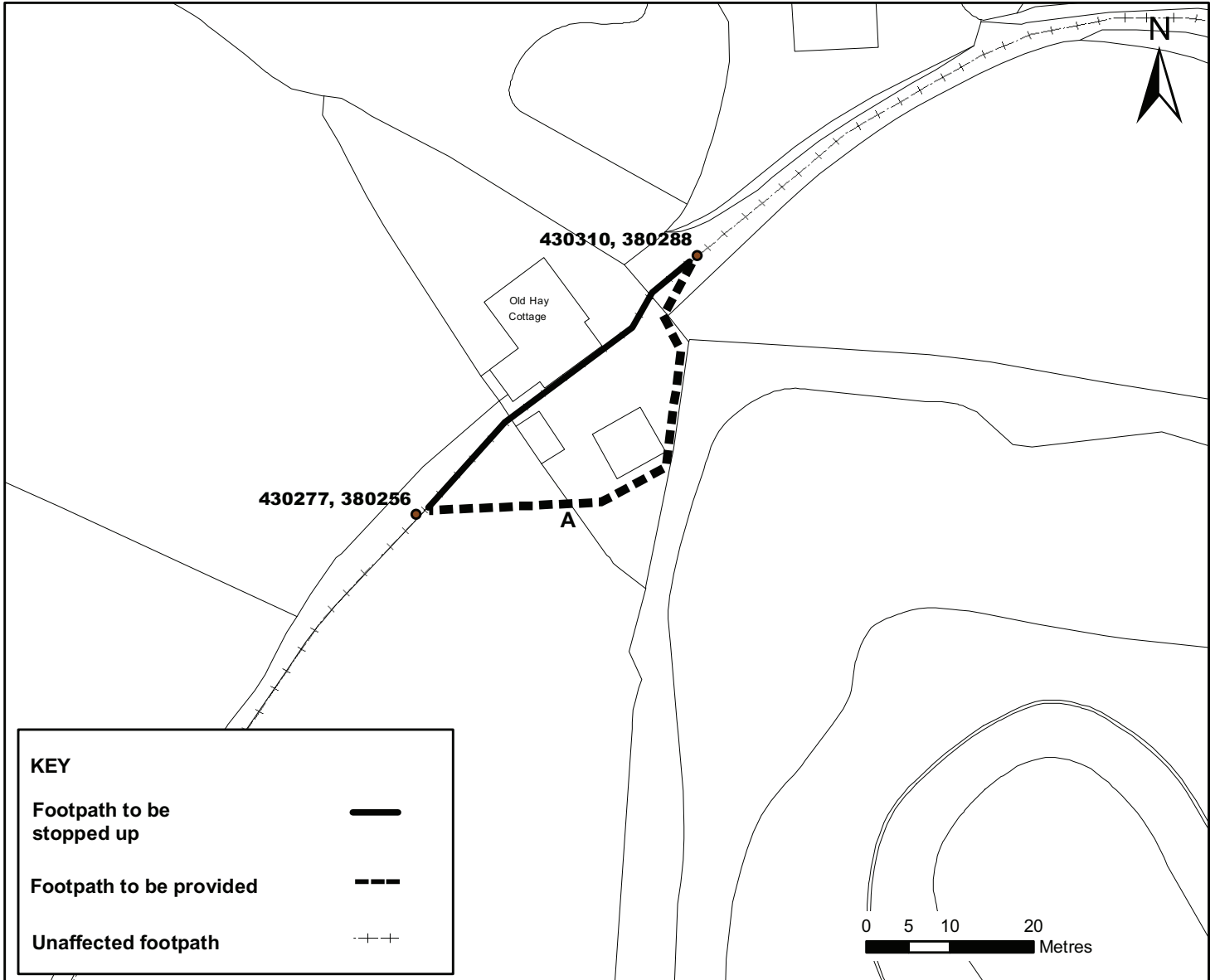
5<sup>th</sup> April 2016





**Appendix A**

Scale: 1:750



KEY	
Footpath to be stopped up	—
Footpath to be provided	- - -
Unaffected footpath	+ + +



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**Report of:** Director of Regeneration and Development Services

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**Date:** 05/04/2016

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

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**Author of Report:** Trevor Sullivan and Chris Heeley 2734218

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**Summary:**

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### Reasons for Recommendations

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

**Recommendations:**

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**Background Papers:**

**Category of Report:** OPEN

Application No.	Location	Page No.
15/04461/OUT	Land At Junction Of Abbeyfield Road And Holtwood Road And No(s) 11 And 15 Holtwood Road Sheffield S4 7AY	29
15/04052/FUL (Formerly PP-04614842)	Land To The Rear Of 35 Greenhill Main Road Sheffield S8 7RB	58
15/03524/FUL (Formerly PP-04513732)	Meade House 96 - 100 Middlewood Road Sheffield S6 4HA	77



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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the Planning and Highways Committee  
Date Of Meeting: 05/04/2016

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

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

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Case Number	15/04461/OUT
Application Type	Outline Planning Application
Proposal	Erection of 20 No. dwellinghouses including demolition of No. 11 Holtwood Road
Location	Land At Junction Of Abbeyfield Road And Holtwood Road And No(s) 11 And 15 Holtwood Road Sheffield S4 7AY
Date Received	08/12/2015
Team	West and North
Applicant/Agent	Mr Timothy Steedman
Recommendation	Grant Conditionally

Subject to:

**Time Limit for Commencement of Development**

1. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) Access, (b) Appearance, (c) Landscaping, (d) Layout and (e) Scale (matters reserved by the permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

2. Application for approval in respect of any matter reserved by this permission must be made not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

3. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

#### **Approved/Refused Plan(s)**

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

Drawing number 15/01/05/001 - Site location plan only

Reason: In order to define the permission.

#### **Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)**

5. 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.

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. Prior to the commencement of development; a report detailing the scheme of intrusive site investigations for shallow coal workings on site shall have been submitted to and approved by the Local Planning Authority. Thereafter, the investigative works shall be carried out in accordance with the approved report. The report shall be submitted at the same time or prior to a reserved matters application for siting and/or access.

Reason: In order to mitigate against the risk of former coal mine workings it is essential that this condition is complied with before the development is commenced.

9. Prior to the commencement of development; a report shall be provided to and approved by the Local Planning Authority detailing the findings from the approved intrusive site investigations, including the results of any gas monitoring undertaken. Alongside this, a scheme of remedial works shall be submitted to and approved by the Local Planning Authority. The report and remedial measures should be provided prior to or as part of the reserved matters application for siting or access.

Reason: In order to mitigate against the risk of former coal mine workings.

10. Prior to the commencement of development, the approved remedial works as detailed in the approved report on intrusive coal mining site investigations shall have been carried out, with evidence of the works provided to and approved by the Local Planning Authority.

Reason: In order to mitigate against the risk of former coal mine workings.

11. 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 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 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.

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.

12. 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.

#### **Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)**

13. 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.

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

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

15. Prior to the commencement of development, full details of bin storage arrangements shall be submitted to and approved by the Local Planning

Authority. The approved arrangements shall be installed prior to the occupation of the development and retained thereafter.

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

16. The gradient of shared pedestrian/vehicular access shall not exceed 1:12.

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

17. 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.

18. 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.

19. Prior to the occupation of the development, a lighting scheme shall be submitted. This shall include details of the design and location of all new external light fittings. The scheme shall be approved in writing by the Local Planning Authority before the development commences. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate quality of development.

20. Prior to the commencement of development, details of the location, heights, and appearance of any retaining walls, access steps and any safety barriers within the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

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

21. Before work on site is commenced, details of a suitable means of site enclosure including new boundary walls, railings, and plot division shall be submitted to and approved in writing by the Local Planning Authority, and the development shall not be used unless such means of site enclosure

have been provided in accordance with the approved details and thereafter, such means of site enclosure shall be retained.

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

22. No changes to the front wall on Abbeyfield Road shall be carried out unless details of the proposed treatment of any new access through the wall, new gateposts and repair, including details of materials for the new section of wall, have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with those details.

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

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

- Heads and Cills
- Front Boundary Walls
- Window Reveals
- Eaves and Verges
- Entrance Canopies

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

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

24. 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.

25. The development shall not be commenced until such time as a scheme to dispose of foul and surface water drainage, including any balancing works and off site works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details thereafter.

Reason: In the interests of satisfactory drainage arrangements

#### **Other Compliance Conditions**

26. No gates or barriers shall, when open, project over the adjoining highway or pedestrian route.

Reason: In the interests of pedestrian safety.

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

Reason: To ensure satisfactory drainage arrangements.

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

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner in accordance with the requirements of the National Planning Policy Framework. The Local Planning Authority considered that it wasn't necessary to have detailed discussions in this case.
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. 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:

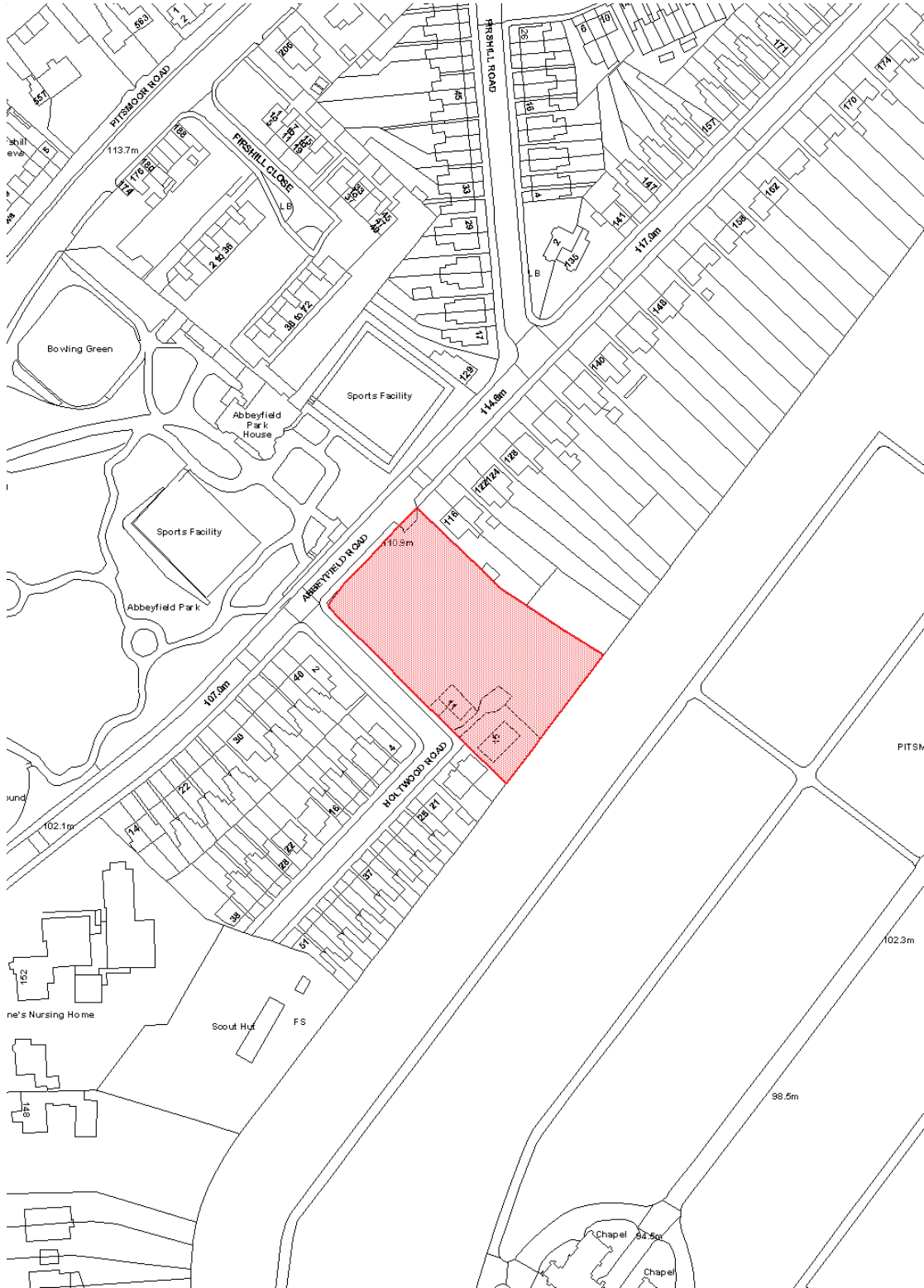
Development Services  
Howden House  
1 Union Street  
Sheffield S1 2SH

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.

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. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
6. The applicant and agent are advised that the submitted scheme for the indicative design of the houses is not viewed favourably. You are therefore advised to amend the appearance of the houses as advised in the officer report prior to the submission of a scheme to approve reserved matters concerning appearance.



# Site Location



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## LOCATION AND PROPOSAL

The proposals refer to a plot of land sited at the junction between Abbeyfield Road and Holtwood Road. The land has been previously used as a storage yard area, but is currently dis-used. Evidence of past vegetation clearance exists, but this has taken place long enough in the past to allow some new vegetation growth.

The land rises significantly to the South, which is parallel with the rise in land on Holtwood Road. The surrounding area is an established residential area, where Victorian and Edwardian properties predominate. The rear of the site backs on to Burngreave Cemetery, which is nationally registered. Opposite the site lies Abbeyfield Park. Both sites contain listed buildings. Abbeyfield House (Grade II listed) can be seen in direct context with the application site, on the opposite side of Abbeyfield Road.

The application seeks outline consent for the erection of 20 houses. In the southern corner of the site is an existing dwelling No 11 Holtwood Road that is shown to be demolished. Adjacent to the application site to the south west is a further bungalow that is shown to be retained. The application seeks to reserve all matters for future approval, other than the principle of erecting 20 dwellings. Matters of access, appearance, layout and landscaping cannot be assessed as part of this application, despite the fact that full indicative plans and details of a scheme have been provided.

Despite the above, however, the drawings do serve the purpose of helping to demonstrate how a scheme of 20 houses might be accommodated on the site.

## RELEVANT PLANNING HISTORY

89/00683/OUT Abbeyfield road and Holtwood road, 4 - erection of a nursing home (Granted Conditionally 09/05/1989)

91/03023/OUT Abbeyfield road and Holtwood road, 4 - residential development (Refused 22/12/1992)

This application was outline and showed 8 substantial dwellings randomly laid out on the site. The application was refused as it was considered that the layout would constitute an overdevelopment and adversely affect the amenities of adjoining property as a result of overlooking and lack of amenity space.

10/02890/OUT Demolition of existing dwelling and erection of 14 2/3 storey dwellinghouses, access road and associated parking (amended plans received 10/01/2011)  
(Granted Conditionally subject to Legal Agreement 21/04/2011)

## SUMMARY OF REPRESENTATIONS

13 written representations have been received making objections to the scheme. These are summarised below:  
Density

- 20 houses is too many for the size of the site.
- The proposal is not similar to the scheme for 14 houses, as it is now proposing a 30% increase in house numbers.
- Density of houses to the north-east is only 16.4 dwellings per hectare. The proposed density far exceeds what is appropriate for the site.

### Design

- The proposal will result in the loss of a distinctive stone wall facing Abbeyfield Road.
- The Design and Access Statement says little about design.
- Although the land is presently in a poor state, a poorly designed development could further degrade the appearance of the area.
- The overall design of the houses is not in keeping with the local buildings; reference is given to Abbeyfield Park House which is directly opposite the site and is a Grade II listed building.
- This design uses cheaper building materials which do not reflect any of this character.
- A row of 4 storey terraced housing would detract from the existing style of neighbouring housing and streets (one representation points out that housing to the north-east and south-west is semi-detached in form).

### Heritage

- The site is a remnant of the grounds of Holtwood House, which dated from the first half of the 19<sup>th</sup> Century. The site was always accessed from Abbeyfield Road, and the access point is an integral part of the historic character and street network of the area.
- The proposal will result in the removal of parts of the wall fronting Abbeyfield Road, which does not respect the character of the area.
- The development does not recognise or respond to the presence of Abbeyfield House (a Grade II listed building), Burngreave Cemetery (a registered landscape), Abbeyfield Park (a local historic landscape), or the Area of Special Character, contrary to NPPF paragraphs 128, 131, 132, 135 and 137; Core Strategy policy CS74 c) and d) and UDP policies BE17, BE18, BE19 and BE20.
- The Design and Access statement is inadequate in respect of heritage matters.

### Highways

- The proposed access via Holtwood Road will result in additional vehicles parked on the steep section of road, which would be hazardous.
- There is insufficient on-street parking accommodation, some of which will be lost by the development.
- Additional note is made of Arnold Clark parking vehicles on Abbeyfield Road, increasing local parking congestion.
- Additional vehicle movements caused by the development will be hazardous.
- Reference is made to the impact on pedestrians and children crossing Holtwood Road, and impact on vehicles that currently manoeuvre on Holtwood Road, and the impact on the junction with Abbeyfield Road.

- Emergency vehicles will struggle to access Holtwood Road with increased congestion.
- Bin collections struggle due to parking on Holtwood Road, and this problem will be exacerbated by the loss of street parking spaces caused by the development.
- Additional traffic entering at the position of the corner on the road will result in collisions.
- Holtwood Road has no turning circle at the head, resulting in hazardous manoeuvres at present, which would be exacerbated by the development.
- Access to the new houses should be provided solely from Abbeyfield Road, using an existing access to the land.
- In the previous consent given for the site, no attention was made to the parking congestion in the evening, when existing residents are at home.
- No supporting information has been provided with regards to vehicular movements and emergency vehicle access.
- Reversing traffic and vehicles coming up Holtwood Rd do not have sight of each other as they approach the blind bend in Holtwood Rd. The proposal to build the access road to this site where it will directly lead into this converging traffic constitutes a significant traffic hazard.
- Additional traffic movements caused by the development would seem to contravene UDP policy BE10 on the Built Environment where the design and environmental improvement of streets, pedestrian routes and areas, cycleways and public spaces should, where appropriate and practicable: "Make them convenient and safe to use for people with disabilities, elderly people, young people, and people with young children."
- The additional traffic would ensure that the application would fail to comply with Core Strategy CS74 (g) as it would fail to enable all people to gain access safely and conveniently, and would not provide for the needs of families and children, or of disabled people and older people.
- There appears to be an insufficient 'turning circle' for refuse, delivery and emergency vehicles on the site plan. Presumably these will have to reverse down the widened road, avoiding reversing traffic from Holtwood Road.
- The proposal will result in additional traffic movements, which will lead to a build-up of traffic on Abbeyfield Road and Burngreave Road.
- The proposal will not provide adequate parking on site. One representation refers to paragraph N5.5 of the South Yorkshire Residential Design Guide.

#### Impact on the Amenities of Neighbouring Dwellings

- The increase in number of people generated by the development (an estimate of 100 people by one representation) would cause additional noise, which would be of nuisance to neighbours.

#### Landscaping

- There are no trees on site as these were previously removed in 2008 and 2015. Trees on Holtwood Rd formerly offered a screen to the site and provided a leafy green corridor for bat and bird life moving from Abbeyfield Park to Burngreave Cemetery.
- There needs to be much greater detail regarding a landscaping framework and how this will enhance the visual amenity and biodiversity of the area in line with

South Yorkshire Residential Design Guide policy N4 whereby: “New development should establish and be built around a landscape framework that consolidates and integrates existing and proposed green features to complement or extend the wider green infrastructure.”

#### Land Contamination

- On the Planning Application form, section 14, states that the land is not known or suspected to be contaminated or that the proposed use is vulnerable to the presence of contamination. It would be helpful to know if this statement follows an investigation and if a risk assessment has been carried out other than the Coal Mining Risk Assessment. This is essential given the previous use of the site to store heavy demolition plant vehicles and storage of demolition waste.

#### Other Points

- The photographs attached to the Design and Access Statement submitted with the application do not give sufficient context. They show a number of houses on the lower part of Abbeyfield Rd, which will be minimally affected. There are no photographs of Holtwood Rd which will undergo a significant degree of change if this scheme goes ahead in its current form.
- The yard area is a wildlife haven.
- No trees are planned for the site, and the scheme fails to take into account the quality of neighbouring landscapes. The comment infers that new trees should be added to the site to enhance biodiversity, and that the scheme fails to accord with NPPF paragraph 118 because of this.
- The proposal will increase resident numbers, which will cause issues with local services including school and GP surgeries.
- Additional surface water run-off will be caused by the development, which is not addressed with this application.
- There is a preference for fewer houses, and for the construction of ‘eco houses’ on the site, and houses for the elderly or single people.
- The development does not include space for open space alongside the new houses for the use by residents.
- The houses with disabled parking spaces are several storeys tall.
- The proposal will be adjacent to a business that works with homeless and vulnerable people and will increase the risk of the service users being victimised, bullied and subject to racial discrimination.
- The proposal will result in additional sewer water, and there is little capacity for foul water in the existing sewers.
- The proposal will cause issues with accessing telecommunications by local businesses.
- All recent local housing developments have one main access point off a main road, leading to an enclosed housing scheme. An example is made of the site at College Close and De La Salle Drive.
- The permission previously given on the site for 14 houses has lapsed, and should carry little weight as it pre-dates the National Planning Policy Framework, the pre-submission Cities Policies and Sites document, and the South Yorkshire Residential Design Guide.

- No information has been provided to substantiate that permission for 20 houses is needed to make development of the site viable. No account should be made upon viability as it would not outweigh other concerns with the development.
- The developer has not discussed or consulted with the Local Community, failing to comply with paragraph 65 of the NPPF (it is presumed the representation refers to paragraph 66). The absence of community involvement should be given great weight.

#### Non Planning Related Comments

- The scheme is looking for a quick profit.
- The site is unsightly, but only due to the actions of the applicant.
- Issues with regards to the maintenance of the boundary wall between 116 Abbeyfield Road and the site (this is a civil matter).

These 3 comments will not be referred to in the assessment below.

Some representations received have made suggestions of an alternative scheme for the site, including restricting the access to one point of Abbeyfield Road, the omission of garaging, reducing the number of houses proposed, and adding more open space to the site. This report, however, can only assess what is currently proposed as part of this application and this will include matters regarding highways, design, density and associated matters.

The agent has also written a statement responding to initial representations received and these are noted.

## PLANNING ASSESSMENT

### Policy Issues

In terms of National Policy, the National Planning Policy Framework carries material weight.

Paragraph 14 states that: “at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development”. It also explains that, for decision making, this means approving development proposals that accord with the development plan. Paragraph 17 of the NPPF summarises the key planning principles, one of which is to “always seek to secure a ... good standard of amenity for all existing and future occupants of land and buildings”. Paragraph 7 states that sustainable development has 3 dimensions, an economic role, a social role, and an environmental role.

Paragraph 12 of the NPPF emphasises that it does not change the statutory status of the development plan as the starting point for decision making, and proposed development that conflicts with the development plan should be refused unless other material considerations indicate otherwise.

In terms of local planning policy, weight is given to the saved policies from the Unitary Development Plan (UDP), and the policies of the Core Strategy.

Policy H14 'Conditions on Development in Housing Areas' from the Unitary Development Plan (UDP) stipulates conditions and requirements for development in designated Housing Areas, such as this site. Policy BE5 'Building Design and Siting' carries weight with regards to the appearance of the proposal and impact on the local area.

The Sheffield Core Strategy also includes relevant policies. Key issues of reference will be with regards to policies CS31 'Housing in the South West Area' and CS74 'Design Principles'.

The pre-submission City Policies and Sites document exists in draft form dating from 3 April 2013. Paragraph 216 of the NPPF states that decision takers may give weight to relevant policies in emerging plans. However, the NPPF does explain that this consideration should be according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections, and the degree of consistency of the relevant policies in the emerging plan to the policies of the NPPF. Although there is a relatively good degree of consistency with the NPPF, the Council is no longer progressing with this document, which was also subject to outstanding objections. As a result, very little weight can be given to it.

The South Yorkshire Residential Design Guide (January 2011) is not adopted in Sheffield, and therefore does not carry material weight. It is noted, however, that it does consist of guidelines for good design, and can be considered good practice, and can be used to help judge the design of the indicative plans.

The Manual for Streets (2007) and companion piece Manual for Streets 2 (2010) is government guidance on technical standards for streets. The documents do not set out policy, but provide guidance on how to do things and so act as a supplementary document on best practice. They are more relevant to large scale development as opposed to infill housing, although general principles of parking accommodation, building layout and surveillance are covered in the assessment below.

#### Principle of Development

The application site is located within a Housing Area as allocated in the Sheffield Unitary Development Plan. Policy H10 lists housing as the preferred development type. The principle of residential development is therefore accepted.

The site is considered to be previously developed. The reuse of this brownfield site will contribute towards the objectives of policy CS24 and the target of delivering at least 88% of new housing on previously developed land.

The density of the development of this site is 52 dwellings per hectare. Policy CS26 seeks to promote the efficient use of land and sets out that in urban areas near to high frequency bus stops the density should be 40 – 60 dwellings per hectare. As a result, the density proposed is considered to be in line with the range of densities considered appropriate for such an area.

Policy CS41 states that mixed communities will be promoted by encouraging development of housing to meet a range of housing needs including homes for larger households. As the scheme is in outline, it cannot be guaranteed what range of house types and sizes would be brought forward for a full scheme. The indicative plans show a mix of 2, 3 and 4 bedroom houses, which feature differing internal layouts. The indicative scheme would meet the aims of providing larger households (as the majority of homes will feature 3-4 bedrooms), and will provide some 2 bedroomed houses for smaller households, which largely meets the aims of the policy.

It is acknowledged that 1 bedroomed properties are not provided but it is noted that the Sheffield Housing Market Assessment (2013) refers in paragraph 8.4.1 to the fact that family housing is in short supply in all housing market areas in the city. In addition, most of the neighbouring houses feature 3 bedrooms, whilst the proposal largely consists of 4-bedroomed dwellings and 2 bedroomed dwellinghouses. This will slightly increase the variety of housing types in the local area. Although concerns raised about the lack of 1 bedroomed houses on site have been raised, a refusal based on this concern would be hard to justify given the HMA evidence and the fact that some increase in the variety of home types would occur as a result of the development. An increase in smaller bedroomed properties is also likely increase the built density in terms of number of units, which would be contrary to CS26 if the density increased above 60 dwellings per hectare.

#### Design and Layout

Although an outline scheme, with all matters reserved, the assessment needs to explore whether the principle of 20 houses can be accommodated whilst being compliant with relevant design policies.

Core Strategy policy CS74 'Design Principles' requires development to respect and enhance the distinctive features of the city, its districts and neighbourhoods.

Unitary Development Plan (UDP) policy H14 'Conditions on Development in Housing Areas', under part a) requires development to respect the local area. Policy BE5 encourages original architecture and states that new buildings should complement the scale, form and architectural style of surrounding buildings. It also seeks a comprehensive development design amongst other things.

As the location is in an Area of Special Character, policy BE17 requires the use of a high standard of design using traditional materials, and a sensitive and flexible layout of buildings and roads.

In terms of National Policy, the NPPF, in paragraph 58, requires decisions to ensure that developments add to the overall quality of the area; establish a strong sense of place; optimise the potential of the site to accommodate development; respond to local character and history; create safe and accessible environments; and are visually attractive.

Due to the above policies, there is a need for the development layout to not appear overly contrived or out of scale with neighbouring property or the local area.



Several representations have alluded to the formation of 20 houses, as opposed to the previously approved 14, as being an overdevelopment of the site. Given the requirements of the NPPF to optimise the potential of sites to accommodate development, and also compliance with the density of development range expected in Core Strategy CS26, a substantive case would need to be made that the density sought would result in a poor design to the development, or a layout that would not create a strong sense of place, or suitably respond to the local character and history, in line with the NPPF and CS74 and H14 policies listed above.

Policy CS26 does add a caveat that lower densities can be accepted where they achieve good design, reflect the character of an area, or protect a sensitive area. With regards to the densities of the local area, one representation does point out that the houses to the immediate north-east have a density of 16.4 dwellings per hectare. Looking at these, it is clear that there is a relatively high density frontage of semi-detached houses located close together, which all benefit from unusually long gardens of around 65m in length. These gardens are clearly set behind the built frontage, and not readily visible from the public streets or parks such that it is not readily apparent from Abbeyfield Road that there is a low density of development here. It is unusual in the wider area rather than being the norm. To the immediate south, the density of houses on Holtwood Road is 50 dwellings per hectare, very similar to that which is proposed on the development site. As such, the density sought (52 dwellings per hectare) is not materially different from existing densities common to the wider local area, notwithstanding the density of properties to the immediate north.

Looking at the layout and density of houses proposed, it is not considered that the proposal would result in an overly contrived layout that would be harmful to the local area. Along Abbeyfield Road, the row of houses shown indicatively would be to a similar height as existing houses fronting this road, and would be of a similar width to the terraced houses visible to the immediate south along this road. Similarly, the width of the proposed new houses shown fronting Holtwood Road and the row of 5 houses on the cul-de-sac element would each have a width not dis-similar to the terraced houses on Holtwood Road. The general layout of these would be for new terraced housing, with a width and scale to tie in with the general built form of the local area. The new road off Holtwood Road at the corner should continue the row from Holtwood Road, which is a logical progression of the existing road layout, in line with the outline recommendations of good practice by the Manual for Streets (2007).

It is not accepted, as suggested by some representations, that the context of development on Abbeyfield Road is predominantly semi-detached housing. To the immediate south, housing consists of two rows of terraces (7 houses and 6 houses long respectively), which is not dis-similar to the form proposed. The backfield development behind, consisting of terraced forms, is in character with the predominantly terraced form of Holtwood Road.

Smaller scale development to the rear of the site, accessed from Holtwood Road, is shown as part of the development. However, these would not be prominent dwellings in the context of the existing street scene, given their siting, and would still be built to an acceptable density as with the new terraces proposed elsewhere on the site.

The proposed indicative plans show that the layout of 20 houses would leave enough space for parking, whilst leaving an element of soft landscaping to the front of most of the houses. The indicative layout shows how a development could be achieved, whilst leaving some of the existing front walls and suitable space for bin storage, which would be screened by existing features. Sufficient of the boundary walls to the site would be retained as part of the development to ensure a visual continuation of this feature along Abbeyfield Road and on Holtwood Road.

Looking at the houses in the new cul-de-sac, the indicative plans show that these would have a higher degree of hard landscaping to the front, with less soft landscaping potential. However, this is limited to 2 dwellinghouses, which would limit the overall visual harm of this provided that good quality hard landscaping materials are used.

The prominence of bin stores to the houses on this part of the indicative scheme could be more problematic, however. There is scope on the site allow space alongside these houses to provide a shared bin storage compound, with sufficient screening to limit the harm. As such, this would not rule out the principle of these dwellinghouses given that a solution can be easily identified at the reserved matters stage.

The indicative layout of the development will result in a continuation of the existing cul-de-sac visually, which is not out of character with the existing arrangement of the road, which essentially appears as a long shared drive. The quantity of garden that would remain to both the new houses and number 1 (the house to remain on site) would be in excess of that offered to several of the neighbouring houses on Holtwood Road. As such, the space on offer for the new development and access arrangements shown would ensure that a development would be accommodated at an appropriate density for the location with an arrangement that is in scale with the footprint of neighbouring houses and developments.

Looking at the indicative elevations proposed, there is scope to provide for houses built to appear as modern examples of terraced properties, in scale with the built layout of the local area. There is suitable room in the front aspects to provide for a front door and main window feature, and for suitable vertical alignments. Although improvements to achieve a design and form to complement the local built form would be encouraged as part of any reserved matters submission. These would encompass the addition of features such as chimneys, better fenestrations to the gable elevations, as well as better positioning of the proposed downpipes. In addition, the presence of bay windows level with the front garden areas of the houses on Holtwood Road would better relate to the form of typical terraced houses in the area. However, these are minor alterations, which can take place without the need for a fundamental re-design of the site as shown in the indicative plans, and has no implication with regards to assessing the principle of 20 houses on the site, given that matters of design are reserved for future approval.

Comments with regards to the external materials are noted. However, the indicative scheme shows that brick and slate would be used as primary materials, the principle of which is acceptable as these are primary materials on neighbouring houses, and

are the traditional materials common to the local area. As the scheme is outline, precise details of the materials have not been provided, nor are they required at this stage. However, the use of traditional materials can be required at reserved matters stage.

The land subject to the development does not presently form an attractive space that contributes to the appearance of the Area of Special character, especially as it is largely blocked off from view by the existing boundaries, and also due to its former use. As such, it would be hard to sustain an argument that leaving the land undeveloped would assist in maintaining the character of the Area of Special character.

### Landscaping

In addition to the design policies referenced above, policy BE6 'Landscape Design' from the UDP seeks good quality landscape design in new developments.

Landscaping details of a proposed scheme are not shown comprehensively on the indicative plans submitted, and the assessment needs to conclude whether there is enough scope to provide suitable landscaping within a development of 20 houses on site.

Whilst the scheme lacks detailed landscaping, it can be seen that the layout permits some limited planting opportunities to the 2 road frontages and opportunities for landscaping to the side of the 2-way access.

The existing building lines limit the extent of space that landscaping can be accommodated within and, as detailed above, the position of houses in terms of building lines is important and fixed by the existing street pattern. Although some comments received wish for a greater number of trees to replace some lost when the owner of the land undertook tree removals in the past, the lack of tree planting would not result in a development that would not tie in with the local built vernacular.

### Impact on neighbouring Listed Buildings, Historic Parks, and the Area of Special Character

NPPF paragraph 131 states that, in determining applications, planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness.

The NPPF, in paragraphs 132-133, is specific in that in considering the impact of a proposed development on a designated heritage asset, the loss of an asset should be refused unless it is necessary to achieve substantial public benefits. Likewise, paragraph 135, with regards to non-designated heritage assets, requires a balanced judgement to be made with regards to the scale of harm or loss to the asset.

Paragraph 137 requires local authorities to look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance.

The site is within an Area of Special Character. Policy BE18 from the UDP 'Development in Areas of Special Character' requires that development retains buildings, walls, trees, open spaces and other features that contribute to the character of the Area; and that new development should respect the appearance and character of the area.

Policy BE19 'Development Affecting Listed Buildings' requires development affecting the setting of a listed building to preserve the character and appearance of its setting.

BE20 'Other Historic Buildings' requires the retention of historic buildings which are of local interest to be encouraged.

In addition to the above policies, UDP policy BE21 seeks to ensure that the character, setting and appearance of historic parks and gardens are protected.

The identified heritage assets constitute: the Area of Special Character; the non-designated boundary wall to the site; the designated Abbeyfield Park and Burngreave Cemetery sites; and the Grade II listed building within Abbeyfield Park.

With regards to Abbeyfield Park and Grade II listed Abbeyfield House, these are sited on the opposite side of Abbeyfield Road to the development site; Abbeyfield House being set 38 metres in from the curtilage of the Park. Views towards the park and listed building from Abbeyfield Road are viewed in context with the boundary wall and railings on the left side of the road as one travels up from the south as well as the dense mature tree screen that forms part of this boundary. They are viewed in conjunction with housing and walls on the right hand side of the road. The development form as proposed should continue the relationship between built development on Abbeyfield Road and the park opposite. The current land does not form a park or vantage point that presently enhances views towards these assets, and so its development would not result in the loss of a feature that presently enhances the appearance of these assets.

The alterations to the front wall will maintain the general form of this feature, maintaining the presence of the wall as one looks up the road. Given its presence on the opposite side of the road, alterations to this will have no significant impact upon the setting of Abbeyfield Park and Abbeyfield House. Indeed the proposed terrace of houses will provide a degree of enclosure to the park as is characteristic of the existing houses on the street.

With regards to the alterations to the boundary wall, representations have raised concerns that the loss to the boundary wall, and removal of the original access to the site are out of character with the historic nature of the Area of Special Character, and the non-designated heritage asset of the boundary treatment to the site.

Investigations into the history of the wall show that it forms the curtilage to Holtwood House. OS map records show that it was built after 1873 (it does not appear in the 1873 map of Sheffield). Information from the Burngreave Messenger (taking information from Kelly's Directory) indicates the house was constructed between 1879 and 1884. It was an 8 bedroomed house, built for Samuel Smith, a corn miller. It was

demolished in 1969/70, with the site remaining in use by the demolition company. As a result, the walls around the site likely date from around the latter half of the 19<sup>th</sup> Century, around 20 years earlier than surrounding housing. The age of the house is more recent than highlighted in representation comments received, which suggest a date from the first half of the 19<sup>th</sup> century.

The wall is not designated as a heritage asset, nor is it of particular individual merit or significant age (being not significantly older than neighbouring terraced housing). However, it is acknowledged that it assists in framing the streetscene on Abbeyfield Road, continuing the feature of stone front walls along Abbeyfield Road, and brick walls up Holtwood Road. As a result, it does have some benefit towards providing visual interest to the Area of Special Character, even though its own value as a heritage asset is more limited.

In accordance with the NPPF, consideration needs to be made towards the impact of the changes to the wall, with a balanced judgement made. This proposal, as shown in the indicative plans, does demonstrate that 20 houses with parking can be formed whilst maintaining significant sections of the wall. As a result, this should help retain the appearance of the front boundary treatments of a stone wall as one views up Abbeyfield Road. Of note, the existing boundary features along this road have gaps, including the occasional drive and pedestrian access, which will make the road access points appear less incongruous in terms to the loss of these sections and reduce their impact on the Area of Special Character.

Comments that the original access point is a heritage asset are raised. However, given that Holtwood House post-dates the neighbouring parks and, by itself, was not of considerable age, the value of the redundant access as a heritage asset is limited, especially in the present context, where no gate posts or other historic features one would associate with the access to a large late Victorian house still exist. As such, the significance of this change is limited, whilst the creation of a new stone wall frontage at this point, as shown on the indicative plans, will help to better articulate the setting of the streetscene, and frontages facing the road, effectively hiding the clear views to the side retaining wall to 116 Abbeyfield Road, which currently detracts from the appearance and setting of the local area through its prominence and poor finish (with former window positions infilled with non-matching brick and exposed long pipework runs).

The wall facing Holtwood Road has been repaired or replaced in more modern history, although the red brick material does tie in with the style of the road. It has little of individual historic merit, and the indicative proposal to retain parts of this wall alongside the new houses is considered appropriate.

With regards to Burngreave Cemetery, the impact of the development will involve the formation of houses backing onto this space, with houses set 10m distant from the boundary of the Cemetery. There is no active frontage between the site and the Cemetery, and the historic context is one of houses that back into this space. As a result, the development should not have a significant impact upon the setting of this land.

Although the undeveloped site does provide an open break between the cemetery and the park, this is not high quality and due to the topography of the land there is not good visibility of the cemetery from public areas around the site. The development of this space would not be visually harmful.

One representation raises objections based on concerns that the Design and Access Statement fails to properly respond to the heritage assets identified. However, given the assessment below, the impact on designated assets is indirect at best with regards to their setting, and it is considered that there is no justification to require submission of additional information to allow determination of the application, especially in the context that the scheme is outline, with all matters reserved. The detailed consideration of these matters will be an important part of the reserved matters process.

### Highways Issues

A significant number of the representations received raise concerns about the number of houses and the consequences on highway movements and parking capacity.

Although this is an outline proposal, with no approval sought at this stage for the layout and access positions, it has to be presumed that a layout for 20 houses would need to involve an access from Holtwood Road, similar to the proposal sought.

Visually, it is logical to go for an approach with the access from Holtwood Road, with houses fronting Abbeyfield Road, as the formation of a new road using the existing access off Abbeyfield Road would result in a layout with the side elevations of houses fronting Abbeyfield Road, and with no defined frontage facing this road, which would be visually harmful to the appearance of the local area, as it would be at odds with the built form and potentially harm the setting of the park.

In terms of highway movements, the indicative plans show the formation of 13 houses utilising access from Holtwood Road. To place this in context, Holtwood Road serves 35 houses at present, typically 3-bedroomed properties. There is also a premises used as a scout hut at the head of the road, although traffic movements to this are likely to be different to peak commuting times for the residential houses.

The addition of 13 houses would result in an increase in traffic movements along the stretch of road between Abbeyfield Road and the bend in Holtwood Road by approximately 50%, based on the number of additional homes proposed and as shown on the indicative plans. Presuming that each house would have 2 vehicles (which is unlikely), with movements to and from the location each day based on commuting patterns, this would equate to 52 extra car movements per day. Presuming that most cars would leave between 6.30am and 8.30am and return within a similar 2 hour period in the evening, this would equate to around 13 extra car movements per hour during peak times as a worst case scenario.

Comments with regards to the impact on the convenience and safe use of the road by people with disabilities, elderly people and children are noted. However, the road will maintain a pavement for users, which allows them to be separated from traffic. The indicative plans include pavements to the houses, and the retention of existing paths

up Holtwood Road. The level of traffic movements from just under 50 houses will not equate to more than 1 car per minute during peak times using the road, which will leave ample opportunity for pedestrians to cross the road where needed. The new dropped crossings to separate houses will not feature constant or overly regular movements that would significantly prejudice pedestrian safety. As a result, the scheme would have a negligible impact upon allowing the safe movement of pedestrians across the road and through the area.

Such car movements would not be excessive for the style of Holtwood Road, which is a full width road, with a proper junction with Abbeyfield Road. The additional movements would not be material when compared to the larger traffic movements experience on Abbeyfield Road and Burngreave Road, and would not materially impact upon noticeable movements on these routes.

Concerns are raised by residents about the impact on road safety due to the gradient of the road, and the sharp bent at the top. However, the gradient will likely result in lower vehicle speeds, especially when approaching the corner. In addition, visibility from the access point would be clear for vehicles to view both directions on Holtwood Road for approaching traffic.

The absence of a turning area at the head of Holtwood Road does result in a risk of vehicles needing to reverse to the position of the bend in the road, should the road be heavily parked. However, suitable visibility would exist from the new access way towards the corner. Vehicles travelling up Holtwood Road would typically be travelling at a low speed up the hill, and would have a relatively good view around the corner except in circumstances where inconsiderate parking occurs on the inside of the corner. The low speed of travel and relatively good visibility should allow cars to react to such unusual manoeuvres. In the event of inconsiderate parking, vehicles would likely be more cautious as they reach the corner, and it is not considered that poor parking practices should form a reason for refusal of a development in such circumstances.

Concerns with regards to parking capacity have been raised. On Holtwood Road, most existing houses do not benefit from off-street parking, which does result in relatively heavy on-street parking similar to most terraced streets. When people are at home, parking congestion on the road is relatively heavy. Unlike the majority of terraced streets, however, there is a higher than average availability of on-street parking due to the absence of full two-sides frontages on the hill of Holtwood Road, and the frontages on Abbeyfield Road. As such, the amount of available on-street parking is relatively plentiful in the local area, although parking congestion closer to the houses on Holtwood Road is noted. The proposals would result in the loss of some on-street capacity on Abbeyfield Road and Holtwood Road to accommodate new driveways. However, this would still leave one side of Abbeyfield Road clear, and the opposite side of Holtwood Road, which would still provide several spaces available to the local area. It would also have the advantage of clearing one side of the hill on Holtwood Road from parked cars, which would aid traffic movements up and down the hill.

In terms of parking for the development, most houses in the indicative layout are shown with a provision of 2 parking spaces.

The houses facing Abbeyfield Road are shown with a drive length of 9.1m. This is slightly less than the ideal of 10m to provide spaces for two 5m by 2.5m wide spaces. This length has been provided in order to ensure the new houses carry on the building line with the houses to the North to meet the design aims referred to above. The length of 9.1m should, however, be sufficient to allow two standard cars to be parked lengthways. A Ford Focus, for example, is 4.358m in length, allowing two to be parked lengthways. The top selling UK car, a Ford Fiesta, meanwhile is under 4m in length, which could easily be accommodated with one larger car. In addition, a full sized additional space would be provided internally within a garage.

For a dwellinghouse with 2-3 bedrooms, UDP guidelines are that 2 spaces should be provided. For 4-bedroomed houses, the guidelines are that 2-3 spaces should be provided. Looking at the floor plans, however, the size of the indicative bedrooms would be relatively small, with the upper floor rooms of houses on Abbeyfield Road curtailed by the roofspace. Given the site of the development, close to high frequency bus routes to Burngreave Road, a provision of 2 spaces per dwellinghouse for most of the properties is considered adequate in this case.

The proposal largely meets the UDP recommendations, except for the new houses on Holtwood Road, where 2 bedroomed houses are shown with only 1 space each.

It is noted that the consent under 10/02890/OUT gave permission for 1 space per house on the row facing Holtwood Road justified through them only being 2 bedroomed houses, where demands for a second space would be more limited. Given the accessible nature of the site, and the fact that on-street parking is not out of character with the area, it is not considered that the absence of a 2<sup>nd</sup> space would justify a reason to refuse the development.

As the outline application is only for the principle of the erection of 20 houses, the conclusion of the assessment is that 20 houses could be supported on site without causing significant highway issues.

15 Holtwood Road would remain with similar parking accommodation as existing, with a suitable access off the new road, which would be acceptable.

The new road access to the rear houses is suitably wide to allow fire appliance access. It does not have a turning area shown that would accommodate larger refuse vehicles. However, it would be expected that bins would be collected off Holtwood Road as opposed to up the shared access, which is a typical arrangement for developments in such situations. The access to the site by removal lorries, and fire engine appliances would not be numerous enough to cause a significant traffic hazard by vehicles reversing up to Holtwood Road if required.

It is acknowledged that the properties with individual drives off Abbeyfield Road, as shown, would not have 2 x 2 m visibility spays which is usually required. This would be only achievable at the expense of the frontage boundary walls. The driveways can be paired, as shown, which increases visibility in 1 direction. It is also noted that there are a few other vehicular accesses along Abbeyfield Road which operate in a comparable way so there is an established expectation for vehicular movements in



the area. On balance considering the importance of boundary treatment in this area, then the level of visibility can be accepted for these.

#### Impact on the Amenities of Neighbouring Property and Potential Occupiers

UDP Policy H14 (part c) requires development to not lead to a significant loss of light, privacy, or security for residential property. Paragraph 17 of the NPPF includes measures with similar aims.

The scheme is outline, with no consent sought for the layout and scale of the proposal except the principle of 20 houses. An assessment of the indicative scheme can, however, be used to demonstrate if the proposal for 20 houses can be achieved without causing significant nuisance to the amenities of neighbouring property.

The houses are all shown sited at least 12m distant form the existing houses on Holtwood Road, with the exception of number 15, which does not benefit from main side windows facing towards the closest shown house.

Concerning 116 Abbeyfield Road, this property does not benefit from side windows (which have all been blocked up at some point, as evident by the brick fenestrations). Block 1 is to the side of this house, with no significant forward or rear projection. As such, the direct impact on light levels in the indicative scheme would be limited. Concerning the impact of blocks 3 and 4 on this neighbour, these houses are suitably set in from the curtilage to limit direct impacts on the neighbouring garden area.

The indicative layout shows no direct window-to-window overlooking between houses, with a separation distance of over 21m achieved between houses facing Holtwood Road and the windows of neighbours opposite. The houses proposed parallel to 116 Abbeyfield Road are suitably distant from the curtilage to limit splayed views from the first-floor windows into the garden area of this property.

The indicative plans, therefore, show that new houses can be provided without significantly adversely impacting upon the amenities of neighbouring property.

The scheme has no obvious security implications. A detailed scheme can provide suitable passive surveillance, and the indicative plans show a layout that has active surveillance of key parking areas, including on-street parking on the gradient section of Holtwood Road, which is presently not overlooked.

With regards to future residents, the indicative scheme offers suitable distances between the houses, and suitable amenity space to provide reasonable living conditions.

Comments received with regards to the noise generated by the new residents are noted. However, the houses are a good separation distance away from existing residential houses on Holtwood Road, which all have closer neighbours at present. As a result, the level of noise from new residents should not have a significant impact on the noise experienced by existing neighbouring property.

## Contamination Issues

Due to the previous use of the land, there is potential for contaminants to be present. As a result, a full Contaminated Land Survey will be required to assess for risks and to mitigate against them prior to development. These measures, however, can be provided as part of a reserved matters submission such that a suite of conditions is recommended, as measures to de-contaminate the land in the event of any findings can be undertaken before any construction works commence.

## Sustainability Issues

Policy CS65 from the Core Strategy requires developments to provide 10% of the on-site predicted energy needs through on-site renewable or low carbon sources.

The layout of 20 houses would allow space for solar panels, air source heat pumps and other measures that could be provided on site.

There is no reason to believe that a scheme for 20 houses could not meet the above aims, nor requirements under CS64 to provide for a design to mitigate against climate change, such as grey water recycling, passive heating and cooling etc.

Comments received recommending that eco houses be provided instead are noted. However, the planning authority does not have the powers to dictate the precise nature of the development scheme applied for. It is noted that both local and national policies do not require the submission of eco-houses or carbon neutral homes. A condition is proposed in respect of renewable energy.

There is a need to limit water runoff, which has also been raised in some comments. As part of a more detailed scheme at the reserved matters stage, details of measures to limit water runoff to no more than 5l/sec/hectare or by 30% compared to the existing levels will be required. Measures such as retention tanks can be used to achieve this.

## Access Issues

Policy H7 and the accompanying Mobility Housing Supplementary Planning Guidance requires 25 % of the units to be provided to mobility housing standards. However, the Housing Standards Review, which came into force in October 2015, supersedes these policies, and sets out that it is inappropriate for Local Planning Authorities to assess these matters in the absence of up to date policies. As such, the assessment in this case cannot explore this matter.

It is however noted that 4 units have been identified to meet mobility standards, which is positive although it is noted that internal conditions may not be fully wheelchair compliant, especially with the constraint of a multi-level layout. The Housing Standard Review means that assessment of accessibility for disabled users is not however a planning consideration in this case.

## Community Infrastructure Levy and Affordable Housing

The previous scheme on site agreed contributions towards open space. In addition, local education provision also was considered.

The system of contributions has been replaced by the Community Infrastructure Levy (CIL), which is paid by certain developments to provide city-wide funding for education, transport, and open space demands of new development. The site is in an area where no CIL contribution is required. Funding for improvements, therefore, will come from the CIL contributions from other development.

Similarly, the Housing Market Area within which the site is located does not require contributions for affordable housing.

The site is not of a size that would require provision of public open space on site.

## Ecology

NPPF paragraph 118, states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a set of principles. These include avoiding harm caused by development; taking account of Sites of Special Scientific Interest; permitting developments where the primary objective is to enhance biodiversity; incorporating measures to promote biodiversity in developments; and refusing development that leads to a loss of irreplaceable habitats.

Some comments have been received commenting that the site is used by wildlife. However, there is no evidence of protected species on site. In addition, the site is not heavily planted, and does not appear to provide a suitable habitat for bats or badgers.

The site is open land between Abbeyfield Park and Burngreave Cemetery. However, its value as a green link is limited due to the previous use of the land, and lack of current vegetation. It is noted that the indicative plan shows capacity for reasonable sized garden areas, which can provide an element of a green link between the park and Burngreave Cemetery and is considered adequate in the context of the site. Full landscaping proposals submitted as part of detailed scheme can be used to promote planting of some native species within verges and gardens to meet the objectives of NPPF paragraph 118.

As the site is not an identified habitat, nor a site of designation, it is not considered that the site is an important habitat that would justify a refusal of the application.

## Coal Mining Referral Area Considerations

The site is within a Coal Mining Referral Area. A Risk Assessment has been submitted with the application. The assessment identified a risk from recorded workings causing ground movements, and the risk of unrecorded mine entries is moderate.

A series of mitigation measures are recommended, including probe drills to the south of the site to assess potential works underlying the site; and works to carry out a visual inspection of the natural ground of the site cleared of vegetation to ascertain if anomalous features are present.

Given the low amount of existing quality vegetation on site, such works would not prejudice any existing landscape features of importance, and would have no impact upon future new planting.

The Coal Authority has confirmed that they believe the investigative measures are appropriate, and identify that any consent should impose conditions requiring pre-commencement investigative works to be carried out and analysed before any development is carried out. Subject to these conditions, the Coal Authority has no objections to the proposed development.

## RESPONSE TO REPRESENTATIONS

Many of the concerns raised have been covered in the above assessment. The remaining issues are discussed below;

Comment has been made about the quality of the supporting submissions, notably the quality of submitted photos for the Design and Access Statement, information on highway movements, and the lack of a detailed landscape proposal. Due to the outline nature of the scheme, where no detailed design, landscaping or access details need to be fully contextualised or approved beyond an 'in principle' agreement, such information would not normally be required. In any case, the assessment has chosen to explore the issues, and information on movements, and the site characteristics have been considered as part of the assessment above. In addition, it is considered that sufficient information has been provided to assess the impact of the appearance of the access road and its suitability in terms of highway safety with regards to the indicative plans. In both respects the proposal is considered to be satisfactory.

Comments with regards to the impact on telecommunications are noted. However, this is an issue for telecommunication providers to improve services to keep up with demand. In any case, there is no material evidence to show that an additional 20 houses would cause local broadband networks to slow down in speed.

Concerns with regards to the capacity of sewer and water networks are noted. These are subject to assessment and control by Yorkshire Water, who would require a developer to make improvements to the networks if capacity is not available as part of their requirements before allowing a new house to be connected.

Concerns that residents would potentially victimise, abuse or bully residents of a neighbouring building are noted. However, there is no material evidence that this would occur. Indeed, the scheme will increase passive surveillance over the local area, which may assist in reducing crime levels.

With regards to the development not featuring an access point to an enclosed development, and examples of such developments elsewhere having this feature, it is noted that each development site has to be considered on its own merits. The

example given by the representation does feature some houses facing the neighbouring main road (Scott Road), and does address neighbouring roads in this manner. At the application site, a completely self-contained development would fail to address surrounding roads and would be out of character, failing to create a frontage on Abbeyfield Road, and would also necessitate back gardens facing towards Holtwood Road, which would fail to accord with best practice of design that aims to integrate development into existing building forms.

No argument has been submitted by the applicant that 20 houses are needed to make development viable. As such, this has not been used as an argument to justify permission on the site.

No evidence has been submitted that the applicant or agent have consulted with the local community. Paragraph 66 of the NPPF encourages proper engagement, to evolve designs taking account of the views of the local community. However, it does not explicitly require permission to be refused for schemes that do not.

## SUMMARY AND RECOMMENDATION

The redevelopment of this brownfield site for residential purposes is the preferred land use in policy terms.

The proposal is outline in nature for 20 houses. Any consent will only be agreeing that 20 houses (of unspecified scale, design, location or access) can be accommodated in principle. Nevertheless consideration of the indicative plans has assisted in assessing whether 20 houses can be feasibly accommodated on this site.

The general design and layout shown is considered to be of an appropriate plan form in general, and shows that 20 houses can be accommodated on the site, whilst maintaining local character and density. It is emphasised that improvements to some of the fenestrations, and the better provision of bin store locations would be required to overcome some design and highway issues identified above. However, these elements can be accommodated within the indicative plan shown, and would not mean that 20 houses cannot be comfortably accommodated on site without conflicting with relevant policies.

The scheme is located in a relatively sustainable location close to a high frequency bus route. This together with the level of on-site parking proposed, the relatively high level of existing on-street parking availability, and the density of the scheme complying with the range recommended by Core Strategy policy means that the scheme will have an acceptable impact on highway safety in the locality.

For the above reasons the scheme is compliant with relevant national and local policies and is recommended for outline approval subject to the listed conditions.

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Case Number	15/04052/FUL (Formerly PP-04614842)
Application Type	Full Planning Application
Proposal	Erection of two dwellinghouses and provision of vehicular access
Location	Land To The Rear Of 35 Greenhill Main RoadSheffieldS8 7RB
Date Received	06/11/2015
Team	South
Applicant/Agent	Cero Architecture
Recommendation	Grant Conditionally

Subject to:

**Time limit for Commencement of Development**

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

Reason: In order to comply with the requirements of the Town and Country Planning Act.

**Approved/Refused Plan(s)**

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

01-0513-SK2.10 'Internal floor plan layout and elevations'  
01-0513-OS2A 'Dwelling footprint location within site'

Reason: In order to define the permission.

**Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)**

3. 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 Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)**

4. Before construction works commence full details of the proposed external materials shall have been submitted to and approved in writing by the Local Planning Authority.

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

5. Before the development is commenced a detailed soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority.

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

6. The dwellings shall not be occupied unless a sprinkler system, fitted to the requirements of BS9251, and with a minimum pressure of 1.0 bar has been provided for each dwelling. The sprinkler systems shall thereafter be retained.

Reason: In the interests of the safety of future occupants of the approved dwellings.

7. Details of a suitable means of site boundary treatment to all curtilage boundaries and between the proposed dwelling curtilages shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, and the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

Reason: In the interests of the visual amenity of the locality and the privacy of existing residents and future occupants of the approved dwellings.

8. Before the development is commenced full details of the proposed detached garage building including plans, elevations and proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The garage shall thereafter be erected and retained in full accordance with the approved details.

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

9. Before development is commenced details shall have been submitted to and approved by the Local Planning Authority that demonstrate the surface water discharge rates from the site for the completed development will be reduced from the pre-development situation. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to mitigate against the risk of flooding in accordance with Policy CS67 of the Sheffield Local Plan Core Strategy.

10. Before development is commenced, full details of the proposed hard surfacing to the external areas of the property, which shall incorporate permeable/porous surfacing and demonstrate that water will drain to soakaway or landscaped areas within the site, shall have been submitted to and approved by the Local Planning Authority. The approved details shall then be implemented prior to occupation of the dwellings, and shall thereafter be retained.

Reason: In order to control any surface water run off from the site.

11. The dwellings shall not be used unless turning space for vehicles has been provided within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such turning facilities shall be retained.

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

12. Before the development is commenced, full details of suitable and sufficient car parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be used unless such car parking accommodation has been provided in accordance with the approved plans and thereafter such car 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.

#### **Other Compliance Conditions**

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

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



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. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
4. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

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

For the attention of Mr P Vickers

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

5. 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.

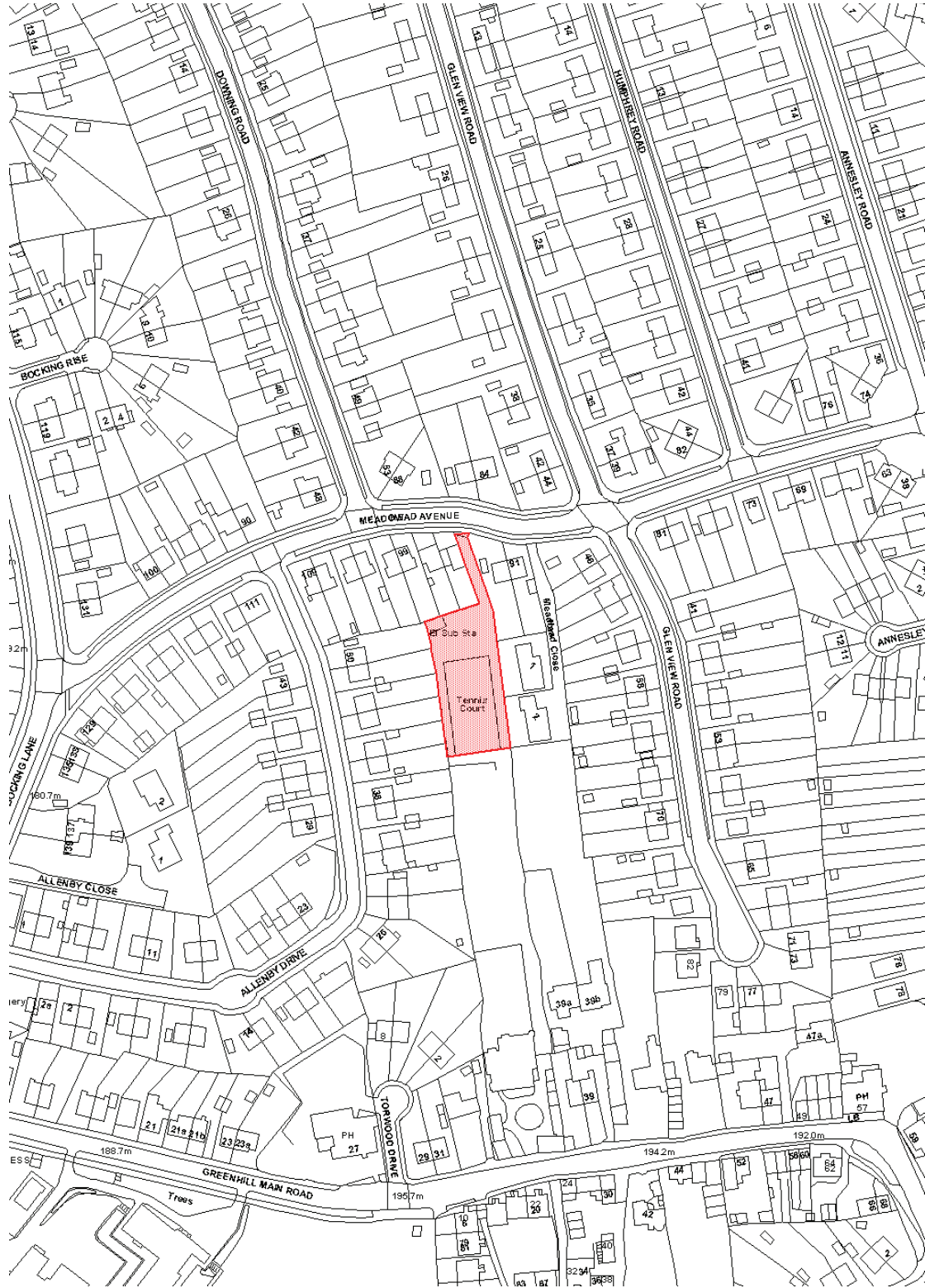
6. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

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

Site Location



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## LOCATION AND PROPOSAL

This application relates to the rear section of the garden of a dwelling (The Manor) fronting Greenhill Main Road but having a substantial curtilage that extends approximately 140 metres to the rear and at its furthest extreme adjoins the rear domestic curtilages of houses fronting Meadowhead Avenue. The width of this back garden varies from 20 to 25 metres.

The Manor itself is a Grade 2 Listed building that lies within the Greenhill Conservation Area.

The rear garden falls away from the natural ground level of the Manor House itself though there are no dramatic changes in level between the site and neighbouring domestic curtilages whether they be those of the properties on Meadowhead Avenue or those adjoining the site along its east and west boundaries.

An access track runs from the end of the garden to Meadowhead Avenue and this currently serves the electricity sub-station to the rear of 99, Meadowhead Avenue.

A substantial percentage of the application site is occupied by an apparently disused tennis court which has a tarmac surface with grassed areas around it. There are mature trees and hedgerows along the north, west and southern boundaries of the application site. Along the east boundary there is a more formal, though lower level hedge. The site is located approximately 90 metres from the rear elevation of The Manor.

All neighbouring development is residential. To the north and west is established two storey semi-detached housing with gardens varying in depth between 13 and 23 metres. To the east is backland development in the form of two bungalows located at the rear of 91 and 93 Meadowhead Avenue which are served by Meadowhead Close. Both lie approximately 6 metres away from the boundary with the application site.

Permission is sought to erect two detached properties with associated infrastructure.

These would take the form of three bedroom dormer bungalows with main living accommodation and two bedrooms at ground floor and a further bedroom in the roof space.

The house footprints would be located within the area which is at present the hard surfaced tennis court and would be oriented so that their main aspect windows would be in the north and south elevations.

The proposed architecture is simple and uncluttered, in a modern style but with traditional roof forms and fenestration patterns.

The application forms indicate that the dwellings would be faced in coursed stone and feature slate roof tiles. Fenestration would be in uPVC.

A double garage building would be located to the north of the dwellings close to the electricity substation. It would contain one space for each dwelling

Access would be achieved via the existing single width access track from Meadowhead Avenue (which also serves as access to the electricity sub-station).

#### RELEVANT PLANNING HISTORY

Permission was refused in 1982 (82/01171/OUT) for the erection of a single dwelling and garage. The access was considered to be unacceptable particularly for fire service vehicles.

Permission was refused by Area Board against Officer recommendation in 2011 (11/03524/OUT) for the erection of a large single dwelling and garage. The reason for refusal was as follows:

“The Local Planning Authority consider that the proposed means of vehicle access to the site would by reason of its restricted width, its length and inadequate visibility splay be detrimental to the free and safe flow of traffic on Meadowhead Avenue and would not provide an acceptable access for use by future occupiers of the proposed development and construction traffic and, as such, would be contrary to Unitary Development Policy H14.”

#### SUMMARY OF REPRESENTATIONS

26 individual letters of objection have been received from residents and a further representation has been received from Louise Haigh MP.

Louise Haigh MP writes on behalf of a constituent with concerns regarding the scheme and is informed that:

- The scheme has been refused permission previously on the grounds of inadequate access arrangements
- That there are many electricity cables beneath the proposed access
- That the scheme does not compliment the character of the area, and could adversely impact on flood risk and local flora and fauna
- That the application is littered with factual errors and inconsistencies.

Other representations list the following concerns:

- The access runs between two houses and cannot be widened. This will limit traffic and emergency service access and be a hazard to highway/pedestrian safety particularly when heavy plant is crossing during construction.
- There would be a danger to pedestrians because of limited visibility caused by existing houses.
- The earlier refusal was because of a sub-standard access. This has not changed so this application should be refused as well.
- The access does not allow for an independent pedestrian footway.

- The proposal would result in more vehicular movements on a sub-standard access.
- The loss of trees would continue a trend over recent years to clear the site of valuable trees.
- The proposal would result in a loss of direct sunlight to neighbouring dwellings
- Main aspect windows are less than 21 metres from neighbouring main aspect windows
- The proposal will adversely impact on neighbouring privacy.
- The proposal would have a detrimental impact on wildlife (including protected species) because of loss of vegetation.
- The proposal will adversely impact on trees on 3rd party land close to the footprints of the proposed houses.
- The proposal will worsen local drainage conditions
- Neighbouring dwellings foundations could be affected by construction traffic
- There are electrical cables beneath the surface of the proposed access
- An electricity company vehicle has the right to park on the access thereby denying access to emergency services.
- A local driving instructor stated that it would require a three point turn in the road to enter the access.
- The proposal will lessen security with regard to the electrical sub station
- The proposal will adversely impact on the value of neighbouring properties
- No arboricultural statement was submitted with the application.
- There are inconsistencies in the submission between plans and the design and access statement.
- There would be disruption to neighbours, particularly during building works.
- The proposal has been submitted purely for financial gain

## PLANNING ASSESSMENT

### Policy

The National Planning Policy Framework (NPPF) is relevant in terms of the overall principle of development:

Paragraph 11 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 19 states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth...Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 58 states that local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; optimise the potential of the site to accommodate development; respond to local character and history, and

reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; development should be visually attractive as a result of good architecture and appropriate landscaping.

#### Housing Supply, Location and Density

The NPPF at paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The proposal would undoubtedly contribute towards housing supply as set out in Core Strategy Policy CS22.

Paragraph 14 of the NPPF states that planning permission should be granted in such circumstances unless the adverse impacts of doing so clearly outweigh the benefits.

Whilst there is currently a shortfall in the supply of deliverable sites for housing (currently 4.7 years supply can be demonstrated), it is not considered that the proposal would make a substantial contribution to housing supply though policy dictates that some weight should be afforded this matter.

#### Housing Mix

Since the development would result in a number of units below the 60 dwelling threshold referred to in Policy CS41(a) there is no requirement to introduce a variety of housing types within the scheme. Furthermore, since the scheme does not involve an element of shared or communal housing the scheme is not considered to be contrary to the aims of Policy CS41(d).

#### Land Use Policy

The adopted Unitary Development Plan (UDP) shows that the application site is in a Housing Policy Area. UDP policy H10 says that housing is the preferred use so the broad principle is acceptable.

Government planning guidance in the form of the National Planning Policy Framework (NPPF) says, in paragraph 48, that Local Planning Authorities (LPA) should make allowance for windfall housing sites in the five year supply but this should not include residential gardens. The NPPF goes on to say in paragraph 53 that LPAs should consider setting out policies to resist inappropriate development of residential gardens, for example where they would cause harm to the local area.

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

The NPPF excludes private residential gardens from the definition of previously developed land.

Core Strategy policy CS24 gives priority for the development of new housing on previously developed land and states that no more than 12% of dwellings should be constructed on greenfield land in the period up to 2025/26. It also states that such development should only occur on small sites within urban areas, where it can be justified on sustainability grounds. The current house completion database shows that 5.3% of new houses have been built on Greenfield sites during the plan period 2004 -2015 and as such the proposal would be well within the 12% threshold.

The site is within an existing urban area and sustainably located in that it is within 270 metres of a local shopping centre. A number of regular bus services are available in the locality. In this context, the development of this small Greenfield site for new housing complies with the aims of policy CS24.

#### Character, Scale and Massing

UDP policy H14 and Core Strategy policy CS74 expect good quality design in keeping with the scale and character of the surrounding area.

Core Strategy policy CS31 deals with housing in the south west area but this policy defines 'south west' as between the Manchester Road and Abbeydale Road corridors and therefore is not applicable

The surrounding area is characterised in the main by medium sized detached dwellings in comparable curtilages.

The overall character of the locality would best be described as suburban. There is no predominant architectural character within the locality but the most dominant built form is the semi-detached house. However, there are many variations in house type within 200 metres of the site with bungalows, and detached dwellings also in evidence.

Core Strategy policy CS74 requires development to enhance distinctive features and the size and openness of the gardens behind houses in this locality do contribute to the suburban character of the locality. The proposal would be located within a site that lies between two bungalows, which are backland development, and the gardens of more established housing.

It is not considered that the proposal would be unduly prominent because of its scale and massing. Neither is it felt that there would be a change in character with the introduction of the new dwellings.

The proposal is for dormer bungalows occupying curtilages comparable with those of neighbouring properties. The dwellings would be described as medium sized in terms of their footprints.



In conclusion, in terms of footprint, scale and massing the proposals are not considered incompatible with the existing character and grain of development in the locality.

#### Design and External Appearance

Paragraph 17 of the NPPF states that decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 58 states that planning policies and decisions should aim to ensure that developments function well and add to the overall quality of the area, and respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 59 continues "...design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally".

Further, at paragraph 60 it states that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Relevant policies in the Sheffield Unitary Development Plan are:

Policy BE5 'Building Design and Siting' states:

- a. original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings;

#### H14 CONDITIONS ON DEVELOPMENT IN HOUSING AREAS

In Housing Areas, new development or change of use will be permitted provided that:

- (a) new buildings and extensions are well designed and would be in scale and character with neighbouring buildings; and
- (c) the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood;

In addition Policy CS74 'Design Principles' of the Sheffield Core Strategy applies which states that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods

With respect to the design and external appearance, the submitted plans show modern dormer bungalows with traditional hipped/pitched roofs and a small dormer to enable an en-suite to be located in the roof space. The resultant roof form is entirely consistent with a property of this type and scale.

The design varies from any of the existing housing development around the site but housing types vary within the locality in any respect and the proposals would not be out of scale with neighbouring houses, particularly as they would be of lesser height than the majority of neighbouring properties.

The single storey brick double garage would be built in the north of the site. This would be a plain and standard design which would be acceptable in matching brick to the houses.

There is ample space to provide garden space with rear gardens in excess of minimum requirements required by Supplementary Planning Guidance. There is also space at the sides of the houses and for replacement planting to supplement existing trees and hedges and appropriate planting would keep the electricity sub-station separate from the houses and their gardens.

The proposal therefore shows that the erection of two dormer bungalows in the indicated position and with specified curtilages meets the design policy criteria and is considered to be acceptable.

#### Residential Amenity

##### Existing residents (space about dwellings)

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

Appropriate separation about dwellings guidelines are laid out in Supplementary Planning Guidance (Designing House Extensions), which whilst not strictly applicable to new build schemes does offer excellent guidelines with regard to appropriate space about dwellings, a view that has been supported at appeal.

In terms of separation between main aspect windows the proposals main aspect windows in the north elevations would achieve a separation in excess of 40 metres to the nearest property on Meadowhead Avenue to the north.

The separation distance of rear elevation windows to the Manor House is even greater and of the order of 110 metres.

The proposed dwelling to the west of the site achieves a separation distance of 25 metres to the rear elevations of houses fronting Allenby Drive

The proposed easternmost dwelling achieves a separation distance of 11.5 metres to the rear elevation windows in Nos.1 & 2 Meadowhead Close.

##### Existing residents (penetration of the public domain)

The proposed access does run immediately adjacent the side elevation of 95 Meadow Head Avenue though this elevation does not contain windows at ground floor level. The development of back garden areas such as is proposed here can give rise to concerns regarding the penetration of the public domain with a new access giving rise to vehicular and pedestrian movements adjacent a dwelling where none previously existed.

However, in this case the access is already in existence and both the Applicant, his/her visitors etc. and the Electricity company can move freely on this access at present should they so wish.

It is therefore considered that, whilst the proposal would lead to an undoubted intensification of the use of the access the movements associated with just two dwellings would not be so onerous as to represent a robust reason for refusal in this regard.

#### Overlooking

All main aspect windows achieve appropriate separation to the nearest residential property.

The side elevations of the proposed dwellings do not contain windows at first floor level other roof lights on the inner roof slopes and there are therefore no overlooking implications arising from the proposals.

#### Overbearing and Overshadowing

The proposal is single storey in design and achieves significant separation distances to all properties except Nos. 1 & 2 Meadowhead Close.

Guideline 4 of Supplementary Planning Guidance states that two storey gable ends of extensions should not be placed closer than 12 metres to existing main aspect windows.

The separation achieved here is 11.5 metres, and this to a single storey structure rather than a two storey gable end. Given this, it is not considered that the proposal will result in any significant loss of direct sunlight to existing residents.

#### Future Occupants

The internal dimensions of the proposed dwellings are considered acceptable in terms of providing adequate outlook and natural lighting.

Supplementary Planning Guidance guideline 4 indicates that extensions to dwellings should achieve a minimum separation distance to rear boundary of 10 metres. This guideline is often used as a rule of thumb for guiding separation on new builds.

The purpose of providing adequate separation distance is two-fold, the reasons being to ensure appropriate privacy levels to neighbouring curtilage from first floor windows and to ensure adequate outlook from the new build for future occupants. All aspects of the proposal achieve an adequate separation to boundary for clear glazed main aspect windows.

The properties would benefit from a good sized rear garden and it is therefore considered that the plot would be adequately provided for in terms of external amenity space.

#### Impact on the Setting and Character of the Listed Building and Greenhill Conservation Area

UDP policies BE16 and BE19 deal with development affecting the character and setting of Conservation Areas and Listed Buildings respectively and both say that new development shall preserve or enhance such areas and buildings.

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

The edge of the application site is about 60 metres away from the boundary of the Conservation Area, which runs along the edge of the sloping garden immediately associated with The Manor. The Listed building is 90 metres away from the site and 105 metres away from the proposed building.

Given the distances involved, the level changes and the screening that would be provided for the proposal, it is considered that there would be no adverse impact on the Conservation Area and Listed Building.

#### Access, Parking and Transport

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

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

#### Parking

With respect to parking provision, the proposal shows 2 garage parking spaces with the potential for a further space in front of each dwelling which is acceptable. Should committee be minded to grant permission a condition should be added to any permission requiring submission of additional details for parking provision and turning within the site.

#### Access (general)

The existing access between 93 and 95, Meadowhead Avenue would be retained. This is a single track that runs between domestic curtilages for 25 metres before

opening out into the wider site. The visibility at either side of the entrance is restricted by hedges and fences and it would not be possible to widen this because of different ownership to each side of the access.

The access arrangement does not allow for clear visibility in each direction.

However, given existing traffic levels and the fact that this access would only serve two dwellings it is not anticipated that the level of vehicle movements would present a severe highway safety problem that would warrant refusal of planning permission.

It is also noted that the proposed access arrangement is not dissimilar to the two bungalows accessed from Meadowhead Close. Meadow Head Close is also a single track access road serving two bungalows that runs as a single track for in excess of 40metres before widening which is greater than the proposal being considered here. Also, there are not dissimilar restrictions to visibility in both directions at the junction with Meadow Head Avenue.

Officers therefore consider that a refusal of permission based solely on the inadequacy or otherwise of this access would not form a robust reason for refusal should an appeal against refusal be sought.

#### Access (Emergency Services)

Concerns were raised with regard to the previous application in terms of whether any development could be reached by the Fire Service in case of emergency.

However, the Fire Service are satisfied that this situation could be addressed through the inclusion of sprinkler systems into the design of any dwellings and there is no reason to believe that this approach is not just as valid with the current proposal.

Given the above it is considered that, whilst not ideal, the proposal is satisfactory in terms of highway safety and parking provision.

#### Trees and Landscaping

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

A basic Tree Survey has been submitted in support of the application and this has been cross referenced with the arboricultural survey submitted with the previously refused application. Several trees indicated within this survey are located on third party land and therefore cannot be felled by the Applicant with that party's permission. The footprint of the westernmost house does impinge on the root protection area of the Sycamore T9 which lies on third party land. This tree appears in good health but is not a protected specimen.

The Applicant's agent has indicated that this tree is to be removed but since it is on 3rd party land this is clearly not within the Applicant's control. Nonetheless works to

those parts of the tree within the Applicant's curtilage could be carried out without recourse to the planning system.

In terms of the merit of the specimen itself the tree does not appear significantly within the public realm and Landscape Officers have confirmed that it is not of sufficient quality to justify the serving of a protection order.

Hence, whilst any damage to the tree would be unfortunate, the works that could be undertaken on the tree, on the Applicant's land, without planning consent mean that a requirement for mitigating measures within the development site cannot be justified.

The planting of trees of native species within the curtilages of the new dwellings would bolster the presence of trees in the locality. There is adequate space for such re-planting and the tree types could be specified so as to increase biodiversity. This requirement can be conditioned as part of any permission.

The previously refused scheme showed a garage structure in a similar location to that proposed here and this was considered acceptable. This structure will result in the loss of several Cypress trees which currently form a line across the site close to the north boundary. Once again these trees are of no significant public value and could be removed without permission at any time.

The proposed double garage would be sited beneath the crown spread of the oak tree located on 3rd party land but it is not considered that this forms a robust reason for refusal.

In conclusion it is considered that the proposal is acceptable in terms of its impact on landscape features

#### Sustainability

The development is considered to be in a sustainable location being within an existing urban area and close to local facilities.

Core Strategy policy CS64 says that all new buildings should seek to mitigate climate change

The Design and Access Statement supporting the application says that the design would outperform current Building Regulations in respect of internal design and construction.

As a development of two houses does not qualify as a 'significant development' as defined by policy CS65 there is no requirement to provide 10% renewable energy needs as part of the scheme.

## Impact on Wildlife

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

A significant portion of the site allocated for built footprint is hard surfaced at present (tennis court) and it is unlikely that there would be any significant harmful impact on the bio-diversity of the area. Officers have been in discussion with a local protected species interest group who have visited the site and confirmed that whilst there is a 'dormant' protected species habitat located nearby. This habitat achieves a significant separation from the proposed development and as such would not be affected by the proposal.

## Drainage

Much of the area earmarked for built footprint and hardstanding is already hard surfaced (tennis court). Areas of the tennis court area which lie to the rear of the properties will likely be soft landscaped. The proposal is therefore likely to have a neutral impact in terms of the overall permeability of the site and areas of the scheme that are earmarked for hard landscaping should be constructed in permeable materials. It is not considered that two dwellings would result in so significant an exacerbation of existing surface water run off conditions so as to justify a refusal of permission, and in any event it should be conditioned in accordance with policy CS67 that surface water discharge from the site should be demonstrated to be reduced by the submission of appropriate details.

In addition to the above hardstanding areas within the site should be conditioned to be constructed in porous/permeable materials or to drain to porous areas within the site.

## RESPONSE TO REPRESENTATIONS

Matters relating to the access, grain and character of development, separation about dwellings, drainage, landscape and protected species have been dealt with in the main body of this report.

There are undoubtedly clear discrepancies between statements made in the Design and Access statement (which appear to relate more closely to the previous application) and the submitted plans but these inconsistencies do not extend to the plans and the application forms which form the evidence upon which this assessment has been made.

Given the nature of the proposals it is considered highly unlikely that heavy construction traffic will be required. Notwithstanding this assertion any potential for damage to neighbouring property would be a civil matter.

The security of the sub-station is a matter for the Applicant and Yorkshire Electricity. The onus to provide such security is not the province of the planning system. Nonetheless the sub-station itself is currently fenced in with metal railings

and it is worthy of note that the proposals will increase surveillance with regard to the sub-station.

The location of electrical cables and a requirement to divert or strengthen the structure around the cables is not a reason for refusal of planning permission. Potential impacts on house values, construction noise and the application being submitted purely for financial gain are not material planning considerations.

#### Community Infrastructure Levy

The development is CIL liable and is in a part of the city (City Centre/South: Zone 4) where the CIL charge is £50 per square metre.

#### SUMMARY AND RECOMMENDATION

This application seeks to erect two dwellings on land at the rear of 35 Greenhill Main Road, a Listed Building known as the Manor. The site is currently domestic curtilage. Access would be achieved from a single access from Meadow Head Avenue.

The design and external appearance would be of appropriate quality, being traditional housing of stone and slate.

It is not considered that there would be demonstrable harm to the amenities of existing residents and the access, although not ideal, is considered acceptable.

The impact on trees, would also be acceptable subject to conditions requiring replacement planting and there would be no significant impact on protected species.

Finally, it is not considered that the proposal would adversely impact on the character of the Greenhill Conservation Area or the setting of the Grade II Listed building.

It is therefore considered that, subject to conditions, the proposal would be acceptable and complies with all policy criteria set out in this report.

The NPPF states that inappropriate development in residential gardens should be resisted. However, this proposal is not considered to conflict with policy criteria that allows for a limited proportion of such development and is, therefore, considered to be appropriate at this location and, accordingly, there is no conflict with NPPF guidance.

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



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Case Number	15/03524/FUL (Formerly PP-04513732)
Application Type	Full Planning Application
Proposal	Application to allow the removal of the rear dormer roof extension and alterations to elevations (Application under Section 73 to vary condition No. 2 (Approved plans) as imposed by planning permission No. 14/02958/FUL - Alterations to two office buildings to form 12 residential units and 1 retail unit, including a rear dormer roof extension to the rear building
Location	Meade House96 - 100 Middlewood RoadSheffieldS6 4HA
Date Received	23/09/2015
Team	West and North
Applicant/Agent	SFW Property
Recommendation	Refuse with Enforcement Action

Subject to:

Refuse for the following reason(s):

- 1 The Local Planning Authority considers that the increased height of the elevation and the inclusion of windows at first floor level in that elevation of the development facing the rear of numbers 111 to 117 Hawksley Avenue results in an unacceptably overbearing impact on these properties and is detrimental to the living conditions of the existing occupiers which is contrary to Unitary Development Plan Policy S10 and Core Strategy Policy CS74.

Attention is Drawn to the Following Directives:

1. The Director of Development Services or Head of Planning are authorised to take any appropriate action including if necessary enforcement action and the institution of legal proceedings to secure the reduction of the eaves height of Building 2 to the level approved under planning reference 14/02358/FUL.

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

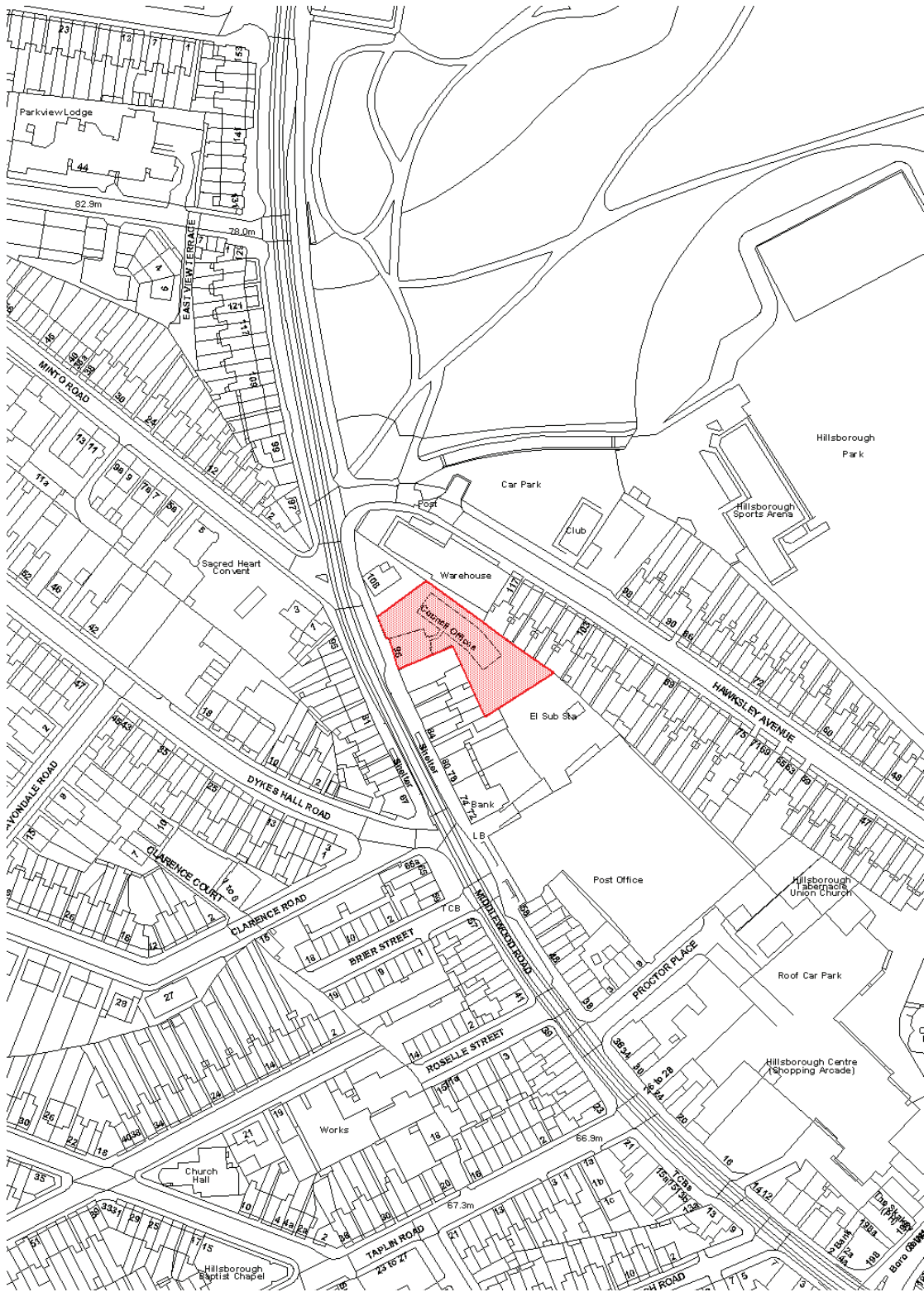
2. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

Drawings numbered

- 15-745-20 Rev A
- 15-745-21 Rev A
- 15-745-SK-002 Rev A
- 15-745-SK-003 Rev C
- 15-745-SK-04
- 15-745-SK-05
- 15-745-SK-06 Rev A

3. The applicant is advised that a revised planning application proposing an alternative scheme will be required to resolve the issues resulting in this refusal of planning permission.

# Site Location



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## INTRODUCTION

Members will recall that this item was deferred from the meeting of this Committee which took place on 15<sup>th</sup> March to allow Members to visit the site ahead of making a decision.

Members will also recall that the application is retrospective in nature as the alterations to the rear building on the site have already been undertaken. It is the relationship between this altered building and the houses to the north-east on Hawksley Avenue which is the focus of the visit.

## LOCATION AND PROPOSAL

The application site comprises two buildings, one of them fronting Middlewood Road, known as Meade House – Building 1, which is two-storeys high at the front and three storeys at the rear because of falling land levels. The frontage is of beige render and large windows at the ground floor with red bricks at the first floor level, beneath a flat roof. The side and rear elevations are of red brick. Adjoining this building to the south is a two storey brick building with a pitched roof with a restaurant at ground floor.

On the other side of Meade House is a sloping grassed area with a path and steps which leads to the other building within the site – Building 2 - and this is also of red brick, is single storey and has a pitched roof. Around this building is incidental open space, mostly concentrated at the far end on the south side. The two buildings on the site are linked by a covered walkway.

To the north of the site is 108 Middlewood Road, a two storey detached stone house which has windows in the elevation facing the application site across the garden associated with the adjoining house and the boundary is marked by 1.8 metre high fencing.

There are buildings to the north-east and south-west of the single storey building at the rear which are in close proximity to the application site. To the north-east there is a gym with windows facing the site which is significantly higher than the single storey building in the site. There are also the rear of gardens associated with terraced houses fronting Hawksley Avenue which have direct views of the site from their upper windows.

To the south-east, the rear of the building within the application site is close to the single storey building and the rear of 84 to 94 (even) Middlewood Road face the building. These properties are a mix of shops and a restaurant with storage space and living accommodation above.

Prior to the earlier planning application (14/02958/FUL) being granted, the whole site was vacant, previously being used as offices which had fallen into disrepair. The neglected air did little to contribute to the visual quality of Hillsborough shopping centre and the site was also the subject of anti-social behaviour.

Members may recall that the previously approved scheme was for Building 1 fronting Middlewood Road to be converted to five apartments with a retail unit on the ground floor fronting onto the street. Building 2 to the rear was to be converted and altered to form seven separate dwelling units. This scheme, as amended, involved retaining the shell and walls but did include lifting the eaves level by one metre and constructing a new roof. The open space around the rear building would be used as communal garden space.

The only road frontage, which is only a short length, is with Middlewood Road and in front of the site here is a bus stop. Supertram also runs along this frontage. There are full parking restrictions in place and there is no possibility of providing parking either within the site or on the road close to the site.

Planning permission was granted for the earlier proposal but this application seeks part retrospective planning permission under section 73 of the Town and Country Planning Act to amend condition 02 of 14/02358/FUL by way of amended plans and elevations. The applicant has submitted revised plans and drawings showing amended floor plans, elevations, height and roofscape which differ significantly from the approved scheme. The number of dwelling units would remain unaltered at seven.

This application only relates to the former office building within the site that is to be converted to seven dwellings. The other building fronting Middlewood Road would not be altered so that is not included in this new application.

The application is retrospective because the applicant has continued to construct the amended scheme as set out in this application prior to this application being determined.

#### RELEVANT PLANNING HISTORY

79/03039/FUL. Extension to offices granted on 14.11.79.

96/00728/FUL. Erection of 4 mobile office units granted on 25.06.96.

14/02958/FUL. Alterations to two office buildings to form 12 residential units and 1 retail unit granted on 24.04.15.

#### SUMMARY OF REPRESENTATIONS

A total of nine letters of objection have been received from four neighbouring addresses. Five are from one address, two from another and the remaining two letters are from two addresses. The comments are set out below.

- The building has not been approved and is being built without planning permission. It is nothing like the approved plans.
- The new and upper floor windows are very invasive. Even though the upper floor windows have opaque glass they can still see into the bathrooms of existing houses.

- The lower floor windows and patio doors can still see directly into existing properties.
- The original scheme, previously approved, did not have an extra floor which has now been added which blocks sunlight from the rear gardens of existing houses and imposes windows which overlook gardens.
- There is a severe loss of privacy and the buildings are over dominant because they are too high. The building must be about 20 feet high facing existing houses.
- The sunny gardens are now dark and cold.
- There is no off street parking provided with this scheme which will increase pressure on existing streets.
- The original stone wall at the front which was 100 years old has been replaced by a brick wall.
- There are concerns that the foundations are not strong enough to take the extra pressure from the upper storey.

## PLANNING ASSESSMENT

### Policy and Principle of Development

The adopted Unitary Development Plan (UDP) shows that the site is designated as part of Hillsborough District Shopping Centre. UDP policy S7 says that shops (A1) are the preferred use but Housing (C3) is also acceptable.

With respect to the principle of this proposal, policy S7 supports this but when the previous application was considered, weight was attached to the material relevance of current permitted development (PD) rights under which these buildings could be converted to a housing use.

The most recent use of the site was for offices and under current PD rights could be used for housing subject to an application to the Council which would determine whether or not approval would be required as to the transport and highways impact, contamination risks and flooding risks.

Also of relevance is Core Strategy policy CS24 which says that priority will be given to the development of previously developed sites which is the case with this application.

Core Strategy policy CS26 promotes the efficient use of housing land and specifies a density range of 50 - 80 dwellings per hectare (dph). The site is 0.12 hectares in area so with a scheme for 12 dwellings in total, the density would be about 95 dph which is in excess of the recommended range. Policy CS26 says that an

increased density may be acceptable if the application achieves good design or reflects the character of the area.

Core Strategy policy CS41 is also relevant as this seeks to promote mixed communities by way of providing a range of housing including a mix of prices, sizes, types and tenures. This application proposes seven very modest dwellings which would provide low cost housing in support of this policy.

#### Design, Layout and External Appearance

Policy S10 says that new development should be well designed and in scale with surrounding development.

UDP policy BE5 expects new development to be of good design and use good quality materials.

Core Strategy policy CS74 says that high quality development is expected which should also contribute to the creation of attractive, successful and sustainable neighbourhoods.

The existing buildings were vacant and had become neglected. The original proposals, as amended, for Building 1 resulted in significant improvements to the exterior. The unsightly ground floor frontage would be replaced by a new shop front which would introduce activity at the site. The attractive brickwork detail above the first floor windows would be retained, all brick work would be cleaned and pointed and all windows on this building would be replaced by double glazed wooden framed windows. This would remain unaltered.

The approved scheme for the seven dwellings in Building 2 showed an open plan ground floor comprising living room and kitchen with two bedrooms and a bathroom in the roof space. This involved new windows in the north-east and south-west facing elevations. This layout remains largely unaltered as part of this new application.

An important feature of the approved scheme was that the roof would be lifted one metre above the former eaves level to create extra internal space.

On the north-east side facing the rear of Hawksley Avenue, a pair of velux windows were introduced to each unit to serve the second bedroom and bathroom. The bathroom window would be treated with obscure glass. On the ground floor, each property would have French windows with a canopy above.

The treatment, as amended, on the south-west elevation would be different in that there would be a shared access to each dwelling and a kitchen window at ground floor serving the kitchen. A total of seven gable feature windows would be inserted into the roof at eaves level, each of them providing light to the main bedroom. Windows in the end elevations would be retained.

This design was considered to be acceptable and the application was approved.

The amended scheme proposed as part of this new application seeks approval for a more traditional approach to the seven dwellings. The building would be raised by a further 700mm above the former eaves level so that a total additional 1.7 metres would be added to the external walls. A more simple approach to the two main elevations would result in a more attractive and better balanced scheme being an improvement on the approved design.

Ground floor windows would all be the same size with first floor bedroom windows being smaller so creating an acceptable hierarchy in keeping with traditional terraced housing. At the rear, where the elevation faces the rear of houses on Hawksley Avenue, the French windows have been retained similar to the earlier approval and a window having opaque glass is placed at first floor which replaces the pair of velux windows in the roof of each unit on the previous scheme.

Taken in isolation from all other material considerations, the design and external appearance is an improvement on the earlier scheme and is considered to be acceptable.

#### Sustainability and Climate Change

Core Strategy policy CS64 says that all new buildings must be designed to reduce greenhouse gas emissions and must function in a changing climate. New development should incorporate energy efficiency, make best use of solar energy, minimise the impact on existing renewable energy installations and resources should be used sustainably.

Core Strategy policy CS65 deals with renewable energy and carbon reduction and all significant developments should provide a minimum of 10% of their predicted energy needs from renewable energy.

It is noted that the site involves the reuse of an existing building which reduces the scope for the introduction of sustainable construction methods but, nevertheless, the applicant submitted a sustainability statement in support of the original application.

The site has excellent transport links to the city centre by way of good bus services with a stop immediately outside the site and the Supertram runs right past the site. The site also lies within Hillsborough shopping centre with the associated facilities very close by.

The conversion works to both buildings will include much better insulation and all facilities and services will be much more energy efficient than those currently within the site.

The works will include individual heating systems rather than the existing central boiler system which is inefficient. This will result in much better energy efficiency ratings.



## Affordable Housing

Core Strategy policy CS40 requires developers in new housing schemes to contribute towards the provision of affordable housing where this is practicable and financially viable.

The original proposal was for 12 new dwellings which falls below the threshold for a contribution so this policy does not apply. The proposed dwellings are very modest and could be classed as falling into the affordable category.

## Impact on the Amenities of Existing and Future Residents

UDP policy S10 says that new development should not cause residents to suffer from any unacceptable living conditions.

UDP policy H5 says that planning permission will be granted for the creation of flats only where living conditions would be satisfactory for future occupants and their immediate neighbours.

Core Strategy policy CS74 requires new development to contribute to attractive, successful and sustainable neighbourhoods.

Representations have been submitted by people living near to the site expressing strong concern that work on the new scheme has continued without planning permission and resulted in a scheme which is over dominant, overbearing and results in a significant loss of privacy. This is considered to be the single most important issue with this application.

Standards that have been consistently used by this planning authority for many years specify that between opposing windows associated with habitable rooms there should be at least 21 metres and between habitable room windows and blank walls there should be at least 12 metres. These standards are set out in the adopted Supplementary Design Guidance (SPG) on Designing House Extensions.

In terms of distances between facing windows, the original application fell well short of the standards set out in the SPG. There were a number of instances which were examined in turn and the new scheme also needs to be set against the same policy criteria.

108 Middlewood Road is located next to the application site to the north-west and both floors of the facing elevation have windows which look towards the side elevations of both buildings. There is a distance of 12 metres between 108 and the end of the lower building on site. With regard to the lower building, there is a close boarded fence along the end of the garden of no. 108 and this would restrict views between the two buildings because of level differences. This arrangement would not alter as part of this new application.

To the north-east of the building there is a former warehouse that is between two and three storeys which has windows facing the application site. The elevations are between 5 and 6.5 metres apart and the lower two floors are used as a gym

during the day time. In addition to these, the rear of no's 111 to 117 Hawksley Avenue face the application site with between 11 and 15 metres between the offshots of existing houses and windows of the application site.

In terms of the approved scheme, the relationship of the proposal with the existing gym was considered to be acceptable because at this point the proposed dwellings would face a non-residential use. The balance between the proposal and the rear of 111 to 117 Hawksley Avenue which is the critical relationship in the new scheme was much more finely balanced with distances of 11 and 15 metres between the windows of the proposal and existing offshots. Potential overlooking was resolved by the use of opaque glass at first floor windows and the same treatment is used in the new application.

The issue of the potential for the scheme having an overbearing impact on neighbouring occupiers was also considered in the assessment for the previous application and it was concluded that, on balance, there would not be a significant impact even with the increased eaves height of one metre. The new scheme proposes an increase of 700mm above the height of the approved scheme where it faces the gym and the houses on Hawksley Avenue. The relationship with the gym would be acceptable because that building extends over three storeys and this relationship would be very similar to the approval. The distances between the two buildings range from 4 to 8 metres.

There is a sensitive relationship between the proposal and the rear of 113, 115 and 117 Hawksley Avenue. The building has been substantially built here including walls and the roof and it is clear that the increase in eaves height over and above that approved under the previous scheme has resulted in an overbearing impact on the rear of these three houses. The rear of the houses and gardens face south-west but the new building has resulted in a significant loss of light and the existing houses and gardens being dominated by the proposal to an unacceptable level.

The issue is whether or not the retrospective proposal is overbearing to such a degree to be contrary to policies S10 and CS74.

As well as matters of privacy and over-dominance, there is the issue of outlook from habitable rooms of the proposal. In some cases, the outlook is limited to as little as two or three metres to a fence or wall but is much better in other cases. The outlook was accepted as part of the previous scheme and the location of windows with an outlook has hardly altered with this new application so it is acceptable.

There is also an issue of perceived overlooking because along the elevation at first floor levels facing the rear of Hawksley Avenue are windows with opaque glass which give a perception of being overlooked even though this would not actually be the case.

To conclude this issue, it is considered that the combination of the increase in eaves height by a further 700mm above the approved scheme and the introduction of the opaque windows at first floor level does have an unacceptably dominant impact on 111 to 117 Hawksley Avenue.

In terms of any mitigation, the only possibility would be to strengthen and increase the boundary treatment at the end of the existing gardens. This could mitigate against the perceived overlooking but would contribute little to relieving the overbearing nature.

It is considered that elsewhere throughout the scheme, the impact of Building 2 as amended is acceptable; the detrimental impact relates to the four houses on Hawksley Avenue only.

#### Potential for Noise and Disturbance

UDP policy H14 and Core Strategy policy CS74 are relevant in assessing this issue and both say that the amenities' of residents should not be harmed by new development.

The dwellings throughout the development would be potentially affected by traffic noise, from nearby commercial uses and the gym on Hawksley Avenue. Therefore, a suitable scheme of noise mitigation works should be included.

At the rear of 94 Middlewood Road is a fume extraction system associated with the restaurant at this address. The potential for possible disturbance and dis-amenity was addressed during the previous application and it was decided that this issue should not constrain this housing development because any odour issues from a faulty system should be tackled by way of nuisance action.

#### Highways, Access and Parking

UDP policy S10 says that new development in shopping areas should be well served by transport facilities and provide safe access to the highways network and appropriate off street parking and not endanger pedestrians.

Core Strategy policies CS51 and CS53 seek to prioritise transport including the promotion of alternative means of travel to the car and manage the demand for travel, respectively.

It was agreed with the earlier approved planning application that it was appropriate for this to be a car free scheme given the sustainable location in Hillsborough District Shopping Centre. It was also considered appropriate that cycle parking should be provided.

#### Open Space

UDP policy H16 says that developers should either ensure that open space facilities are provided on site or, alternatively, a commuted sum is paid which would contribute to improvements of local open space. In this instance, a commuted sum of £7,838.30 has been paid as part of the previous scheme.

## Air Quality

Core Strategy policy CS66 seeks to protect air quality in all areas of the city with particular focus on air corridors where residents are directly exposed to high levels of pollution. This scheme would be car free so there would be no significant worsening of air quality close to the site

## Flood Risk and Drainage

Core Strategy CS67 deals with flood risk management and seeks to reduce the risk of flooding.

The site lies in an area with the least likelihood of flooding according to the Environment Agency and housing is acceptable on this site.

Surface water on the site would be absorbed in the garden area which would be landscaped.

## Disabled Access

UDP policy H15 says that the design of new housing development should ensure that there is ease of movement for people with disabilities and this is endorsed by Core Strategy policy CS74

In addition, UDP policy H7 says that a proportion of new housing development should be capable for use by people with disabilities.

There is an existing ramped access into the site from Middlewood Road and this has been retained and improved to allow for access for people with disabilities to gain entry into both buildings.

Three units would be allocated for mobility housing purposes which, complies with the minimum requirement of 25%.

No car parking is provided as this can be classed as a car free scheme. Ideally, a single disabled space should be provided but given the severe constraints in parking on Middlewood Road it is not possible to include this.

## Impact on Hillsborough Conservation Area

The site lies very close to the southern end of the Hillsborough Park Conservation Area and UDP policy BE16 says that planning permission will only be given for proposals which enhance or preserve the character and setting of Conservation Areas (CA).

Core Strategy policy CS74 echoes this and says that new development should respect the distinctive heritage of the city.

The long term use of the site has been secured and this is an improvement on the vacant and neglected former buildings on the site and enhances the character and setting of the CA.

## RESPONSE TO REPRESENTATIONS

The residents who are most concerned about this retrospective application are those living at 111 to 117 Hawksley Avenue and their concerns about loss of privacy and the overbearing nature have already been considered in detail in this report.

There are, however, a number of matters which require a response.

No off street car parking is required but the principle of this was agreed in the earlier approval and is considered to be acceptable.

It is acknowledged that the stone wall at the front has been replaced by a brick wall of similar proportions. The appearance of the new wall is acceptable and reflects the red brick frequently used in the surrounding area.

Concerns have been expressed about whether or not the foundations are strong enough to support the additional structure. This is an issue which is outside planning control, dealt with by Building Regulations.

## SUMMARY AND RECOMMENDATION

This application seeks retrospective planning permission for an amended scheme for Building 2, Building 1 being unaltered from the previous approval.

The overall design and appearance of Building 2 would be a considerable improvement on the earlier approval but the single most important issue relates to the increase in eaves height of 700 mm and the windows facing the rear of 111 to 117 Hawksley Avenue. The increase in height, although modest in itself, has rendered the scheme unacceptably over-dominant contrary to UDP policy S10 and Core Strategy policy CS74.

The scheme only has a detrimental impact on 111 to 117 Hawksley Avenue and is considered to be acceptable elsewhere throughout the site. This means that the increase in eaves height and new design is acceptable where it faces other properties, namely the rear of properties on Middlewood Road and the gum on the other side.

Some weight can be attached to the improved design but this is not enough to render the scheme acceptable where it faces 111 to 117 Hawksley Avenue so there is no other alternative, therefore, but to recommend this application for refusal with enforcement action to reduce the eaves level of that part of the development facing the rear of these four houses by 700mm which would be the height of the earlier approved scheme.

Members should be aware that a new planning application will be required because the proposal will be different to the earlier approved scheme.

#### ENFORCEMENT

Members are requested to authorise the Director of Development Services or Head of Planning to take any appropriate action including if necessary enforcement action and the institution of legal proceedings to secure the reduction of the eaves height of Building 2 to the level approved under planning reference 14/02358/FUL.

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



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Regeneration & Development Services

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**Date:** 05 April 2016

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

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

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**Summary:**

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

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO PLANNING &  
HIGHWAYS COMMITTEE  
05 April 2016

### 1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

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

### 2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a two-storey side extension including garage and a single-storey rear extension to dwellinghouse at 22 Pen Nook Close Sheffield S36 2TY (Case No 15/04039/FUL)

(ii) An appeal has been submitted to the Secretary of State against the decision of the City Council at its meeting of 1 December 2015 to refuse planning permission for the construction of glass balustrade to rear of dwellinghouse (Retrospective) at 30 Stainton Road Sheffield S11 7AX (Case No 15/03156/FUL)

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the demolition of existing outbuilding, conversion and extension of the existing garage into a one bedroom apartment and provision of a bike and bin store (re submission of (14/02748/FUL) at Grace Tebbutt House 9 Thornsett Road Sheffield S7 1NA (Case No 15/03519/FUL)

(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the construction of means of a vehicular access and provision of hardstanding at 202 Rutland Road Sheffield S3 9PR

### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the City Council to refuse planning consent for a single-storey front/side extension to dwellinghouse at 227 Ecclesall Road South Sheffield S11 9PN (Case No 15/03136/FUL) has been allowed.

Officer Comment:-



The Inspector identified the main issue as the effect on the character and appearance of the surrounding area.

He noted Ecclesall Road South was a busy road through a residential area characterised by large houses in large gardens set well back from the road, and that strong boundary walls and hedges contribute to the character.

He found the existing dwelling to be something of an anomaly in that it contains a significant two-storey front projection, forward of the main house façade. He felt the appeal extension at single storey would read as subservient to this, and that the substantial wall and separation from the road by a grass verge would reduce the proposed extension's prominence.

He noted officer's concern about setting a precedent, but asserted that each application must be determined on its merits, and considered the appeal property had unique characteristics.

He allowed the appeal with conditions.

(ii) To report that an appeal against the decision of the City Council at its meeting of the 10 February 2015 to refuse planning permission for the laying out and construction of a hard standing measuring 17m by 31.2m at South Yorkshire Police Sports And Social Club Club House Niagara Grounds Niagara Road Sheffield S6 1LU (Case No 14/04066/FUL) has been allowed.

Officer Comment:-

The Inspector noted that the layout of the pitches has been re-configured to take account of the unplayable area formed by the hard surface and as such the quantity of available space is not significantly affected. He concluded that the loss of formal open space (in both quantitative and qualitative terms) would be minimal.

He also noted that the use of the space for social purposes would provide a useful facility for the community and assist the financial viability of the club. In this respect he considered it to be ancillary and would not have an adverse impact on the character of the centre as a whole.

He felt that the benefits of the facility to the club would outweigh the loss of part of the playing field, particularly as it does not alter the number or quality of the pitches (although he accepted that the site will not be available to use as a cricket pitch with the hard surfacing in place). He therefore concluded that the proposal is not contrary to the provisions of Policy CS47 of the Core Strategy and allowed the appeal subject to the details of the surfacing and drainage being agreed prior to commencement.

## 5.0 RECOMMENDATIONS

That the report be noted

Mike Hayden  
Head of Planning

*05 April 2016*