

# Planning and Highways Committee

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**Friday 4 September 2015 at 2.00 pm**

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

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

## **Membership**

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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  
4 SEPTEMBER 2015**

**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 - 8)  
Minutes of the meeting of the Committee held on 18 August 2015
- 6. Site Visit**  
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Proposed Diversion of Part of the Public footpath on the West Side of Hallam Primary School Fulwood - Town and Country Planning Act 1990 Section 257** (Pages 9 - 18)  
Report of the Director of Regeneration and Development Services
- 8. Applications Under Various Acts/Regulations** (Pages 19 - 168)  
Report of the Director of Regeneration and Development Services
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 169 - 174)  
Report of the Director of Regeneration and Development Services
- 10. Date of Next Meeting**  
The next meeting of the Committee will be held on 29 September 2015 at 2.00 p.m.

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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 18 August 2015

**PRESENT:** Councillors Alan Law (Chair), Peter Rippon (Chair), Nasima Akther, Tony Damms, Roger Davison, Adam Hurst, Ibrar Hussain, Bryan Lodge, Peter Price, Denise Reaney, Garry Weatherall, Joyce Wright, Roy Munn (Substitute Member) and Vickie Priestley (Substitute Member).

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Chris Rosling-Josephs and David Baker and Councillors Roy Munn and Vickie Priestley attended the meeting as the duly appointed substitutes, respectively. An apology for absence was received from Councillor Jack Clarkson but no substitute was appointed.

**2. EXCLUSION OF PUBLIC AND PRESS**

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

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of the Committee held on 28 July 2015 were approved as a correct record.

**5. SITE VISIT**

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

**6. SHEFFIELD CONSERVATION ADVISORY GROUP MINUTES**

6.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 21 July 2015.

**7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

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

the report to this Committee for this date in respect of Case No. 15/00143/FUL and other applications considered be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose; and

(b) subject to the inclusion of an additional condition that 'Prior to any works commencing on site, full details of the provision of wheel washing facilities shall be submitted to and approved by the Local Planning Authority. The said facilities shall be provided on site prior to works of demolition commencing in accordance with the approved details and shall be retained throughout the works on site', as outlined in a supplementary report circulated at the meeting, an application for planning permission for demolition of former brewery buildings at former Cannon Brewery, Rutland Road (Case No. 15/00107/FUL) be granted, conditionally.

## **8. ENFORCEMENT OF PLANNING CONTROL: 2A WOODHOUSE ROAD**

- 8.1 The Director of Regeneration and Development Services submitted a report informing Members of a breach of the Advertising Regulations in respect of the erection of unauthorised signs at 2A Woodhouse Road and making recommendations on a way forward.
- 8.2 The report stated that the property was currently being used as a booking office for taxis; and was located on the edge of a local shopping centre, as defined in the Unitary Development Plan, with the area immediately adjacent being identified as a housing area.
- 8.3 A complaint from a member of the public was received alleging the office was being visited by potential clients, and that a number of obtrusive advertisements had been attached to the front and side elevations of the property.
- 8.4 Correspondence was sent to the owners reminding them that their planning permission prohibited the use of the premises as a public booking office; that the signs required advertisement consent, but that it was unlikely to be granted, and that they should apply for retrospective planning permission for the recladding of the building.
- 8.5 The owner responded to the letter, and confirmed that measures would be taken to stop people calling at the office to book taxis and that an application would be submitted to regularise the recladding work. However, he seemed reluctant to remove the signs.
- 8.6 Thus far the owner had cooperated with the Local Planning Authority with regard to the use of the premises, and although he had declined to submit a retrospective application for planning permission for the recladding, this work was not considered as being harmful to the visual amenities of the area and so it would not be expedient to take enforcement action.
- 8.7 However, the owner had yet to remove the advertisements that were visually obtrusive and were considered to cause significant visual harm to the street

scene, given its residential nature.

8.8 **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 2A Woodhouse Road; and

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

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

9.1 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.

## **10. DATE OF NEXT MEETING**

10.1 It was noted that the next meeting of the Committee will be held on Friday 4 September 2015, at 2.00 pm, at the Town Hall.

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## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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

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**Date:** 4<sup>th</sup> September 2015

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**Subject:** Proposed diversion of part of the public footpath on the west side of Hallam Primary School, Fulwood, S10

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**Author of Report:** Mark Reeder 0114 2736125

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### **Summary:**

To seek authority to process the Public Path Diversion Order required to divert part of the adopted public footpath linking Redmires Road and the public footpath numbered SHE/297 at Hallam Grange Primary School, Fulwood.

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### **Reasons for Recommendations**

Raise no objections to the diversion of the adopted public footpath linking Redmires Road and public footpath numbered SHE/297 at Hallam Grange Primary School, Fulwood, Sheffield, 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.

### **Recommendations:**

Authority be given to the Director of Legal and Governance to

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

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**Category of Report:** OPEN

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## DIRECTOR OF REGENERATION AND DEVELOPMENT SERVICES

REPORT TO PLANNING  
AND HIGHWAYS COMMITTEE  
4<sup>th</sup> September 2015

### PROPOSED DIVERSION OF PART OF THE PUBLIC FOOTPATH ON THE WEST SIDE OF HALLAM PRIMARY SCHOOL, FULWOOD, SHEFFIELD S10

#### 1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required to divert part of the adopted public footpath linking Redmires Road and the public footpath numbered SHE/297 at Hallam Grange Primary School, Fulwood, Sheffield, shown by a solid black line on the plan included as Appendix A.

#### 2.0 BACKGROUND

- 2.1 The application is made in conjunction with planning application 14/02000/RG3, for which approval has been given for the demolition of parts of infant school buildings, alterations and extension to retained buildings and extension to provide additional classrooms, provision of multi-use games area, car parking and external works. The Planning Application boundary is identified by a red line on the plan included as Appendix B.
- 2.2 In order to enable the approved development to be carried out, it is necessary to re-align one of the footpaths that run through the site. To enable this to take place, a Public Path Diversion Order must first be made and confirmed.

#### 3.0 CONSULTATIONS

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

#### 4.0 LEGAL IMPLICATIONS

4.1 The Director of Legal and Governance has been consulted and has advised that, if the Council is satisfied that the adopted public footpath linking Redmires Road and public footpath numbered SHE/297 needs to be diverted to enable the development to be carried out, it would be appropriate to divert the footpath by making a legal Order using the powers contained within Section 257 of the Town and Country Planning Act 1990 (TCPA 1990).

4.2 An Order made under Section 257 does not come into effect until it is confirmed. In accordance with Schedule 14 of the TCPA 1990, an Order may not be confirmed until interested parties have been given the opportunity to object to the making of the Order.

4.3 Where no objections are received to the Order (or if they are received and then subsequently withdrawn) the Order may be confirmed by the Council without modification. If there are unresolved objections then the Order must be confirmed by referral to the Secretary of State.

#### 5.0 HIGHWAY IMPLICATIONS

5.1 The subject path is an adopted public footpath crossing the Hallam Grange Primary School site.

5.2 A re-aligned route will be adopted, maintained by Streets Ahead and continue to provide pedestrian access between Redmires Road and public footpath numbered SHE/297, which runs east-west through the school site. The new footpath will be 2 metres wide throughout and will be similar in length to the existing route. Consequently, the diversion of this public footpath should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

#### 6.0 EQUAL OPPORTUNITY IMPLICATIONS

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

#### 7.0 ENVIRONMENTAL IMPLICATIONS

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

## 8.0 FINANCIAL IMPLICATIONS

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

## 9.0 CONCLUSION

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

## 10.0 RECOMMENDATIONS

10.1 Raise no objections to the diversion of the adopted public footpath linking Redmires Road and public footpath numbered SHE/297 at Hallam Grange Primary School, Fulwood, Sheffield, as shown by a solid black line on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

10.2 Authority be given to the Director of Legal and Governance to

- a. take all necessary action to divert the footpath by Order under the powers contained within Section 257 of the Town and Country Planning Act 1990.
- b. confirm the Order as an unopposed Order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the Order being confirmed.
- c. submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

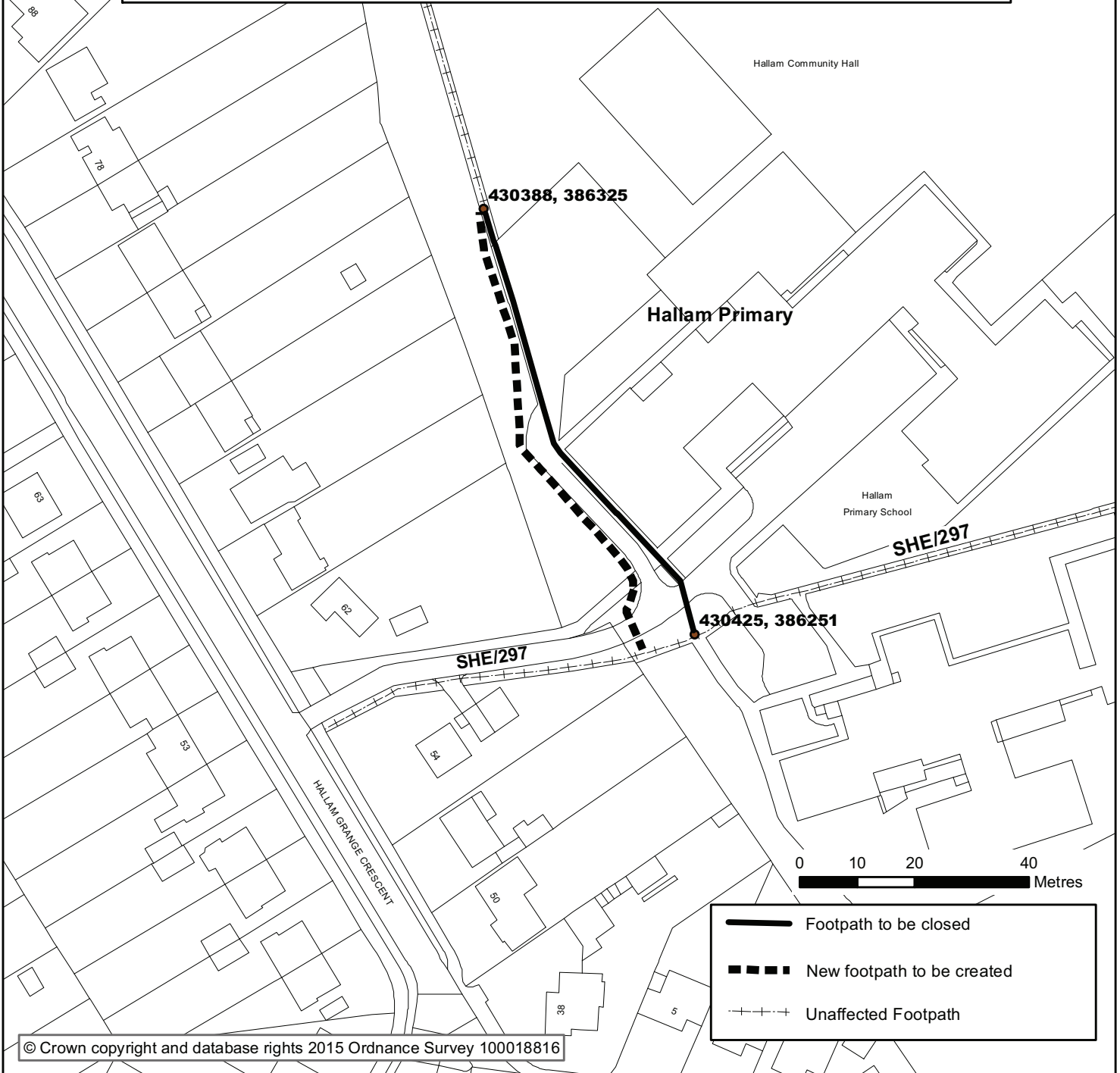
Steve Robinson  
Head of Highway Maintenance

4th September 2015





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## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

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

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**Date:** 04/09/2015

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

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

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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.
15/02771/FUL (Formerly PP-04372141)	234 Barnsley Road Sheffield S4 7AG	23
15/02570/FUL (Formerly PP-04317116)	Site Of Don Valley Stadium Worksop Road Sheffield S9 3TL (Land Off Old Hall Road)	31
15/02098/FUL (Formerly PP-04099180)	114 Westwick Crescent Sheffield S8 7DJ	57
15/01794/FUL (Formerly PP-04187361)	Princess Works Scotland Street Sheffield S3 7DH	65
15/01149/FUL (Formerly PP-04086489)	Woodseats Library Chesterfield Road Sheffield S8 0SH	87
15/01006/FUL (Formerly PP-04068930)	Land Between 1 To 3 And Nos 5 And 7 Dover Road Sheffield S11 8RH	115
14/02979/FUL (Formerly PP-03588251)	Former Eon Works Earl Street Sheffield S1 4PY	142





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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the Planning and Highways Committee  
Date Of Meeting: 04/09/2015

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

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

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Case Number	15/02771/FUL (Formerly PP-04372141)
Application Type	Full Planning Application
Proposal	Retention of garage converted into a bedsit apartment
Location	234 Barnsley Road Sheffield S4 7AG
Date Received	23/07/2015
Team	West and North
Applicant/Agent	DJP Architectural Design
Recommendation	Refuse with Enforcement Action

Subject to:

- 1 The Local Planning Authority consider that the proposed apartment would result in unacceptable overlooking to and/or from the residential units within 234 Barnsley Road, leading to unacceptable loss of privacy, and would therefore be contrary to Policies H5 and H14 of the Unitary Development Plan.
- 2 The Local Planning Authority consider that the proposed development would lead to unsatisfactory living conditions for the future residents of the apartment by virtue of reliance of a sole outlook from the main habitable rooms being in very close proximity to the rear two-storey wall of 234

Barnsley Road, which will have a significant overbearing relationship to the amenities of the apartment, and will also subject the apartment to a significant degree of overlooking from the rear windows of 234 Barnsley Road.

This would be contrary to Policy H5 of the Unitary Development Plan, and the principles of planning and sustainable development promoted by paragraphs 17 and 9 of the National Planning Policy Framework.

Attention is Drawn to the Following Directives:

- 1 Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, the application is considered contrary to policy requirements(s), and, there being no perceived amendments(s) that would address these shortcomings without compromising the fundamental intention of the scheme the Local Planning Authority had no alternative but to refuse consent.
- 2 The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

Job number 1553.

Drawing numbers:

PL\_01

PL\_07

PL\_08

PL\_09

Site Location



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## LOCATION AND PROPOSAL

The proposal refers to a detached garage situated at the rear of 234 Barnsley Road. This property is within the ownership of the applicant, and effectively is within the same plot as the application site. The building at 234 Barnsley Road is utilised as a series of apartments.

The application seeks consent to make alterations and change the use of the garage to form a new apartment. The application is retrospective, and this application seeks consent to retain the apartment.

## RELEVANT PLANNING HISTORY

There is no recent relevant planning history for this site.

## SUMMARY OF REPRESENTATIONS

No written representations have been received in relation to this application.

## PLANNING ASSESSMENT

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.

The NPPF makes a key emphasis on the presumption in favour of sustainable development. In stating what is required to achieve sustainable development, paragraph 9 states that sustainable development involves seeking positive improvement to people’s quality of life, including improving the conditions in which people live.

Within paragraph 17 of the NPPF, the document 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 12 of the NPPF emphasises that the document does not change the statutory status of the development plan as the starting point for decision making, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

In terms of policy for the Local Authority Area, weight is given to policy H14 'Conditions on Development in Housing Areas' from the Unitary Development Plan (UDP). In addition, weight is given to policy H5 'Flats, bed-sitters, and shared housing'.

Policy BE5 'Building Design and Siting' will carry 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 policy CS41 'Creating Mixed Communities', and CS74 'Design Principles'.

### Appearance

Policy H14 (part a) requires development to be well designed and to be in scale with the local area. BE5 further promotes good design. Core Strategy policy CS74 requires development to respect the local built environment. The NPPF, in paragraph 56, explains that good design is a key aspect of sustainable development.

In terms of visual appearance, the proposal essentially has raised the eaves height of an existing flat roofed garage up by around two brick courses, and replaced the door with a residential door and window, with brick infilling, alongside the addition of a rooflight.

Visually, the changes are minor, and have not resulted in visual overdevelopment or any significant visual impact compared to the existing situation.

### Amenity of Occupiers and Neighbouring Property

Policy H5 (part b) states that planning permission will be granted for the creation of flats only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

Policy H14 (part c) requires development to not deprive residents of light, privacy or security.

Paragraph 17 of the NPPF states that a key planning principle is to secure a good standard of amenity for all existing and future occupants of buildings.

The NPPF makes a key emphasis on the presumption in favour of sustainable development. In stating what is required to achieve sustainable development, paragraph 9 states that sustainable development involves seeking positive improvement to people's quality of life, including improving the conditions in which people live.

The assessment of the scheme concludes that there are fundamental concerns with regards to the living conditions of the apartment, and impact on the privacy of existing apartment occupiers within 234 Barnsley Road.

In terms of assessing the impact upon the proposed residential apartment, consideration has been made towards both the potential overshadowing and overbearing impact of the mass of 234 Barnsley Road on the apartment unit, as well as any potential overlooking into the apartment.

The apartment itself has a main aspect facing towards 234 Barnsley Road, with the window being only between 4.5m and 7m distant from the 2-storey wall of this building. This is a very short distance, and does result in a significant overbearing impact to the apartment, and the creation of a poor outlook.

To guide good outlooks, reference is given to the adopted Supplementary Planning Guidelines (SPG) on 'Designing House Extensions' designed to supplement policy H14. Although specific to house extensions, the document does give consideration to the impact of built forms on residential windows within guideline 5, and it is appropriate to incorporate the guidelines in assessing the impact upon the apartment.

Guideline 5 of the document states that, to avoid significant overbearing or overshadowing impacts, a two-storey wall should be set at least 12m from ground floor residential windows. In this case, the achieved distance of 4.5-7m is approximately half of the recommended minimum distance. As such, it is hard to dispute that the apartment would have a main aspect that would suffer from a significant overbearing impact. Although a rooflight also exists, this is within the ceiling of the unit, and does not provide an outlook for residents that would sufficiently compensate for the poor outlook from the sole window.

Due to the lack of extended built form, the impact of the proposal on neighbours with regards to overshadowing and overbearing impacts would be limited.

Concerning privacy, guideline 6 of the SPG states that a separation distance of 21m should be achieved between directly facing windows. In the case of this unit, the separation distance to several windows to the rear of 234 Barnsley Road is only around 5m. This is significantly insufficient to prevent mutual overlooking into the living accommodation between the apartments of number 234 and that within the former garage, and would result in residents being subjected to an unreasonable degree of overlooking.

Although a window could be added to the side elevation to provide an outlook directly onto Scott Road to the side, this would present issues with regards to privacy. The side wall is adjacent to the pavement of this road. Reliance on a window to this elevation for outlook would offer poor privacy to the users of the accommodation as Scott Road is a relatively well used route by pedestrians, who would be able to view into the entirety of the living accommodation subject to this application.

Measures to mitigate against the harm of loss of privacy would require the use of curtains/blinds the main windows to the apartment, which would provide for no outlook to any of the apartment during the day.



## Highways

In terms of highways, policy H14 (part d) requires development to provide sufficient off-street parking accommodation and safe access to the highway.

The scheme is shown with the provision of one parking space, albeit with the consequent loss of parking accommodation for 234 Barnsley Road.

It is not considered that the addition of one new residential unit in an assessable location (next to high frequency bus routes on Barnsley Road) would result in significant additional demands on local on-street parking congestion. As such, the scale of the proposal will not cause significant harm in relation to the above policy aim.

## Merits of the Scheme

With regards to Core Strategy Policy CS41, this policy promotes the creation of mixed communities, providing a greater mix of housing. In addition, it is noted that the site is in the existing urban area, and is a relatively sustainable location for residential developing, being in close proximity to transport and services.

The apartment does contribute to housing supply in Sheffield. Sheffield has not yet identified a full five year supply of housing sites. However, the merits of this scheme in meeting the five-year supply is limited due to the fact that this scheme only applies to a single planning unit. In addition, paragraph 49 explains that Housing applications should be considered in the context of the presumption in favour of sustainable development.

Due to conflict with paragraph 17 of the NPPF and policy H5 of the UDP, the Local Authority contend that this development is not sustainable. The benefits of providing housing land is not considered to outweigh the harm that would be caused by allowing unsustainable development.

As demonstrated above, there would also be conflict with the principles of the National Planning Policy Framework, whereby paragraph 17 requires planning should provide a good standard of amenity for residents, and whereby focus is made on the need to provide for sustainable development, which the poor amenity afforded to the new apartment would fail to provide. The conflict with relevant points of the NPPF and local policy do not outweigh the benefits of the provision of a new housing unit, nor the opportunity to improve the housing mix.

## SUMMARY AND RECOMMENDATION

The position of the unit would not provide for a suitable outlook from the residential apartment, whilst the proximity to the building of 234 Barnsley Road would result in a significant degree of overbearing towards the residential unit. The proximity of the main outlook to 234 Barnsley Road would also result in significant degrees of overlooking, eroding the privacy of this property.

Although benefits would occur through creating a new residential unit in meeting housing supply targets, this needs to be balanced against the fact that the amenity issues identified above would be contrary to one of the principles of planning set by the NPPF. It is also contrary to both UDP and CS policies. As such, the issues with the development would not overcome the positive merits.

The scheme is therefore recommended for refusal.

## ENFORCEMENT

As the scheme is retrospective, it is recommended that authority be given to the Director of 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 unauthorised outbuilding.

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Case Number	15/02570/FUL (Formerly PP-04317116)
Application Type	Full Planning Application
Proposal	Erection of a 2/3/4 storey building, including associated infrastructure and landscaping, to form a University Technical College (School)
Location	Site Of Don Valley Stadium Worksop RoadSheffieldS9 3TL(Land Off Old Hall Road)
Date Received	08/07/2015
Team	City Centre and East
Applicant/Agent	Turley Associates (Leeds)
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:

Redline Plan Ref: SUTC-ZO-ZZ-DR-L-000007-S2-P2 received via email dated 31 July 2015.

Site Plan Ref:

Elevation Plans Ref: SUTC-BBA-ZO-ZZ-DR-A-02003-D6-P06 & SUTC-BBA-ZO-ZZ-DR-A-02004-D6-P06 received via email dated 17 August 2015.

Floor Plans Ref: SUTC-BBA-ZO-GF-DR-A-01001-D6-P09 & SUTC-BBA-ZO-01-DR-A-01001-D6-P09 & SUTC-BBA-ZO-02-DR-A-01001-D6-P09 & SUTC-BBA-ZO-03-DR-A-01001-D6-P10 & SUTC-BBA-ZO-R1-DR-A-01001-D6-P09 & SUTC-BBA-ZO-R2-DR-A-01001-D6-P09 all received via email dated 19 August 2015.

Reason: In order to define the permission.

**Pre-Commencement Condition(s)**

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

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

4. No development shall commence until a strategy to control/mitigate dust and emissions from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. This strategy should have regard to the Institute of Air Quality Management (IAQM) document 'Guidance on the Assessment of Dust for Demolition and Construction' (February 2014), and the London Councils' Best Practice Guidance, November 2006, "The Control of Dust and Emissions from Construction and Demolition". The construction phase of the development shall be carried out in accordance with the approved strategy thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property it is essential that this condition is complied with before any works on site commence.

5. No development shall commence until the applicant has submitted an updated Remediation Strategy for the site and this revised strategy has been agreed in writing by the Local Planning Authority. This updated document must (as relevant) include a review of the approved wider remediation strategy for the Former Don Valley Stadium Site as detailed within planning application 14/03508/RG3 (titled Geo-environmental Report Including Contamination Risk Assessment and Remediation Strategy - Ref: DVH-ARP-XX-XX-RP-CG-00001, Issue 3 and dated 08 December 2014) and take into consideration all earthworks, remedial works and validation of such undertaken within the planning application boundary. 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.

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

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

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

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

8. The kitchens shall not be used unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted for written approval by the Local Planning Authority. These details shall include:
  - a) Plans showing the location of the fume extract including a low resistance cowl.
  - b) Acoustic emissions data.
  - c) Details of any filters or other odour abatement equipment.
  - d) Details of the systems required cleaning and maintenance schedule.

The use shall not commence until the approved equipment has been installed and is fully operational and shall thereafter be installed, operated, retained and maintained in accordance with the approved details.

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

9. Within three months of the development commencing a comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

11. Within three months of development commencing full details of the following shall have been submitted to and approved in writing by the Local Planning Authority:
- a) Cycle store.
  - b) External bin store.
  - c) Substation (if required).

The development shall be carried out in accordance with the approved details thereafter.

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

12. Sample panels of the proposed masonry and cladding shall be erected on the site and shall (as appropriate) illustrate the colour, texture, bedding and bonding and mortar finish to be used. The sample panel(s) shall be approved in writing by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

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

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

- a) Boundary treatments
- b) Windows
- c) Window reveals
- d) Doors, including plant room doors on Elevation B
- e) Eaves and verges
- f) External wall construction
- g) Brickwork detailing
- h) Cladding patterns
- i) Canopies
- j) Soffits
- K) Balustrades
- l) Perforated cladding panel band
- m) Louvres glazed into curtain walling

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

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

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

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

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

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

16. Within three months of development commencing, a report shall have been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development are being obtained from decentralised and renewable or low carbon energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed.

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

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

17. Within three months of development commencing details of improvement works (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below shall have either;
- a) been carried out; or
  - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before first occupation.

Highway Improvements:

- a) A turning head to be constructed close to the junction of Fell Road and Old Hall Road.
- b) Traffic regulation order, road signs and markings to ensure safe and efficient turning provision for vehicles using the highway adjacent to the development.

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

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

18. Before first occupation a Highway Management Strategy covering the following shall be submitted to and approved in writing by the Local Planning Authority:



1) Measures to ensure that the drop off and pick up of students by private motor vehicles is limited to the areas/arrangements identified within the additional transport note received via email dated 18 August 2015 (Ref: 310266SH04). These measures should include monitoring and enforcement.

2) Measures to discourage students travelling to the site in their own private motor vehicles, which should include monitoring and enforcement measures.

The approved Management Strategy shall be adhered to thereafter.

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

19. 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.

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

Reason: In the interests of ecology.

21. Before first occupation, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, final details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented in accordance with agreed timeframes. The project shall be retained and managed in accordance with the agreed details thereafter.

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

22. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved,

shall be submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: In the interests of biodiversity.

#### **Other Compliance Conditions**

24. The development shall be carried out in accordance with the remedial measures set out in the Treatment of Mineworkings Supplementary Report (July 2015, prepared by Arup) received on 10 July 2015.

Reason: To ensure the safe redevelopment of the site.

25. Unless alternative arrangements are agreed in writing by the Local Planning Authority, foul and surface water drainage systems serving the development shall be constructed in accordance with the details submitted on drawing ref: UTC-ARP-XX-XX-SK-CD-00001 (revision 01) as included within the submitted Drainage Strategy received on 10 July 2015.

Reason: To ensure satisfactory drainage arrangements

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

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

27. The development shall not be used unless provision has been made within the site for accommodation of delivery/service vehicles in accordance with the approved plans. Thereafter, all such areas shall be retained free of all obstructions, including the storage, display and depositing of materials, packaging or other objects so that the service yard is fully available for the parking, turning and manoeuvring of delivery/service vehicles.

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

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

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

29. The development shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

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

30. 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.

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

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

Attention is Drawn to the Following Directives:

1. 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.
2. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any

deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.

3. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
4. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
5. 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. 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.

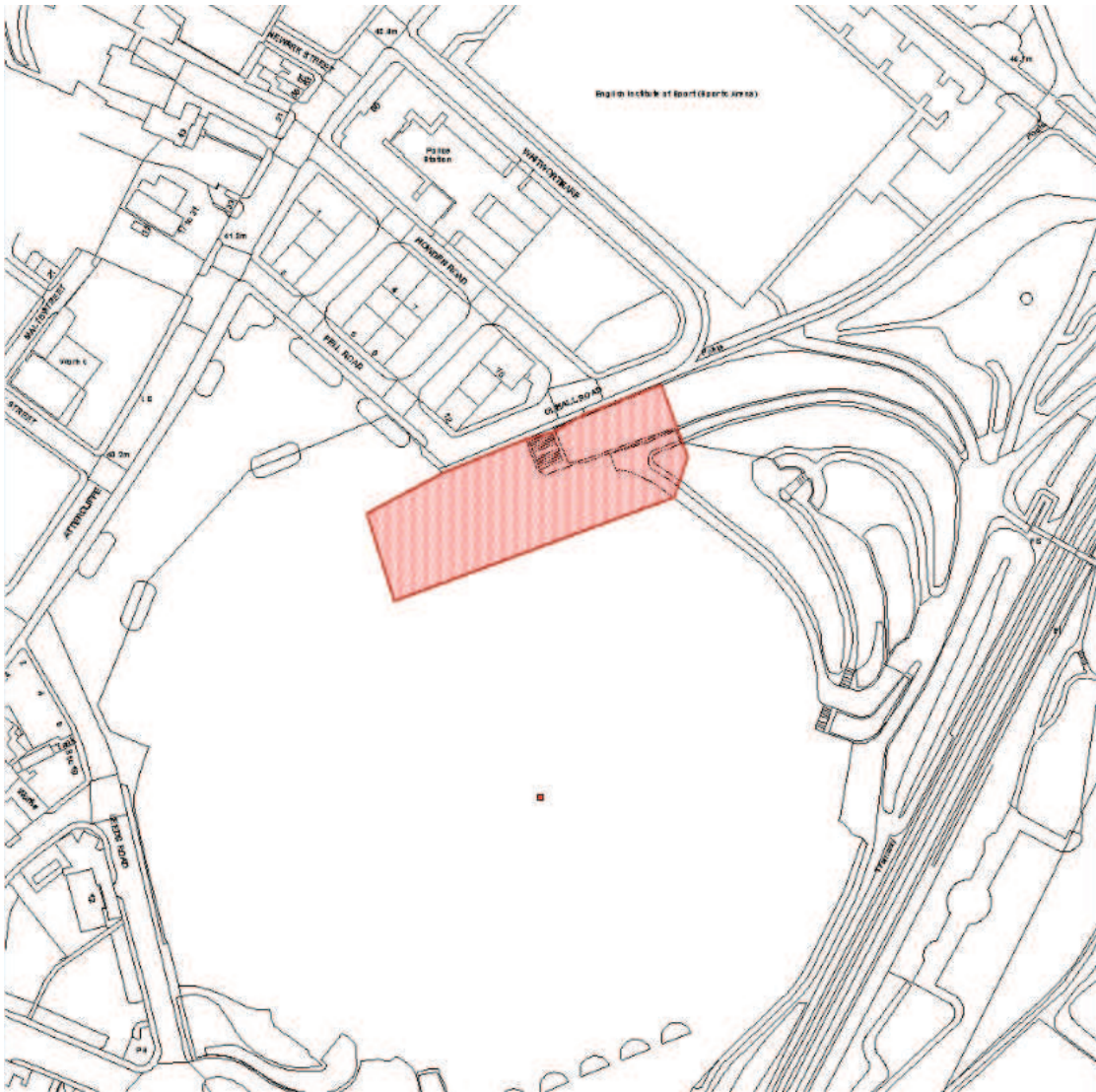
7. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

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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## INTRODUCTION

This application relates to a section of the former Don Valley Stadium site which is currently in various stages of redevelopment. In this regard the majority of the wider site, including the application site, has been cleared and is in the process of being re-profiled.

One plot which has a frontage along Worksop Road of approximately 200 metres is in the advanced stages of being redeveloped to provide a new school (known as Oasis Academy) for 1200 children between the ages of 2 and 16 (see 14/01548/RG3).

With the exception of the Oasis Academy and the section of land relating to this application, the remainder of the Don Valley Stadium site is currently the subject of a hybrid planning application that is being considered under planning reference 15/02142/FUL. This scheme includes:

- Full planning application for a new indoor sports/basketball arena that will house the Sheffield Sharks. At maximum capacity this facility would accommodate 3000 people.
- Outline planning application for a new 4G sports pitch and a community stadium with a maximum capacity of 5000. This stadium would include a main stand that could provide facilities including a hotel, gym and café.
- Outline planning application for a new office building.
- Outline planning application for a new research facility and ancillary offices associated with Sheffield Hallam University.
- Outline planning application for the associated infrastructure, including landscaping and car parking.

As a whole the redeveloped site is known as the Olympic Legacy Park (OLP) and will be referred to as such in the following assessment.

## LOCATION

The entire application site is located within a designated Open Space Area as defined by the adopted Sheffield Unitary Development Plan (UDP). In addition, the western section of the site is within a Coal Mining Referral Area.

An Area of Special Character is set approximately 140 metres to the west and 90 metres to the north of the application site. There are also several different UDP defined land use zones in close proximity, including a Fringe Industry and Business Area (FIBA) set to the immediate north. A variety of commercial uses are set within the section of this FIBA closest to the application site, including South Yorkshire Police Offices and several small industrial units.

The English Institute of Sport is set approximately 45 metres to the north east of the application site and venues including ICE Sheffield and The Motorpoint Arena are also set in fairly close proximity.

The site is also surrounded by excellent public transport links, which includes the Sheffield Supertram to the east and frequent bus services along Worksop Road and Attercliffe Road. These links are set to be strengthened further as the Bus Rapid Transport System is currently being introduced along Attercliffe Common.

## PROPOSAL

The applicant is seeking planning permission to create Sheffield's second University Technical College (UTC). The concept behind UTC's is to provide a more vocationally focused education for students aged between 14 and 18 years of age. This facility will specialise in human science, sport and digital technologies and create partnership with business and existing educational establishments, including the other occupiers within the OLP site.

240 of the 600 pupils will be between 14 and 16 years of age and the remainder will range between 16 and 18 years of age. The facility will also employ 56 full time equivalent members of staff.

The main building will principally be four storeys in height, although there are two and three storey elements that help form the terraces to the rear. The building is to be constructed in two main materials with the lower floors constructed in red brick and the upper floors in metal cladding panels. Several different window sizes are used, including full height glazing in key areas.

Externally the scheme provides several different spaces:

- Two terraces are provided with views over the new 4G pitch. The larger terrace is at second floor and this is linked to the dining room, while the third floor terrace sits alongside the green roof and provides a teaching space.
- A section of Flame Hill is included within the site and this is to provide a mainly soft landscaped area for students to use as breakout space.
- A more traditional hard surfaced external breakout space for students.
- A segregated area accessed from Old Hall Road. This area will provide two mobility car parking spaces, access for smaller service vehicles plus the bin and cycle stores.
- Although not within the red line the UTC will also have access to the new 4G sports pitch that will be delivered within the wider OLP proposals.

It should be noted that a section of the external play space would be developed to create one of the terraces for the community stadium if required in the future.

The proposed parking and drop-off/pick-up requirements for the scheme are ultimately to be provided as part of the wider infrastructure delivered for the OLP development. In the short term space exists within the new Oasis Academy development to accommodate these needs, as both facilities will not be fully occupied for several years.

For reference, the first UTC is located on the corner Matilda Street and Shoreham Street and has now been operational since September 2013 (see 12/01729/FUL for more details).



## RELEVANT PLANNING HISTORY

Prior Notification to demolish the stadium, which included grandstands, terraces, concourses, hardstandings, ancillary buildings and structures, was granted in 2013 under planning reference 13/02597/DPNRG3.

An application to re-profile the cleared site was approved under planning reference 14/03508/RG3 in January 2015. Some alterations to this approval are currently being considered under planning reference 15/01953/FUL.

An application to erect a new school on a section of the site was approved in July 2014 under planning reference 14/01548/RG3. This project is nearing completion on site.

A hybrid application for the redevelopment of the wider site is currently being considered under planning reference 15/02142/FUL. More details of this scheme are included within the Introduction Section of this report.

## SUMMARY OF REPRESENTATIONS

### Sport England

Sport England has confirmed that as the former pitch is to be replaced as part of the wider Olympic Legacy Park scheme (see 15/02142/FUL) they have no objections to the proposals.

Sport England has recommended a condition that secures the community use of the shared facilities as relevant.

### Local Representations

None received.

## PLANNING ASSESSMENT

### National Planning Policy Framework

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

### Need

The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It states that local planning authorities should take a proactive,

positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

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

The concept behind UTC's is to provide a more vocationally focused education for students aged between 14 and 18 years of age. This particular facility will specialise in human science, sport and digital technologies.

As the proposal is to develop a modern facility that will create additional variety in terms of the type of educational choice on offer it is considered to accord with the spirit of the NPPF and CS43.

#### Land Use

The NPPF encourages the reuse of land that has been previously developed (brownfield land). In this respect, although a section of Flame Hill forms part of the site, the actual built form is focused on the previously developed area, which is classed as brownfield.

The entire site is set within an Open Space Area as defined by the adopted Sheffield Unitary Development Plan (UDP) and it is considered that the facilities available within the stadium did/or could have provided formal open space functions for the catchment and wider city going forward.

Policy LR5: Development in Open Space Areas within the UDP lists a number of criteria that must be met for the development of open space to be considered as acceptable. This includes not causing damage to nature conservation sites, or detracting from the green and open character of the green network. As the site has been previously developed, the proposals are not deemed to contravene any of the restrictions highlighted within Policy LR5.

Policy CS47: Safeguarding Open Space within the CS sets out the parameters for which losing open space would be considered. In this regard, section a) states that the loss of existing open space would not be permitted if it would result in a quantitative shortage of the relevant type of open space. In addition, section b) states that the loss of open space would not be supported if that open space is of a high quality.

As formal open space in the area is already underprovided and Don Valley Stadium was deemed to be a high quality facility, the proposal contravenes sections a) & b) of Policy CS47. However, the following points need to be considered:

- As part of the wider OLP development it is proposed to create an additional full size sports pitch that will include community use. Opportunities for further community sports provision will also be included within the new arena.

- Woodburn Road Stadium provides similar functions to those found at the former Don Valley Stadium and is situated in the same catchment. These facilities were recently upgraded.

In light of the above, the proposal is considered to be acceptable in the context of Policy CS47.

Policy CS21: The Boulevard of Sport within the CS is also relevant and this policy promotes the development of sports related leisure uses around the Don Valley Site.

In relation to CS21, it is noted that the proposed UTC is not a sports and leisure use. However, as with the Oasis Academy there is an opportunity for the new UTC to establish strong links with existing sports facilities close by, and it is well placed to take advantage of any new facilities that will come forward as the wider site is redeveloped. Indeed, a key focus of the UTC will be on human science, sport and digital technologies for this very reason. Therefore the school does not threaten the wider objectives of Policy CS21.

Given the above, the proposal is considered to be broadly in accordance with the relevant land use policies.

#### Design & Landscape

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

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

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

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

#### Siting and Layout

The two principal elevations will front the new public realm to be created as part of the OLP proposals and Old Hall Road, which is an appropriate response to the context.

In relation to the internal arrangements the scheme has provided challenges owing to the relative prominence of each elevation and the need to create meaningful adjacencies. For example, as well as the two elevations facing the main public routes, the rear elevation is very visible from the new sports pitch/community

stadium and the east elevation is visible from Flame Hill and as the site is approached from the EIS.

It is considered that the applicant has created a layout that suitably reflects the hierarchy of opportunities available, whilst delivering a facility that functions efficiently. There are several useful examples of this including:

- Locating the entrance on the north-west corner, which is the most prominent view when the OLP site is entered from Attercliffe centre.
- Locating key activities such as the project centre and performance space on the facades facing the new public realm.
- Creating terraces on the rear elevation with views out over the sports pitch.

The layout of the external play spaces away from the highway and with access directly to the new sports pitch is supported, as is the location of secondary functions such as car parking and servicing away from the more prominent frontages.

It should be noted that a section of the external play space would be developed to create one of the terraces for the community stadium if required in the future. All stakeholders are aware of this requirement and the applicant is content that sufficient external space would be retained for students if this occurred.

#### Massing and Appearance

The two principle materials to be used are red brick and a modular cladding system. The use of red brick is supported as this is the dominant material across the area and (subject to quality) the use of cladding creates a contrast with the brick, which aids in creating interest.

The height of the building will principally be four storeys. This height is considered appropriate and is reflective of the new school building and several landmark buildings seen within the Attercliffe area.

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

- A double height recess on the north-west corner to create the glazed entrance area.
- A large projecting frame on the main (west) facade.
- The cladding overhanging the brickwork when the two materials meet.
- Stepping within the roofline to the rear, which allows terraces to be created.
- Generous window proportions in key areas.

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

The scheme also includes a bin store, bike store and possible sub-station fronting Old Hall Road. Whilst not ideal, such features must be accommodated somewhere

and details have been provided confirming these structures will be constructed in a red brick to match the principle building, which is welcomed.

The boundary that runs parallel to Old Hall Road is the most prominent and the applicant intends to employ powder coated railings interspersed by brick pillars. This is a high quality treatment that was also utilised at the Oasis Academy. The boundary that defines the section of Flame Hill within the site will have a powder coated railing to match. The common boundary shared with the pitch will be the more traditional weldmesh fencing, which is appropriate given the sports uses taking place (there is a need for a taller more robust structure).

### Design and Landscape Conclusion

Overall it is considered that the scheme will represent an excellent addition to the area from a design and landscape perspective. It therefore accords with the above design policies.

### Drainage

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

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

The application has been accompanied by a Drainage Strategy, which lists a range of proposals to reduce the impact of flooding, including reducing the existing discharge rate from the site and utilising permeable materials for the outside play spaces.

One of the proposals is to discharge surface water (at the reduced rate) into the Kirkbridge Dyke culvert that runs through the wider OLP site and this approach is supported.

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

Subject to conditions, the Environment Agency, Yorkshire Water and the Lead Local Flood Authority have confirmed that these proposals are acceptable.

### Highways

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

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

### Servicing

The applicant is able to provide servicing for all but the largest vehicles within the site. This would be done via a segregated servicing and parking area set just beyond the east facade and this area would provide sufficient space for turning and allows ingress and egress via a new crossing point taken from Old Hall Road.

Refuse vehicles and any larger service vehicles, which would attend the site infrequently, would service directly from Old Hall Road and a new turning head is be provided at the junction with Fell Road to ensure this operation can be carried out in a safe manner.

### Car Parking

Within the red line the proposal is to incorporate two car parking spaces for users with specific mobility needs. In addition, the Transport Assessment (TA) that accompanies this application has identified the need for an additional 30 parking spaces (28 for members of staff and two for visitors). This provision allows for one space per two members of staff, which is the required demand identified within the TA. Highways have confirmed that this provision is justified from an operational perspective given the excellent public transport links and proximity of Attercliffe Centre.

It is noted that this localised infrastructure is also set to improve further with the introduction of the new Bus Rapid Transport System along Attercliffe Road in the near future.

Ultimately the car parking requirements for the development will be accommodated within the wider provision delivered as part of the OLP infrastructure, which should be in place before the UTC becomes operational in September 2016. Additional transport notes (received via emails dated 19 & 21 of August 2015) consider all daytime parking demand for the OLP site and satisfactorily demonstrate that capacity does exist for the 30 spaces required.

There is a possibility that the OLP infrastructure is delivered after the UTC becomes operational and in this instance the applicant has presented a Plan B for the interim period, which involves sharing the Oasis Academy car park for the 2016/17 and 2017/18 academic years. Suitable information has been included within the TA to demonstrate this is possible as both facilities will take several years to reach full capacity in terms of student and staff numbers.

In relation to student parking the UTC will include some students who are old enough to drive and no provision has been made to accommodate any car parking for this. The TA has made it clear that students will be actively discouraged from driving to the site and more details in relation to this will be agreed within a management strategy that can be secured as part of a planning condition. There

will still inevitably be a few students who will drive to the site (the TA identifies this number as 7) and, whilst not ideal, a small number of additional vehicles can be accommodated on surrounding highways.

#### Drop-off and Pick-up

The TA has identified the likely demand for drop-off and pick-up as 45 vehicles in the AM peak and 66 vehicles in the PM peak. The TA has also acknowledged that the highways immediately surrounding the site, such as Fell Road and Old Hall Road, do not have capacity at these times to accommodate this need. The following strategy has therefore been devised based on the facility operating during the following hours:

- 08:30 to 17:30 Tuesday to Thursday.
- 08:30 to 16:30 on Mondays and Friday.

Drop-off will take place between 08.00 and 08.30 hours and, owing to the generally quick nature of dropping-off, coupled with capacity existing in the OLP car parks at this time, this function can be accommodated within the OLP site.

Pick-up times will vary depending on the day, but this is likely to occur when the OLP car parks are full. In addition, the pick-up process can result in cars having to wait, which could create stacking issues within the OLP site. As a result an alternative arrangement is needed.

The proposal is therefore to share the pick-up solution established by the Oasis Academy who will utilise existing capacity along Worksop Road and Leeds Road. This is possible as both facilities have different closing times with the earliest pick-up for the UTC being 16:00 hours, compared to the school closing time of 15:30 hours.

The drop-off and pick-up arrangements, including measures to discourage the use of the highways adjacent to the UTC, will be secured through a management strategy condition.

#### Impact on the Local Highway Network

As a result of the anticipated vehicle movements the TA has considered the capacity of the Worksop Road/Attercliffe Road junction to cope. The results have been assessed and demonstrate that this junction does have existing capacity to deal with increased demand in the opening year and for a period of time thereafter.

This assessment also looks at the junction capacity in 2021 and identifies potential issues in the AM peak with or without this development owing to other committed development in the area. As this application will not be generating significant traffic it is reasonable to conclude that any junction improvements (if required) would be addressed as part of the larger OLP application.

The TA identifies an increase in car trips through Junction 34 as a result of this development. These are made up of 3 members of staff and a maximum of 40

parents using the junction to drop-off and pick-up students in the AM and PM peak hour respectively.

It is considered a reasonable conclusion that a large proportion of the drop-off and pick-up movements will be coming through this junction anyway, and a parent would simply be dropping a student off at the UTC on the way to work. Overall therefore the impact on J34 is considered to be negligible.

The TA has also further considered the local infrastructure, such as footpaths, street lighting and bus stops, in order to determine if these features have capacity to deal with the additional demand created in a safe manner. The conclusions are that this existing infrastructure would remain 'fit for purpose' in this regard.

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

### Sustainability

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

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

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

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

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

In relation to the 10% requirement set out in section a) of Policy CS65, the intention is for the development to connect to Sheffield's Combined Heat and Power System, which is being extended through the OLP site. A condition will be attached to secure the final details of this, or agree an alternative proposal if required.



In addition to the above, the development is on a brownfield site in a sustainable location well connected to public transport and includes a number of additional features to promote sustainable design, such as extensive landscaping, a green roof, cycle parking and recycling facilities.

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

#### Ground Conditions

The re-profiling of the application site is part of the wider site preparation currently being undertaken for the OLP (see 14/03508/RG3). These works are dealing with the majority of the ground contamination matters for the future development plots.

The applicant has provided information within an additional Remediation Strategy to deal with some specific matters related to this UTC site, such as final capping measures. These details have been assessed by the Environmental Protection Service who, subject to planning conditions, are satisfied with the details.

The site is partly located within a Coal Mining Referral Area and, as a result, a Coal Mining Risk Assessment accompanies the application. The Coal Authority has assessed this and is satisfied with its finding and remediation proposals. These remediation proposals are secured by condition.

#### Archaeology

Although the site would have had historic industrial uses in the past, construction of the stadium will have removed any structures of archaeological interest. It is therefore not necessary to undertake any archaeological work prior to or during redevelopment.

#### Air Quality

The application is accompanied by an Air Quality Assessment (AQA) and it is firstly noted that the proposed development would result in dust during the construction phases and an overall increase in traffic movement in the local area that is likely to have some impact on the local air quality.

The specific pollutants assessed within the AQA are nitrogen dioxide (NO<sub>2</sub>) and particle matter (PM<sub>10</sub>) of sizes less than 10 micron, which are largely produced from internal combustion systems such as motor vehicle engines and construction dust.

The assessment has identified that the significance of the operational phase of the development on local air quality will be negligible for both NO<sub>2</sub> and PM<sub>10</sub> at all monitoring points. The assessment also concludes that the health-based annual average air pollution standards of 40µg.m<sup>-3</sup> for these pollutants, and the 24 hour mean standard for PM<sub>10</sub>, are not breached at the application site. The AQA shows a figure of 26.98µg.m<sup>-3</sup> at the site in 2016. These conclusions have been considered by the Council's Air Quality Officer and are accepted.

Although the impact of dust nuisance to sensitive receptors during the construction phase is shown as being low to negligible within the AQA, a Dust Mitigation Strategy is to be secured within the planning conditions to ensure this impact is kept as low as possible.

#### Public Art

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

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

#### Amenity

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

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

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

In general amenity terms, it is considered that there will be a suitable distance between the new school building and the surrounding uses/buildings to ensure the proposal does not lead to undue dominance or shadowing issues.

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

#### Access

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

Level access will be provided to all principle entrances and together with the mobility parking provided within the wider OLP development the scheme has two dedicated mobility parking/drop-off spaces within the UTC site.

In addition, the applicant has been in liaison with Access Officers to ensure the internal arrangements and facilities meet the requisite guidelines.

In relation to the external areas the majority will be useable for all. However, the section of the site that includes part of Flame Hill has challenging gradients, which it is not possible to avoid.

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

### Ecology

The site is now cleared and has no features of ecological interest. The completed scheme will introduce several features to improve this situation, including tree and shrub planting and a green roof.

### Environmental Impact Assessment (EIA)

The requirement for the provision of an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended in 2015) was assessed during the pre-application process. This is because the proposed development is considered to be an Urban Development Project under Part 10, Schedule 2 of the Regulations

After full consideration of the selection criteria, a screening opinion was issued by letter on 11 June 2015, which concluded that an Environmental Statement was not required to accompany the application.

### SUMMARY AND RECOMMENDATION

Owing to existing and anticipated future formal sports provision in the locality, the development of this education facility on a vacant brownfield site is considered to be acceptable from a land use perspective.

The applicant has ensured suitable modelling and detailing is provided in order to deliver a high quality building design. The principle elevations will address the newly created public realm, whilst terracing is utilised to the rear in order to achieve views over the new sports pitch and community stadium. The principle materials are red brick, which respects the context, and a modular cladding system that aids in creating visual interest.

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

The car parking and drop-off needs will be accommodated within the wider Olympic Legacy Park infrastructure. If this infrastructure is not in place during first operation the applicant has demonstrated that the Oasis Academy can accommodate this need in the short term.

Owing to the stagger in finishing times between the Oasis Academy and the UTC pick-up for this new facility can be accommodated on Leeds Road and Workstop Road.

The Air Quality Impact Assessment has identified that the significance of the development on local air quality will be negligible and that the health-based annual average air pollution standards on the site are not breached with the proposed development.

The site is considered to have excellent sustainability credentials, which includes being in a highly accessible location, meeting BREEAM Very Good, connecting to the Combined Heat and Power System and providing a green roof.

The scheme has been designed to provide access for all users, taking account of the constraints of the site.

Overall the development will present an excellent and welcome addition to the Don Valley area, providing an alternative more vocational based education for students aged from 14 to 18. The development is therefore recommended for conditional approval.

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Case Number	15/02098/FUL (Formerly PP-04099180)
Application Type	Full Planning Application
Proposal	Demolition of existing garage and erection of a two-storey side extension
Location	114 Westwick CrescentSheffieldS8 7DJ
Date Received	10/06/2015
Team	South
Applicant/Agent	Thread Architects Ltd
Recommendation	Grant Conditionally

Subject to:

**Time limit for Commencement of Development**

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

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

**Approved/Refused Plan(s)**

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

012 P02 Rev C  
012 DP06 Rev A  
012 DP07 Rev A  
012 P04 Rev B

Reason: In order to define the permission.

**Pre-Commencement Condition(s)**

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

**Other Compliance Conditions**

Attention is Drawn to the Following Directives:

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

Site Location



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## LOCATION AND PROPOSALS

The application relates to a brick built detached dwelling in an allocated Housing Area as defined in the Sheffield Unitary Development Plan.

The building features a hipped roof with concrete tiles.

The dwelling is set back approximately 5 metres from the highway. There is a natural fall in ground level from the highway down to the house (approximately 1 metre to front elevation).

The application dwelling is elevated marginally above the neighbour at No.112 Westwick Crescent.

The street scene of Westwick Crescent is characterised by detached dwellings though these vary in detail to a degree and many have been variously extended to front, side and/or rear.

The application proposes to demolish an existing timber garage to the side and erect a two storey side extension.

The two storey side extension would extend along the majority of the existing side elevation though with a set back from existing front elevation of 470mm and an inset from existing rear elevation of approximately 200mm. The upper storey would be further inset from the ground floor by an additional 600mm on front elevation and 350mm on rear. The extension would project 2.259 metres from the existing side elevation.

The extension is a contemporary design which would be faced in timber (front and rear elevations) with timber framed windows. The newly created side elevation would be clad in concrete fibreboard cladding. The proposal would have a flat roof and the frontage would have a horizontal cladding pattern. The ground floor would feature a shutter door, to enable storage of cycles within, and a single centrally positioned window would be located at first floor level.

## RELEVANT PLANNING HISTORY

There is no planning history on this site.

## REPRESENTATIONS

There has been one representation regarding this application. This representation related to the scheme as initially submitted which included the raising of the main roof and a two storey side extension which adjoined the side elevation of a neighbouring property.

Summary of points raised.

No material points have been raised



Matters raised that are not material planning considerations.

The proposal would turn a neighbouring property into a semi-detached house.

The proposal might introduce structural elements into the gable end of a neighbouring dwelling.

The formation of the side extension could lead to subsidence.

Internal changes could occur subsequent to any construction that would result in further extension to the kitchen.

## PLANNING ASSESSMENT

### Relevant Policy

The National Planning Policy Framework states:

At Paragraph 17 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

At paragraph 59:

- 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:

- 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.

The application will be assessed having regard to Unitary Development Plan Policy H14 “Conditions on Development in Housing Areas” and Policy BE5 “Building Design and Siting”.

Policies H14 (a) and BE5 (c) require extensions to be well designed and to respect the scale, form and detail of the original building and surrounding area.

Policy CS74 of the Sheffield Development Framework – Core Strategy states that development which respects and takes advantage of the character of the city’s districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials.

The Designing House Extensions - Supplementary Planning Guidance includes the following guidelines, which are relevant to the current assessment:

- Guideline 1; Extensions should be compatible with the character and built form of the area
- Guideline 2; Extensions to dwellings shall not detract from that dwelling or the general appearance of the street or locality.
- Guideline 6; Extensions should protect and maintain minimum levels of privacy.

## Design

### The two storey side extension

There is always a subjective element to design considerations and whilst there is guidance relating to design, each application has to be determined based on its individual merits.

The immediate locality already displays a variety of different extensions within the street scene though these take a more design traditional approach than the proposal. The result is a street scene that could not be described as homogenous. Supplementary Planning Guidance: Designing House Extensions (SPG) states that in the main two storey flat roofed extensions to dwellings with pitched roofs will not normally be approved if the roofline is clearly visible from the street. Any such extension permitted will be expected to be set back from the building line a minimum of 0.5m.

The SPG however represents guidance and does not rule out all flat roofed extensions. It should also be noted that since the guidance was adopted, local and national planning policies have changed and weight has therefore to be given to all relevant policies and guidance accordingly, particularly the NPPF.

The proposal has been set back from the front elevation of the property and the design is of a contemporary nature in both its built form and materials. The modern structure visually distinguishes between the old and new, rather than presenting a pastiche of the original style.

The proposal is appropriately set back from the main front elevation, although with the overhang of the roof this may well appear a greater distance. The extension would certainly appear subservient to the original dwelling and would not appear in long views of the street because of its location close between Nos. 114 and 112 Westwick Road.

Given these factors it is not considered that the proposal would cause demonstrable harm to the street scene.

Although the design is contemporary and modern, the use of timber should also soften the visual impact. The flat roof reduces the overall massing of the structure and the combination of materials, built form and detailing, ensure the original frontage, with bay windows, is still the focal point of the dwelling as a whole.

The proposed detailing of the structure is uncluttered and is considered to be acceptable.

The contemporary nature of the proposal allows the use of materials which will be more sustainable and environmentally friendly. The National Planning Policy Framework has an underlying presumption in favour of development which is sustainable. As such, weight can be afforded this factor.

On balance, it is considered that the proposed siting, size, built form and details of the extension will not form an anomalous feature in the street scene to the detriment of visual amenity. As such, local and national planning policies and guidance regarding design principles are considered to have been met.

#### Residential Amenity

The two storey side extension

Supplementary Planning Guidance guideline 5 indicates that two storey extensions should not breach a 45 degree line scribed from the nearest main aspect windows in neighbouring properties. In this regard the proposal is acceptable. Windows throughout the extension maintain existing separation distances to neighbouring properties.

It is considered that the proposals would have no adverse impact on existing resident's amenity and there is no conflict with UDP Policy H14 or Supplementary Planning Guidance.

#### Response to representation

Matters relating to the Party Wall Act are civil matters

Matters relating to subsidence and/or structural stability are matters for Building Regulations.

The representation did mention that the proposal may cross the boundary onto a neighbouring curtilage. The Local Authority would normally pass this information to the Applicant's agent if the intention were to grant permission. It would then be for the Applicant to resolve this issue either through submission of revised plans or through civil action. However, given the amendments to the scheme this issue has been resolved.

#### SUMMARY AND RECOMMENDATION

This is an application for a two storey side extension of contemporary design which, whilst not mirroring the design and materials of the existing house will form a subservient addition and should not adversely impact on visual amenity.

The proposal is therefore considered to be acceptable with regard to Policies BE5 and H14 of the UDP, policy CS74 of the Core Strategy and Guidelines 1 and 2 of

Supplementary Planning Guidance 'Designing House Extensions' as well as the relevant sections of the NPPF.

The proposal is therefore recommended for conditional approval.

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Case Number	15/01794/FUL (Formerly PP-04187361)
Application Type	Full Planning Application
Proposal	Demolition of the existing buildings and erection of 6, 7, 8 storey student residential block with associated landscaping and associated works
Location	Princess Works Scotland StreetSheffieldS3 7DH
Date Received	18/05/2015
Team	City Centre and East
Applicant/Agent	Knight Frank
Recommendation	Grant Conditionally

Subject to:

**Time limit for Commencement of Development**

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

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

**Approved/Refused Plan(s)**

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

Drawing Numbers:  
DAY 264-15 PL\_001 Rev T2,  
DAY 264-15 PL\_002 Rev T2,  
DAY 264-15 PL\_003 Rev T2  
DAY 264-15 PL\_004 Rev T2,  
DAY 264-15 PL\_005 Rev T2,  
DAY 264-15 PL\_006 Rev T2,  
DAY 264-15 PL\_007 Rev T2,  
DAY 264-15 PL\_008 Rev T2,  
DAY 264-15 PL\_009 Rev T2,  
DAY 264-15 PL\_010 Rev T2,  
DAY 264-15 PL\_011 Rev T2,  
DAY 264-15 PL\_012 Rev T2,  
DAY 264-15 PL\_013 Rev T2,  
DAY 264-15 PL\_014 Rev T2,

2250 01 Rev C,  
2250 02 Rev A,  
2250 03,  
N15034-190 Rev P1,  
N15034-911 Rev P1.

Reason: In order to define the permission.

**Pre-Commencement Condition(s)**

3. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
- The programme and method of site investigation and recording.
  - The requirement to seek preservation in situ of identified features of importance.
  - The programme for post-investigation assessment.
  - The provision to be made for analysis and reporting.
  - The provision to be made for publication and dissemination of the results.
  - The provision to be made for deposition of the archive created.
  - Nomination of a competent person/persons or organisation to undertake the works.
  - The timetable for completion of all site investigation and post investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

4. The development (excluding demolition of existing buildings) shall not be begun until a report has been submitted to and approved by the Local Planning Authority which details the following matters.
- A scheme of ground investigations undertaken to investigate the coal mining legacy.
  - A report of findings arising from the intrusive site investigations.

- A scheme of remedial works for approval; and following implementation of the remedial works a validation report confirming that the works have been implemented.

Reason: To ensure the site is developed safely it is essential that this condition is complied with before the development is commenced.

5. No development (excluding demolition of existing buildings) shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works, have been submitted to and approved by the local planning authority. The submitted scheme shall incorporate sustainable drainage methods and the approved scheme shall be implemented before the development is occupied.

Reason: To ensure satisfactory drainage arrangements and given that drainage works are one of the first elements of site infrastructure it is essential that this condition is complied with before the development commences.

6. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the buildings are brought into use.

Highway Improvements:

1. The footway to the perimeter of the site on Scotland Street, Meadow Street, Shepherd Street, Allen Street and Cross Smithfield shall be reconstructed to comply with Sheffield's Urban Design Compendium secondary palette.

2. Resurfacing of the car parking on the Meadow Street frontage.

Reason: To encourage safe pedestrian movement to and from the site and to uplift the environmental quality of the public realm given that residential accommodation is being introduced into an industrial area, in accordance with the guidance in the Urban Design Compendium.

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

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

8. No development (excluding demolition of existing buildings) shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the of the completed development will be obtained from decentralised and renewable or low carbon energy;

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

9. 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.

10. Intrusive investigations recommended in the approved Patrick Parsons Ltd Phase I Desk Top Geo-environmental Appraisal (ref. N15034; 05/05/2015), as amended by the supplementary information submitted by email (Frank Knight 20/07/2015; 11:59) shall be carried out and be the subject of further Phase II Intrusive Site Investigation reporting, to supplement the submitted Patrick Parsons Ltd Phase 2 Geo-environmental Assessment - Pre-Demolition (ref. N15034; 16/06/2015), which shall be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Reports 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 it is essential that this condition is complied with before the development is commenced.

11. 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 (excluding demolition of existing



buildings) 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 it is essential that this condition is complied with before the development is commenced.

12. Prior to the commencement of development, a detailed Employment and Training Strategy, designed to maximise local opportunities for employment from the construction (and occupation) of the development shall have been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

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

13. The building shall not be used unless 60 covered cycle parking spaces are provided in accordance with the details submitted in the letter by Day Architecture dated 16.7.15 (unless alternative details are approved by the Local Planning Authority) and as shown on the approved plans. Thereafter such cycle parking accommodation shall be retained for the sole purpose intended. Prior to the cycle parking being implemented the design of the cycle covers and the entrance gates to the cycle parking compound shall be submitted to and approved by the local planning authority and thereafter implemented in accordance with the approved details. The cycle stands adjoining Scotland Street shall be powder coated black or grey.

Reason: In the interests of encouraging sustainable travel to the site and in the interests of the visual amenities of the locality.

14. Prior to the commencement of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.

4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

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

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

15. 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.

16. The 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.

17. The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

18. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:
  - a) Be carried out in accordance with an approved method statement.

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

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

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

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

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

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

21. A minimum of 3% of the student bedroom shall be designed as wheelchair accessible rooms and before any construction commences a 1:50 scale plan showing a typical layout shall be submitted to and approved by the Local Planning Authority. Thereafter a minimum of 3% of the student bedrooms shall be provided in accordance with the approved details before the buildings are occupied and permanently retained thereafter.

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

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

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

23. 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.

24. 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.

25. No development shall take place, including any works of demolition, until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during demolition and construction works.

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

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

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

27. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of approved ENS Ltd Noise Impact Assessment ref. NIA/5886/15/5671/v3; 05/08/2015.
  - b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

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

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

28. 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.

29. Prior to construction of the following elements being carried out details shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

1. The design of the railings and gates.
2. The design of the privacy panels.
3. Rainwater goods
4. Seating, lighting and street furniture to the courtyard
5. A typical detail of the treatment of the window reveals on the street elevations.

Reason: In the interests of the visual amenity of the locality and delivering an attractive and high quality amenity space for the residents of the scheme.

#### **Other Compliance Conditions**

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

Reason: To ensure satisfactory drainage arrangements.

31. No door / window / gate shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

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

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

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

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

34. 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.

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

Reason: To ensure satisfactory drainage arrangements.

36. Notwithstanding the details shown on the cross sections the reveals to the window openings facing the street shall be no less than 150mm deep and the reveals to window openings facing on to the courtyard shall be no less than 75mm deep as shown on pages 10 and 12 of the Design and Access statement response to planners dated July 2015.

Reason: In order to ensure that there is sufficient depth and modeling to the elevations in the interests of the visual amenities of the locality.

Attention is Drawn to the Following Directives:

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

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

2. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
3. You are advised that residential occupiers of the building should be informed in writing prior to occupation that:
  - (a) limited/no car parking provision is available on site for occupiers of the building,
  - (b) resident's car parking permits will not be provided by the Council for any person living in the building.
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. 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: -

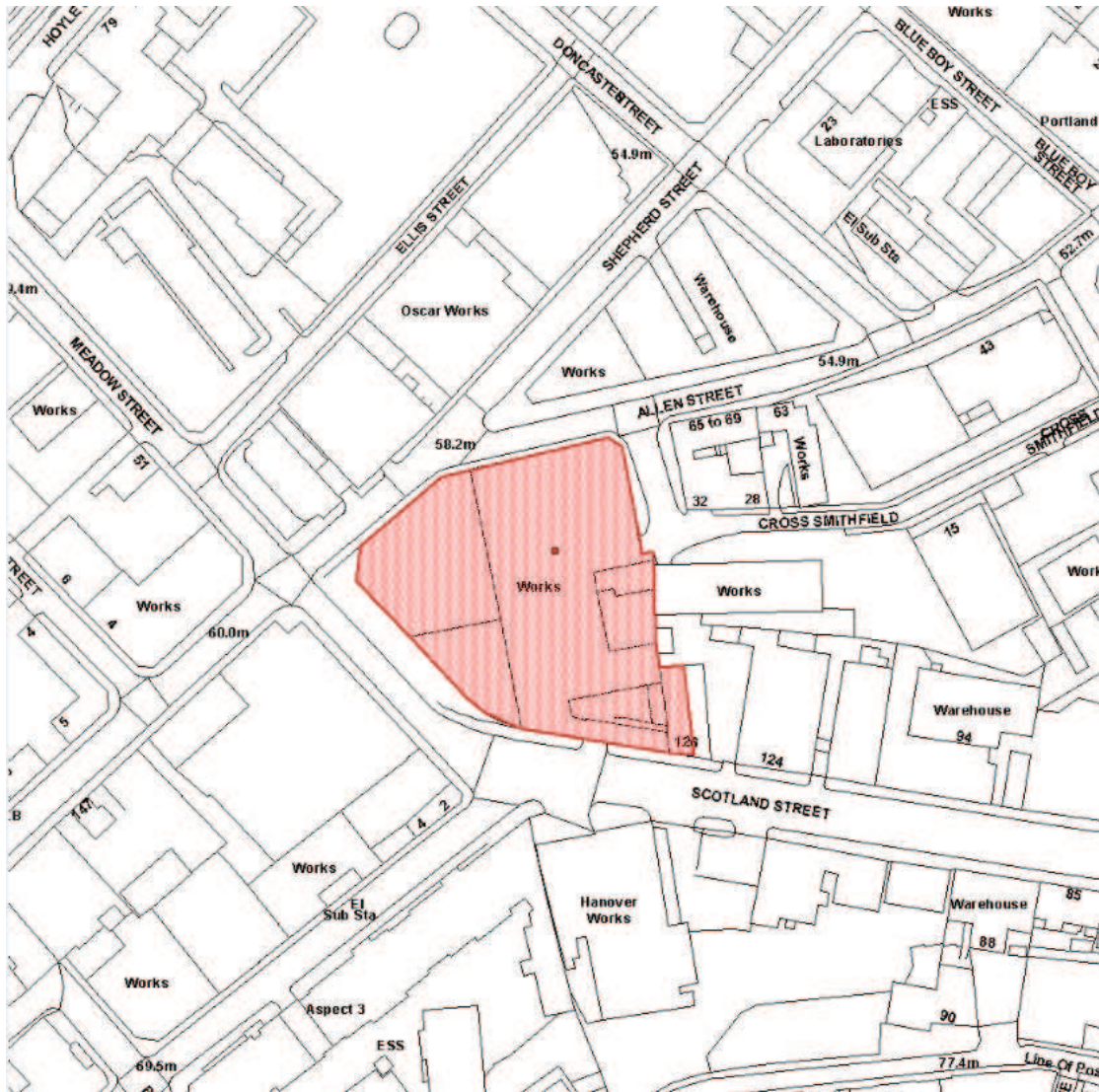
Highways Adoption Group  
Development Services  
Sheffield City Council  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

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

6. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
7. 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.
8. The applicant is advised that this application is liable to pay Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
8. The applicant is advised that this application is liable to pay Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
9. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.



Site Location



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## LOCATION AND PROPOSAL

The application site is located in the St Vincent's area of the city and has frontages to Scotland Street, Meadow Street, Shepherd Street, Allen Street and Cross Smithfield Street. The site is located in a predominantly industrial area although there are recent residential developments to the south of the site on Edward Street.

The site is currently occupied by two storey brick built former office buildings and metal clad workshops. The Meadow Street/Shepherd Street corner is occupied by an ancillary car park surrounded by a chain link fence with a number of trees along the frontage. The site has been part vacant since 2005 and is currently part occupied by a paint ball and Chinese community centre, both on short term leases.

There is a row of car parking spaces between the footpath and the site on the Meadow Street frontage which are outside of the application site.

The application is seeking permission to clear the existing buildings and construct a purpose built student residential scheme with 437 bed spaces. These are provided in a mixture of 53 cluster flats and 144 studio units. Additional facilities include a study hub, common room and gym.

The scheme comprises of 6, 7, and 8 storey buildings positioned close to the edge of the site with a shared landscaped courtyard to the rear. Three parking spaces are proposed of which two are disabled spaces, these will be accessed from Cross Smithfield Street. The buildings on the Meadow Street frontage are set back approximately 6m behind a landscaped space and common room breakout space to provide a buffer between the residential accommodation and the private parking area.

The proposed buildings are of a contemporary design with double storey window openings on the lower four floors and smaller scale windows at higher levels. They will have flat roofs but the parapet walls slope such that the eaves line is angled.

The window fenestration of each building is similar but three different coloured bricks will be used to differentiate the development into three blocks. The courtyard elevations have been designed with regular window openings and these are to be faced in High Pressure Laminate board cladding with bands of aluminium cladding.

## SUMMARY OF REPRESENTATIONS

Three representations have been received; two are in favour of the scheme but some concerns are also raised. One representation is objecting to the scheme. The concerns raised are that:

- The additional pedestrian and vehicular traffic will make it more difficult to manoeuvre commercial vehicles in and out of premises.
- There is insufficient parking to serve the development in an area that already suffers from commuter parking problems.
- Concern about whether the sewage network can cope.

- No wind turbulence survey has been carried out bearing in mind the problems with a scheme in central Leeds.

## PLANNING ASSESSMENT

### Policy

The site is within a General Industry Area B in the Unitary Development Plan where general industry (B2) and warehousing (B8) uses are preferred. However, B2 and B8 uses are no longer appropriate as Core Strategy Policy CS6a discourages manufacturing uses within this part of the City Centre.

Core Strategy Policy CS17h now promotes a mixed business, residential and educational area. This was reflected in the proposal in the draft City Policies and Sites to designate a Business Area where employment uses are promoted by limiting residential uses to no more than 40% of the total floorspace within the area. The Economic Prosperity and City Region Background Report 2013 notes that residential uses are below this limit and there is some scope for further residential development.

The site is previously developed and therefore new housing here will contribute towards the aim of Core Strategy Policy CS24 to maximise the use of previously developed land for new housing.

Core Strategy Policy CS26 seeks to make efficient use of land for new housing and sets out appropriate density ranges for different locations depending on accessibility. This site is within the City Centre and therefore the appropriate density range is at least 70 dwellings per hectare. The proposal is for 437 student bedspaces and studios. Using an equivalent of around 4.5 bedspaces per dwelling, this would represent a density of around 243 dwellings per hectare which is acceptable in this location.

Core Strategy Policy CS 41 is seeking to promote mixed communities by encouraging housing of mixed, sizes, types and tenures. Part A of the policy seeks a broad range of smaller households in the City Centre where no more than half the new homes in larger developments should consist of a single house type (large developments being defined as 60 or more dwellings). This proposal would provide a mix of 73% Studios (144 units), and 27% cluster flats (53 units), so is contrary to part A of the policy.

Part C requires new purpose-built student accommodation as part of a mix of housing development, with a mix of tenures and sizes of unit on larger sites, primarily in the City Centre and the areas directly to the north-west and south of the City Centre. The intention of this part of the policy is to deliver residential accommodation alongside student accommodation in areas where there would be significant development, or where there is a combination of sites in close proximity.

This site on its own would not be considered to be a "larger site", therefore the proposal is not considered to be contrary to this part of the policy.

Part D of CS41 limits development of Hostels, Purpose Built Student Accommodation and HMOs where more than 20% of residencies within 200m are already in use as shared housing. The current density of shared housing within 200m of the application site is 34%. The proposal is for 53 shared units and 144 non-shared studios. Therefore the proposal will slightly reduce the proportion of shared housing within 200m of the site. However although it will reduce the proportion of shared housing the number of students within 200m of the site will significantly increase. The policy seeks to limit purpose built student accommodation where the community is already imbalanced and therefore the proposal is contrary to this part of the policy.

The applicant considers the site is particularly suited to student accommodation due to its proximity to the University of Sheffield and the benefits of living close to the place of study such as the facilities offered on the University campus. They consider that there is considerable opportunity for developments in the correct location and with the correct room mix and they point out that this will release homes in multiple occupation for family use. They consider the studio rooms will particularly suit overseas and postgraduate students. The applicant has held a number of meetings with the University. The key points of these discussions are that the St Vincent's Quarter that is bounded by Netherthorpe Road, Broad Lane/Tenter Street, and Shalesmoor/Gibraltar Street is the location where the University want student accommodation schemes to be located. The University considers that there is likely to be a growth in student numbers and additional demand for bedspaces. The University will not be investing in further accommodation provision; they have 5900 bed spaces which are always fully occupied. They consider the proposed mix of rooms is appropriate given the likely demand for room types.

Whilst the proposal is contrary to parts A and D of Policy CS41 the site has advantages in being located close to the University and providing a mix of the units that is likely to meet the need for additional accommodation. Given the limited community near the site the development is unlikely to have a harmful impact on an existing community. Taking this into account and the fact that it will regenerate a significant site it is concluded that the conflict with Policy CS41 is not sufficient reason for opposing the application.

#### Affordable Housing

The site falls in the City Centre Housing Market area where there is a nil rate for affordable housing.

#### Community Infrastructure Levy (CIL)

CIL is payable on the site at the rate of £50 per square metre. The applicant has completed a CIL form which indicates the levy should be in the order of £506,000.

#### Design Issues

The applicant has undertaken 3D modelling in order to assess the scale and massing issues. The topography of the site falls by 6 metres from Scotland Street to Allen

Street and the massing has been designed to respond to this. The highest part of the scheme is located on Scotland Street opposite the junction with Edward Street which is a key pedestrian route to the University and where the development will form a visual stop to the view down Edward Street. At this point the street elevation is 7 storeys high. The other street elevations are 6 storeys high and step down as the topography steps down. Overall the scale and massing is acceptable and responds satisfactorily to the topography and key focal points, although it is considered to be the limit of what is appropriate on this site.

The buildings are generally positioned close to the back edge of footpath which is characteristic of this part of the city. On part of Shepherd St and Cross Burgess Street frontages there is a buffer strip of soft landscaping of 1-2m between the building and back edge of pavement which is intended to create defensible space and protect privacy. On the remainder of the Shepherd Street and Allen Street frontages privacy screens on the lower parts of the windows and level differences will ensure adequate privacy is maintained for residents. On the Meadow Street frontage the buildings are set back 5/6m behind a soft landscaped and hard landscaped space. This will provide a buffer between the private parking on this frontage and the more heavily trafficked route. The applicant has been encouraged to incorporate the land occupied by the private parking within the scheme and move the buildings closer to the street on this frontage which would allow for a more generous courtyard space. They have declined to do this as they have been unable to reach agreement with the Council over the purchase of the land which is regrettable as the private car parking will detract from the frontage of the development. However a condition is proposed that will require the parking area and footpaths around the site to be upgraded.

The elevations have been designed with a repetitive composition of windows in order to respond to the character of the area. The window fenestration is ordered with the larger scale windows at the lower levels and small windows at the upper levels. The main entrance and common room areas are located on the ground floor at the end of the key focal point down Edward Street.

In response to the site's industrial past the design concept has been to incorporate 3 elements relating to its former use as a brass foundry where the industrial process involved zinc and copper being combined to produce the brass. This will be reflected in the development by facing different elevations in one of three different coloured bricks. It may also be possible to reference the industrial past in the public art input to the scheme which is likely to focus on the balustrade to the outdoor common space and the window privacy screens. The roof profile is sloping to reflect the varied industrial roof profile. The materials to the internal elevations will have a polished smooth character in contrast with the more subdued external elevations. Overall the simple contemporary design is considered to be reasonably sensitive to the character of the area and will produce a visually appealing development which will contribute positively to the street scene.

#### Landscaping

The existing trees on the Meadow Street/ Shepherd Street frontage are to be removed. They are not good specimens and therefore this is not a significant

concern. Four new trees will be provided on the Meadow Street frontage along with hedges and blocks of ornamental planting in diagonal rows. A paved deck area with balustrade raised 1m above the pavement level is to be provided on the Scotland Street frontage attached to the common room. The balustrade design to this space is likely to be developed through a public art commission.

Whilst one block of accommodation can be accessed from the main entrance the two other blocks are accessed from the courtyard. The courtyard space has been designed to accommodate pedestrian desire lines between the blocks and provides areas for sitting and meeting. A space for table tennis tables below a building undercroft is proposed to encourage outdoor activities. Approximately half the courtyard is to be paved and half will be laid out as soft landscaping with lawn areas, ornamental planting and some specimen tree planting proposed. Hedge planting is provided to the periphery of the courtyard to protect privacy and provide structure.

The landscape courtyard will have a contemporary feel with angular lines and formal blocks of planting. The single storey sub-station, switch station and bin store will be located to the edge of the courtyard and will have intensive green roofs.

The orientation of the courtyard and scale of the buildings means that it benefits mainly from early morning and midday sunlight. During the mid-afternoon it is mainly in shade. Amenity space and external common room space for students has been located within those parts of the courtyards which receive most sunlight. Car parking and the bin storage area have been located close to the edge of the courtyard away from the accommodation and next to the vehicular access.

The landscape spaces both on the periphery of the site and within the courtyard are considered to be well designed and the courtyard space should provide an attractive usable amenity space for students whilst delivering a pleasing outlook for residents.

#### Access Issues

The National Planning Policy Framework (NPPF) promotes sustainable transport and says that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

The Council's strategic priorities for transport are: promoting choice by developing alternatives to the car, maximising accessibility, containing congestion levels, improving air quality, improving road safety and supporting economic objectives through demand management measures and sustainable travel initiatives (Policy CS 51).

UDP policy IB9 which is concerned with development in industry and business areas says that new development should be adequately served by transport facilities; provide safe access to the highway network and appropriate off-street parking.

The Council's parking guidelines for student accommodation in the City Centre allow for a car-free development or up to 1 parking space per 5 -10 residents. Only

3 off street parking spaces are proposed as part of the development of which 2 will be for disabled users.

The application site is within convenient walking distance of the University and City Centre. Given the low level of car ownership by students in Sheffield, the existing parking restrictions in the area near the development, and the transport policy objectives it is considered that the low level of parking proposed is appropriate and it is unlikely that on street parking generated by this development will cause any more issues than would be caused by the authorised use of the premises.

The applicant has explained that in their other city centre student schemes across the country the demand for cycle parking has been disappointing. The cycle storage space has been underused and the space can be better used for other purposes. Across their schemes the demand has been shown to be 7.5% per 100 bed spaces.

This would translate to 33 spaces for the Scotland Street scheme. In this case they are intending to provide 60 spaces which equates to a ratio of approximately 14% which is almost twice the demand they have experienced on other sites. However this is still significantly below the Council's cycle parking guidelines which suggest that 218 long stay spaces and 22 short stay spaces should be provided.

The cycle parking will be located within a secure compound next to the main entrance off Scotland Street and within the secure courtyard. All the proposed cycle parking will be long stay covered parking and monitored by CCTV. Cyclists will be given access to the bike stores via swipe cards. Given the above justification and as the cycle parking has been designed to encourage usage the provision is considered to be acceptable.

A condition is proposed requiring a travel plan to be submitted to encourage sustainable access to the site. A condition is also proposed to secure improvements to the quality of the footpaths adjoining the site in order to facilitate and encourage pedestrian access.

Each of the three blocks is served by a level entrance and lift to all levels. The courtyard space is level with smooth surfacing for pedestrian areas. Of the three parking spaces proposed two are suitable for disabled people.

The applicant has been requested to provide 5% of rooms as accessible rooms which is the normal standard applied to student schemes and the level from the pre 2009 revision of the British Standard. The current British Standard is 15% but this does not distinguish between student accommodation and hotels and therefore the older standard continues to be applied as it is recognised that there is greater demand for accessible hotel rooms than student rooms.

The applicant argues that students have a variety of disabilities and they do not all necessarily need wheelchair accessible rooms. They have booking procedures in place which mean that students needs are identified at an early stage and rooms can be adapted to meet their specific needs. The applicant is seeking to provide 13 wheelchair accessible rooms which represents 3% of the total. This is well above what the applicant considers is necessary based on their experience with

providing student accommodation in other cities. They say that if students with visual or hearing impairments wish to stay, standard rooms can be adapted to suit their needs as and when required. Given the evidence the applicant has supplied of the demand for student rooms it would be unreasonable to require more than the 3% wheelchair provision proposed with further adaptations for students with visual and hearing impairments as and when required.

#### Sustainability Issues

The application site is sustainably located as it is close to the University and the City Centre facilities/ services that students are likely to use whilst being reasonably served by public transport. The scheme will also redevelop a brownfield site.

The applicant has confirmed that the development will be designed to meeting BREEAM very good Standard and 10% of the predicted energy needs will be met from renewable sources. Therefore it will meet the Council's sustainable design and renewable energy policies CS 64 and CS 65. The applicant considers that a gas fired (Combined Heat and Power) system will be the most appropriate technology for the renewable energy element but they are also considering the use of air source heat pumps.

#### RESPONSE TO REPRESENTATIONS

Given that this is a student scheme with only 3 parking spaces it is not expected that the traffic generated by the scheme will impact significantly on local business deliveries.

The scale of buildings proposed on and around the site is not so great that a wind turbulence assessment is considered necessary. There are no obvious problems in the area which includes developments of a similar scale to the application proposal.

#### Amenity Issues

Core Strategy Policy CS 17 states that a mix of uses is appropriate in the St Vincent's area including residential use and manufacturing companies that will require sensitive attention. The planning process should endeavour to minimise the potential for conflicts between industry and residential uses.

A noise assessment has been submitted in support of the application which incorporates a background noise survey and surveys noise sources from adjacent commercial and industrial uses. The noise assessment proposes sound insulation to different facades and levels of the scheme in order to achieve the Council's internal noise standards which are intended to protect residential amenity.

The Council's Environmental Protection Service has advised that the noise impact assessment is satisfactory. Therefore provided the noise attenuation works meet the terms of the proposed planning conditions the internal noise climate for residents should be satisfactory and the risk of conflicts with existing businesses should be minimised.



The scheme will be staffed by an accommodation manager and assistant manager during 9 to 5 Monday to Friday. They will be supported by resident co-ordinators to cover out-of-hours emergency support (1 per 70 students), these tend to be mature students. There will be CCTV coverage. The tenant contract will cover the tenant's obligations and vehicle restrictions and allows for penalties including possible eviction if reasonable standards of behaviour are not maintained.

### Archaeology

An archaeological assessment has been submitted in support of the application which indicates that the land was in agricultural use in 1771 but fully developed by 1808 by a mixture of retail, industrial and domestic properties. The majority of the site was developed for industrial purposes in more recent times and it is likely this will have removed any archaeological deposits. The area occupied by the present car parks has not been developed since the demolition of the late 18th or early 19th century buildings and there may be some archaeological features of local interest that survive in this area. The standing buildings were constructed between 1941 and 1986 and the archaeological significance of these buildings is considered to be negligible.

Given that the site does have some archaeological interest and given that a well has been identified in the ground investigation and it is possible that an early steelworks may extend into the site a condition is proposed requiring a scheme of archaeological investigations to be carried out.

### Drainage/Flood Risk

The application is located in the lowest flood risk zone and is less than 1 hectare therefore a flood risk assessment is not required.

The site consists of almost 100% impermeable surfacing. The ground conditions are not suitable for infiltration and it is not feasible to discharge surface water to a watercourse. The scheme will reduce surface water run-off by 30%, this will require some storage to be provided within the site which will be underground given the restricted site area. Some water treatment and storage will be achieved through permeable paving within the courtyard space. Some additional attenuation will be provided by the green roofs on the bin store and plant room.

### SUMMARY AND RECOMMENDATION

The development plan policies allow for residential development on this site. Whilst the proposal does not meet the terms of the mixed communities policy given that the development is well located for the University and lack of harm to a local community it is considered that this does not form sufficient basis for opposing the application. The site is sustainably located and the scale, massing and design the scheme is considered to be acceptable and it will contribute positively to the character of the area. The environment quality is satisfactory for a residential scheme and access and parking arrangements are considered to be acceptable. The scheme will regenerate a significant underused site and meet a need for

additional student accommodation in an appropriate location. Therefore it is recommended that planning permission be granted.

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Case Number	15/01149/FUL (Formerly PP-04086489)
Application Type	Full Planning Application
Proposal	Demolition of library and erection of three storey building to provide medical centre, public library and pharmacy with associated car parking accommodation and landscaping works
Location	Woodseats Library Chesterfield RoadSheffieldS8 0SH
Date Received	01/04/2015
Team	South
Applicant/Agent	P+HS Architects
Recommendation	Grant Conditionally

Subject to:

**Time limit for Commencement of Development**

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

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

**Approved/Refused Plan(s)**

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

The drawings and information received and dated:

1st April 2015 and 16 July 2015

Reason: In order to define the permission.

**Pre-Commencement Condition(s)**

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

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

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

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

5. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the of the completed development will be obtained from decentralised and renewable or low carbon energy;

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

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

Highway Improvements:

Linking the footpath outside the frontage of the site on Chesterfield Road along the side of site onto Osmaston Road.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development.

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

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

8. 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 highway safety and the amenities of the locality.

9. 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.

10. Before the development commences, the mitigation measures relating to air quality, as recommended in the Air Quality Assessment Ltd's Air Quality Assessment received on the 16 July 2015 shall be carried out in full accordance with the details provided.

Reason: In the interests of the protection of air quality.

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

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

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

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

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

13. 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.

14. Before any hard surfaced areas are constructed, full details of all those hard surfaced areas within the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of porous materials, or for surface water to run off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. Thereafter the hard surfacing shall be implemented in accordance with approved details.

Reason: In order to control surface water runoff from the site and mitigate against the risk of flooding.

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

The Travel Plan(s) shall include:

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

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

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

16. Full details of all plant and equipment shall be submitted and approved before the building is occupied and shall be designed to ensure noise levels do not exceed 10 dBA (LA90) below background noise levels when measured at the site boundary. Thereafter such equipment shall be installed and retained.

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

17. The development shall not be used for the purposes hereby permitted unless a scheme of sound attenuation works has been installed and thereafter retained. Such works shall:
- a) Be based on the findings of approved noise survey Environmental Noise Assessment for Woodseats Medical Centre Partners prepared by bsp Consulting dated Feb 2015, reference 13330/JAD.
  - b) Be capable of achieving the following noise levels in all library, office, meeting and consulting space:

LAeq (16 hour) - 40dB (0700 to 2300 hours).

Reason: In the interests of the amenities of the neighbouring residents.

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

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

19. 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.

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

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

21. 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.

#### **Other Compliance Conditions**

22. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interest of local biodiversity

23. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0700 to 2300 on Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

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



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

25. The building shall not be used unless the cycle parking accommodation for 8 bicycles as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies CS55 and T10

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

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

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

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.
2. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

3. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.

Site Location



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## INTRODUCTION

The following planning assessment relates to a site which is currently owned by Sheffield City Council and which is occupied by Woodseats public library. This planning application has been submitted by a local medical practice that is currently located within a detached property that is set approximately 75 metres east of the site.

The NHS is currently in a state of evolution which is placing significant pressures upon the funding and delivery of primary healthcare. The NHS is seeking expansions which will strengthen primary healthcare and provide a greater infrastructure which can deliver out of hospital services.

The demands placed upon the NHS means that the existing medical practice, which is located within a modest sized detached property and that has been heavily modified over the years, is struggling to provide the necessary facilities required to meet the current goals outlined by Government.

In light of the recent economic climate, Sheffield City Council has carried out reviews of the library services provided across the city and it has been concluded that Woodseats library should be retained. Similar to the conditions experienced by the existing medical practice, the library is in a poor physical state and this application has therefore been borne from the need to improve the services provided by all parties whilst being cost effective.

## LOCATION AND PROPOSAL

The subject property is set within an area which is approximately 5 km from Sheffield city centre. The wider Woodseats area is a residential suburb centred on a fairly large shopping centre which is set along Chesterfield Road. The subject property is set back from Chesterfield Road and forward of rows of terraced properties to the northwest. The site is immediately adjacent to a car showroom and within close proximity to a KFC fast food restaurant. Directly north of the property are two fairly new dwellings which back onto a large piece of land that is currently unoccupied wasteland.

The site is occupied by a part flat roofed, brick built property which is set significantly back from Chesterfield Road and fairly close to the residential properties to the northwest. There is a small area of land currently used for car parking to the rear of the site although this is not a formal parking area. The site is mostly surrounded by grass verges and to the front of the site, in between Chesterfield Road and Osmaston Road, there is a culvert. The site is accessed from Osmaston Road which in turn is accessed from fairly narrow residential streets such as Linburn Road, Bromwich Road and Holmhirst Road. Vehicle access cannot be gained from Chesterfield Road.

Chesterfield Road is a wide main arterial route into the city centre and the bus stop in front of the site makes the site a sustainable location for community facilities. The immediate area comprises of large buildings which vary in size and architectural styles. Some of the residential properties are three stories in height

and with the slight increase in ground levels the car showroom to the southwest is set higher up than the existing library.

The planning application seeks permission to provide a community facility which will incorporate a modern, up to date medical practice with updated library facilities encompassed within the ground floor.

The proposal seeks permission to demolish the existing building and erect a three storey building slightly forward of the existing building. The building would link the public realm of Chesterfield Road and would have some car parking to the rear.

## PLANNING HISTORY

The site has historically been used as a library and it is one of 12 remaining libraries within the city. The only relevant planning history is an application that was submitted and approved in 2004 for the demolition of the library to form a public car park. The approval was never implemented and the library has been retained.

## REPRESENTATIONS

Prior to the submission of this planning application, the applicant carried out a community consultation process involving the local community as well as other stakeholders such as library staff, patients, employees and various departments of Sheffield City Council.

The consultation period has been limited due to the status of the library and the reviews of operations that have been carried out in the last couple of years. The consultation process raised issues with the car parking and access, amongst other smaller queries and considerations. The issues, such as whether the adjacent KFC car park could be used for additional parking, have been investigated by the applicant, although they have concluded that this is not feasible.

The applicant's design team has looked at the concerns raised by various stakeholders and where possible, they have tried to find solutions to the issues raised. Whilst this has not always been possible, where issues have not necessarily changed from the original proposal - for example, the access point is still proposed as being from Osmaston Road - further information has been provided to demonstrate that the potential impact is not severe and can be supported in terms of local and national planning policies.

The application was advertised in accordance with national guidance and in line with the Local Planning Authority's statement of community involvement. The immediate surrounding neighbouring properties were notified of the proposal and site notices were posted around the site.

### Individual Neighbour Representations

The consultation period generated 19 representations and these responses raised the following concerns. It is also noted, that an additional letter was also received that also raises the following material planning concerns. However, weight cannot

be given to this letter, given that it was submitted anonymously. The material planning concerns raised by the representations received can be summarised as:

- The objections are not against the provision of a new medical centre and library, but rather the fact that access will be via Linburn Road / Osmaston Road (which is un-adopted) and the building will impact upon the general amenities of the area;
- Access road to building / car park is from Osmaston road. This is a small road and access via this route will result in Linburn Road and Osmaston Road becoming high traffic areas. These roads already become busy during pickup and drop off times at the pre-school and will become even more so if this application goes through;
- The level of parking planned for this development is totally inadequate and inappropriate;
- An increase in traffic will make the area more dangerous (especially for young children near the pre-school). The proposed development is therefore unsustainable on a practical level and creates an inevitable health and safety hazard for residents and the general public using the street;
- The car park will only have 14 spaces. This will be quite limited especially considering the amount of staff that will use it. This means that already busy roads (Linburn and Osmaston) will end up with even more cars parking on them;
- Residents struggle every day to park anywhere near their house and this will only make things worse;
- Emergency vehicles attending the new facility will find difficulty accessing the new facility by the planned entrance;
- The building is three storeys in height on a site which currently has a single storey library. The design, together with the loss of two established cherry trees will have a negative impact on the quality of life of residents in the immediate vicinity;
- The building proposed is many times the size of the library replaced, and 3 times the height. Overshadowing of neighbouring residential properties is a concern and the loss of light and privacy. The predominant use locally is low rise residential; due to topography the reference point to the flats on Meadowhead is not justified;
- The building planned is far too large in scale and height for the site and character of the area;
- There is no provision for cycle parking on the plans;

The above concerns are discussed further in the subsequent report and The representations also raised concerns regarding the loss of their private views. Whilst the visual amenities are considered in the planning application, private views are extremely subjective and cannot be quantified in policies terms. As such, there are no policies available to determine what view is worth protecting and, therefore, the loss of a private view is not a material planning consideration that can be taken into account in any planning assessment.

The concerns relate mostly to highway safety and how the site will be accessed. Some of the comments make suggestions to improve the access of the site and these raise the question as to whether the facilities can be accessed from the A61,

Chesterfield Road with a joint access to the new facility from KFC. These suggestions were raised at various stages with the applicant and this issue has been covered in more detail in the subsequent report.

One local resident states that as an application has been refused for a residential scheme at the Honda garage, this application should be refused on the same grounds. No recent planning history has been found which confirms this. Furthermore, all applications have to be assessed on their own merits.

A resident who is sited close to the site has raised concerns with the building process and the potential impact upon their family's health, due to brick dust and other building materials. It is acknowledged that during the course of any building works local residents will be disrupted to an extent. However, whilst there may be ways in which the Local Planning Authority can minimise disruption to local neighbours, such as conditioning wheels of construction traffic to be cleaned before leaving the site, such disruption is not a long term implication which will continue once the development is finished. Accordingly, this issue is not a material planning concern which can, alone, form a reason for refusal of planning permission.

One of the comments states that the existing premises of the medical facility, which would transfer into the proposed building, appear to be perfectly adequate and are in a location which is equally accessible to the general public. Further information has been given which outlines how the medical practice operates. It is clear from this information and through talking to the applicant, that the existing medical facilities are far from ideal.

#### Councillor Representations

One representation has been received in connection with this application from Councillor Ian Auckland. The representation raised significant concerns with the overall design of the building and how the premises would be accessed. The concerns raised in his representation share those raised by the 19 other representations that have been summarised above.

#### Petition

A petition was submitted to the Local Planning Authority with 18 signatures on it. The petition was set up before the elections were held earlier this year. Whilst the Labour candidate who set up the petition does not live in the locality, she stood to represent this area. The petition objected to the proposed access and requested that it was changed.

#### Summary of the Representations

The proposal has raised significant concerns with the access and how the proposal will impact upon the general amenities of the area. The concerns have led to questions being raised by the Local Planning Authority which related to the access of the site and the overall design. Further to these questions being asked, further information and amended plans have been submitted to support and demonstrate

the viability of the proposal. The material planning concerns which have been outlined in the representations above are to be assessed and discussed further in the subsequent report.

## PLANNING ASSESSMENT

### Policy Issues

The site comprises of a fairly dilapidated library that is set within fairly small grounds. The entire site is set within a designated District Shopping Centre within the Unitary Development Plan. As this policy document is currently being superseded by the Sheffield Local Plan, Core Strategy policies are also relevant to this planning assessment.

The main local planning policies are shown below and these are considered to be in line with the national policy document, the National Planning Policy Framework (NPPF).

- BE5 Building Design and Siting
- BE7 Design of Buildings Used by the Public
- BE9 Design for Vehicles
- BE10 Design of Streets, Pedestrian Routes, Cycleways and Public Spaces
- BE12 Public Art
- GE10 Green Network
- GE17 Rivers and Streams
- S7 Development in District and Local Shopping Centres
- S10 Conditions on Development within Shopping Areas
- CS33 District Centres
- CS44 Health Centres
- CS53 Management of Demand for Travel
- CS54 Pedestrian Routes
- CS55 Cycling Routes
- CS63 Responses to Climate Change
- CS64 Climate Change, Resources and Sustainable Design of Developments
- CS65 Renewable Energy and Carbon Reduction
- CS66 Air Quality
- CS67 Flood Risk Management
- CS74 Design Principles

The National Planning Policy Framework (NPPF) has been fully adopted and is a material consideration to be taken into account in determining all planning applications. The above local planning policies have been assessed against the aims and principles of the NPPF and in this context, they have been deemed by a Planning Inspector to be sound policies.

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



The Government strongly emphasises the planning system's role of promoting healthy communities. It states that in order to deliver social, recreational and cultural facilities, plans are necessary which ensure that established facilities are able to be developed and modernised in a way that is sustainable, and retained for the benefit of the community.

The NPPF provides broad planning guidance for the development plan making arm of the Planning system, whilst further more specific guidance is aimed to guide those determining planning applications. In a wide, strategic role, as outlined in paragraph 156, the planning system is considered to be a tool to provide and promote, amongst other things, health, security, community and cultural infrastructure. Further to this, paragraph 171 states that 'Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population'.

The proposal seeks to enhance existing community facilities by creating a multi functioning community hub. The needs of the community facilities, and their enhancement, are given great weight in accordance with section 8 of the NPPF.

Paragraph 69 of the NPPF promotes sustainable development that provides opportunities for development that can bring together members of communities through mixed use developments that support and promote strong neighbourhood centres and active street frontages. The proposal is considered a viable way of ensuring that community facilities such as the library can continue to operate whilst also providing improved medical facilities. The nature of the proposal would support the community infrastructure of the area whilst, moving the medical practice into the District Shopping Centre would also improve the relationship between the site and the frontage of the District Shopping Centre.

The NPPF also states that safe access which is legible and clear should be promoted and be laid out and arranged in a way which does not undermine the quality of life or community cohesion. Whilst the design and layout are discussed at length further in the subsequent report, it should be noted that this proposal has tried to better link the facilities with the immediate public transport connections and make the entrance of the facilities more legible than the current library and the medical facilities which are set back from the shopping centre and within a residential street.

Paragraph 70 of the NPPF states that decisions should guard against the unnecessary loss of valued facilities and services and to ensure that they are integrated properly and are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community they serve. The changes significantly improve the location of the community facilities and the people they serve. It is therefore considered that the location and overall design principles accord with the community spirit promoted in the NPPF.

The proposed development, that dramatically improves the quality and deliverance of the two services, will ensure that the library can remain open for the immediate future. The operations of this service have been in doubt over the past 5 years and the improvements will enhance and sustain the library and medical facilities. This

factor is given significant weight. The presumption in favour of development should be an influencing factor here and it is considered that the principle of a multiple use community facility would be welcomed. Accordingly, the principle of the development is considered to be acceptable in terms of local and national planning policies.

#### Principle of Development in Relation to UDP and Core Strategy Policies

The site is located within a District shopping centre and although the immediate properties along Chesterfield Road are commercial premises, the wider area is very residential in its character.

UDP policy S7 outlines the acceptable uses within shopping centres and stresses the important role that retail uses play in ensuring the vitality of the shopping districts. Policy CS34 reiterates the importance of District Centres and states that developments which help fulfil their roles will be encouraged. Retail uses are the backbone of shopping centres, although policy S7 also states that other uses are acceptable where they can support and complement the retail function. Medical practices and libraries are acceptable uses as outlined in this policy and the proposal is acceptable, therefore, when assessed against these policies.

Policy CS44 'Health Centres' promotes the creation and expansion of new health care facilities and states that they will be supported and developed in local communities with growing or changing needs. As outlined in the introduction, the medical centre is currently evolving to deliver a wider range of services in line with national changes to the NHS and a demand that is inevitably growing. The proposal therefore supports the aims of this policy.

#### Sustainability Issues

The proposed development of the site is to be assessed against Core Strategy policies CS63, CS64, CS65 and CS67. These policies are concerned with the sustainability of a proposal and the impact of the proposal on climate change. They are in line with the guidance provided in the NPPF.

Policy CS64 would require the development to meet BREEAM very good standards. The applicant has outlined in the supporting information that this cannot be fully achieved. The proposal would incorporate sustainable measures, such as solar panels, and the building's envelope is to have high u-values. Whilst BREEAM very good cannot be achieved, the changes do go a significant way to achieving the aims of this policy and, on balance, the proposal in this respect is considered to be acceptable.

CS65 requires the provision of a minimum of 10% of a development's predicted energy needs to be from decentralised and renewable or low carbon energy. The proposal identifies areas for the inclusion of solar photovoltaic panels and highly efficient technologies are to be used for the fittings. The proposal has identified the need to provide the highest quality building envelope and use highly efficient technologies within building's envelope.

Guideline CC1 of the Climate Change Supplementary Planning Document requires developments to incorporate a green roof which covers at least 80% of the total roof area, where it is compatible with other design and conservation considerations, and where viable. The application has not included a green roof because to do so would severely compromise the aesthetics of the community building and significantly remove the chance of incorporating renewable energy sources. As the building is in a fairly prominent position and a community facility, the design is considered to give the most cost effective solution that is aesthetically pleasing, rather than a flat roofed building to incorporate a green roof that would have little visual benefit. The design, although not strictly in accordance with guideline CC1, is considered to provide a diverse arrangement of sustainable measures and is considered to have balanced the community needs, both aesthetically and functionally, with the sustainability requirement of the Climate Change Supplementary Planning Guidance.

The hard standing areas can be designed in a way which would reduce surface water run-off and such measures needed to comply with this policy are considered to be achievable through the detailed design. It is therefore considered that the fine details can be secured by a suitable planning condition attached to any approval.

#### Flood Risk Management and Sustainable Drainage of Surface Water

Policy CS67 relates to management of flood risk, and for sites of less than 1 hectare, such as this, requires surface water runoff to be reduced by design measures such as attenuation or permeable paving. The scheme incorporates various landscaped areas and although the amount of hard standing is more than the previous both the new hard and soft landscaped areas are to be enhanced to improve drainage of surface water run-off and this will ensure that the run off is controlled in a more efficient way than at present.

The proposal is not considered to have a worse impact upon the area in terms of surface water run-off and the inclusion of modern hard landscaping is considered to help balance out the loss of the grassed area to the development. Such measures needed to comply with this policy are considered to be achievable through the proposed design and the fine details can be secured by a suitable planning condition attached to any approval.

#### Design Considerations

##### Design Issues

The NPPF seeks to promote sustainable development; however, in breaking the definition of sustainability down into three, it also places a significant emphasis on good design and protecting and enhancing the natural and built environment within which the development is set. It further requires proposals to respond to the surrounding local character and be visually attractive as a result of good architecture.

Policy S10 states that new development should be (a) well designed and in scale and character with neighbouring buildings, and (c) not result in the site being over-

developed. This is reinforced by policy BE5 which states that the new buildings should complement the scale, form and architectural styles of surrounding buildings. BE5 also states that the proposal should have a varied palette of materials to break down the overall massing of the building and it should link to the natural and built features of the area.

The existing medical practice on Cobnar Road is substandard and has been heavily altered over the years to accommodate the requirements expected of primary health care facilities. The medical practice has made a considerable effort to find a suitable site within the local area which can accommodate their needs and, most importantly, the needs of the wider community.

The proposed facilities have been designed and influenced by various rounds of consultation with all stakeholders. All stakeholders were invited to comment on the proposal before the planning application was submitted. The design has, where possible, been influenced by their concerns and feedback.

The building will ultimately update the existing library and the medical facilities which are currently provided in the building set on Cobnar Road. Whilst the Library's requirements are, in essence, just to provide an updated service with similar floor space to the existing building, the medical practice has been extending the range of care and treatments which they carry out and they have outgrown their current premises.

The primary health care system currently requires medical practices to provide treatments that would have otherwise been carried out in hospitals. This is in theory, a more sustainable health care model than at present where people have to travel to hospitals for small routine treatments. This model fits in with the NPPF's presumption in favour of sustainable development. As this model of health care is likely to expand further, the proposal has identified a need to not only cater for current needs, but also provide further additional space to ensure that the development is as sustainable as possible.

The site is currently occupied by a low level brick and tile built building which is set back into the site so that the rear of the building is only metres away from the neighbouring residential building to the rear. The front has a grass verge between the entrance and the public realm which includes a well-used bus stop. The entrance to the existing building is not particularly clear from the street and the green landscape significantly reduces visibility of the site and the role of the building as a community building.

The proposed building has been set further forward to Chesterfield Road than the existing building and the siting of the building is considered to have a better relationship with the public realm than the existing library. The building has provided some car parking space to the rear and the building has been given an entrance that is easier to read and find than the existing building arrangement.

Creating a vehicle access from Chesterfield Road has been explored by the applicant; however, the road curves at the point where the site is located and there is a traffic island in the middle of the road, together with a bus stop in front of the

site. This point of access is not considered to be safe, as it would encourage traffic to use Osmaston Road and Linburn Road as a rat run. Whilst it has been explored as to whether the existing KFC site could accommodate an entrance solely to the site, it has not been possible for the applicant to agree such an entrance point. The layout and traffic issues are to be assessed further in this assessment.

The siting of the development has been constrained by a culvert and utilities such as a gas main. The proposal includes soft and hard landscaping which will make the access to the building more legible, whilst linking the building with the wider built environment. The building also provides a more active frontage than the present building and this frontage should subtly provide awareness of the variety of uses which are held within the building.

The siting of the building has been dictated by a variety of factors. Whilst some of these have been out of the control of the applicant, others have arisen due to the nature and end use of the building. The building is a community facility and this factor has meant that the building has been made more prominent within the street, to reflect its importance within the street. The siting of the building is enclosed to the rear to provide security for the proposed development and the neighbouring properties; the front, however, has been left as open as possible with areas of landscaping which can link the site with the wider green network.

The proposal includes the demolition of the existing tile and brick building to allow for the erection of a three storey multi-use premises. The existing building is surrounded by a wide range of buildings which vary significantly in terms of size and architectural style. The residential properties are mostly two storeys in height but set behind Chesterfield Road and therefore higher than the subject property. The properties on the opposite side of Chesterfield Road are three/ four storeys in height whilst the immediate neighbouring commercial premises are one and two storeys tall. The subject building is not wholly representative of the character of the area and its loss is not considered to be harmful to the visual amenities of the wider built environment.

It is proposed to erect a three storey building on the former library site. The building will appear to be constructed of two main sections and these will have two dual pitched roofs. The first section of the building will be slightly smaller in width when viewed from Chesterfield Road and the juxtaposition of the two rectangular forms will provide a corner entrance point which will be easily read from the street.

The building is set on Chesterfield Road at a low ground level from which the residential properties which surround the area rise up. The height of the building is akin to other buildings within the immediate area and the overall built form is considered to respect the wider character of the area.

The design principles used for this proposal are considered to respect those outlined in UDP policy BE5. The building respects the immediate neighbouring public realm and the overall built form and massing of the neighbouring properties. As the building is a functional community space, the height and massing has been dictated by the end use to a certain extent.

The elevations have visually been broken down by the use of a variety of materials and the window fenestration/ window sizes/ positions. The proposal will incorporate a variety of materials including a grey coloured cladding system to the frontage, facing Chesterfield Road and, an off-white render to the larger rear section of the building which are above a brick built ground floor. The roof and windows will be aluminium. The elevations of the building are not considered to be too cluttered and are considered to visually complement the surrounding built environment, especially given the built form and materials used on the immediate neighbouring properties. UDP policy BE5 and Core Strategy policy CS74 are considered to have been met.

Policy BE7 of the UDP states that improvements to the access of public buildings will be expected and encouraged to provide safe and easy access, especially for people with disabilities. The proposed design has been mindful of how the site is accessed and how people circulate around the external and internal spaces. The site provides disabled parking close to the main entrance and furniture close to the main entrance has been kept to a minimum to ensure unobstructed direct routes from the car park to the main entrance. The entrance has been designed to be distinguishable from the main façade and entrance is fully accessible with a nominal level area immediately in front of the doors. The new facilities will enhance the leisure centre's provisions for disabled persons and follows the aims of this policy which seeks to improve access to public buildings as opportunities arise.

The design principles of the proposal, in terms of massing, siting and detailing, are considered to be satisfactory. To an extent the design has been severely constrained given the nature of the use and the fact that the proposal is an extension to an existing facility. However, it is considered that the design is of a high standard and reflective of the character of the original site and the wider area. It is, therefore, considered to be acceptable in terms of policies BE5, BE7, CS74 and the NPPF.

#### Amenity Issues

The NPPF states within its core planning principles that the planning system should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

It is acknowledged that the proposed building is set slightly higher than the neighbouring properties; however, it is considered that the proposal has been sensitively designed to ensure that it would have a minimal impact upon the neighbouring properties. The height has been kept to a minimum and the building has been designed with two pitched roofs so that the roof pitch is fairly shallow.

The property is set slightly lower than the neighbouring residential properties and the closest residential property is approximately 18 metres from the proposed building. The building is set to the south east of the properties and although 3 storeys in height, the angle of the building and distance is considered to negate any serious overshadowing impact upon these dwellings. There is no guidance which explicitly states what distance a building of this nature should be set away from two storey high residential properties; however, as the council would allow a

two storey extension to a dwelling, provided that it is set no closer to a neighbour than 12 metres, the circumstances of this site are considered to be adequate and not significantly overbearing to these neighbours.

It is also considered that the use of light coloured render to the rear of the building would minimise the overall dominance of the structure. It is considered that the materials and overall built form would not reduce light levels to the neighbouring properties external/ internal living accommodation.

The size and siting of proposed building is not considered too severely impact upon the living conditions of the immediate neighbouring properties and the operations of the commercial premises to the southwest is not considered to be compromised given the nature and relationship to the proposed development. Accordingly, with the above reasons in mind, the proposal is considered to be acceptable in terms of UDP policy S10.

The majority of the windows set within the proposed building are set to the front and rear with a large glazed wall feature near the entrance. The entrance and windows to the front of the building do not face any neighbouring residential properties and these are not considered to impact upon the existing privacy levels. The rear windows face the residential properties on Osmaston Road, but they are set at an angle to the closest properties and over 15 metres from the shared boundary. Where windows of residential properties directly face neighbours windows which serve main habitable rooms, a distance of 21 metres is considered to be necessary to ensure that privacy levels are not compromised.

As the proposed windows to the rear of the site do not directly face any residential property's windows, the distance in excess of 15 metres is considered to be acceptable. The windows would not be in use continuously throughout the day and by virtue of their use as treatment rooms, they would require some sort of screening. More importantly though, as the rear boundary would have tall boundary treatment along it, even from the elevated windows, privacy levels to the rear gardens of the closest neighbours are considered to remain similar to what they are now. The proposed windows are not considered to severely compromise existing privacy levels to the extent that a refusal of planning permission could be made on this ground alone. Accordingly, in this respect the proposal is considered to be acceptable in terms of UDP policy S10.

The proposal includes a pharmacy, a medical practice and a library and this will mean that the use of the site is intensified when compared with the current use. However, the opening hours do not vary significantly from those of the existing library and they are no later than the other commercial premises within close proximity to the site. As the main entrance faces Chesterfield Road, the comings and goings of users would be concentrated around the area facing the road and the increase in use of the site is not considered increase noise levels of the site to an unacceptable level. Conditions should be attached to any approval to ensure that should any plant equipment that may be required in the future it is sited sensitively and is compliant with current standards that relate to noise emissions.

## Landscaping and Ecology Issues

Local planning policies, together with the NPPF, place significant weight to the protection and enhancement of the natural environment. Minimising the impact a development has on the biodiversity of the area is a key theme within the local and national policy documents.

The proposed development has sited the building forward of the original building's footprint and this would mean that a grass verge with various trees planted on it would be lost to the development. The section of land links with the wider green network and the culvert which runs under the south east corner would have ideally been opened up, as required by UDP policy GE17.

As previously mentioned the layout has been designed to ensure that the proposal would link better with the public realm and provide an active frontage which the current library facilities do not have. The proposal would mean the loss of some mature trees, but the proposal does identify areas for improvements to the existing landscaping. Soft and hard landscaping areas are proposed and further tree specimens are to be provided to balance the biodiversity of the site. Any approval should be subjected to a condition requiring further details of the proposed landscaping of the site.

A preliminary ecological assessment has been carried out and although no protected species were found, it is recommended that further surveys are carried out if approval for the demolition of the building is given and the approval is not carried out before April 2016. Furthermore, it is considered that any approval should be conditioned to ensure measures are in place to protect any nesting birds.

The proposal would include comprehensive changes to the landscaping of the existing site to ensure that the proposal links with the wider green network, as required in UDP policy GE10.

The landscape changes are considered to be acceptable, on balance, and would enhance the relationship between the existing site, the public realm and the wider green network. It is considered that the proposal would meet the aims of UDP policies and the NPPF and are acceptable in this respect, subject to conditions being attached to any approval.

## Highways Issues

UDP and Core Strategy policies (BE9, BE10 CS53, CS54 and CS55) seek to ensure that proposals are designed in a way which would enhance the links between the development and the wider community. They seek to promote sustainable modes of transport which are safe and beneficial to the wider environment.

UDP Policy S10 (f) requires developments within Shopping areas to be adequately served by public transport facilities, provide safe access, and appropriate off street parking.



Further to the above local planning policies, it is stated within the NPPF that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. It also states that opportunities for sustainable transport modes should have been taken up to reduce the need for major transport infrastructure and, that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

In line with the NPPF, a travel plan and transport statement has been submitted in connection with this application, the details of which have been assessed and the findings and conclusions are outlined below. Although the information has been considered sufficient to assess the application, it is considered that a detailed travel plan that can be monitored, is necessary and should be imposed as a condition should any approval be granted.

The existing medical practice is located on a residential street and has been established in this location for a significant time. The requirements of primary health care has meant that the facilities provided at the site on Cobnar Road are inadequate. The facilities serve the Woodseats community and the current site is not of a size which can accommodate a new premises or extensions which are required to enable the practice to provide the local community with the necessary primary health care standards. The subject site is an opportunity to provide the facilities required and update a library service which is in need of refurbishing. It is fully acknowledged that the site has limited access and parking space; however, the sustainability of the development in terms of location and consolidation of services is given significant weight as outlined below.

All of the facilities that will be located within the proposed building are currently located in very close proximity to the site. As such, it is accepted that virtually all the vehicular traffic associated with the development will already be using the local highway network, including the narrow residential streets.

The TRICS database has been used to provide an estimate of vehicle trip rates associated with the medical centre, pharmacy and library and indicates the resulting estimates of vehicular traffic:

AM peak (0800-0900)	44 arrivals	23 departures	Total 67
PM peak (1700-1800)	26 arrivals	37 departures	Total 63

As the facilities proposed are already in the immediate vicinity of the site it is accepted that in the main the existing traffic flows are already on the highway network. The medical centre does however have an aspiration to achieve a 10% increase in the number of registered patients which could result in additional trips (it should however be noted that confirmation has been provided that the number of doctors and clinical sessions will remain as existing) and it is anticipated that the pharmacy may generate only 25% new trips (75% being linked with the medical centre). Given the above assumptions it is possible to estimate the number of new trips likely to be generated by the proposed development:

AM Peak (0800-0900)	4 arrivals	3 departures	Total 7
PM Peak (1700-1800)	2 arrivals	4 departures	Total 6

Local residents have raised concerns regarding car parking provisions and how the site is accessed. The concerns stress that the proposal would exacerbate existing parking and access problems within the street and the development would put significant pressure upon the local highway network and therefore be dangerous and detrimental to highway safety. The concerns also state that Osmaston Road is not of a standard to be used as an access for the proposal by such levels of traffic.

It has been questioned why an access cannot be created from Chesterfield Road. An access road from Chesterfield Road would mean that the junction would be close to a bend in the road and in very close proximity to a high number of other junctions, including Cobnar Road. Such an access would also conflict with the safe position of the bus stop and overall, such an access is considered to have a severe impact upon highway safety.

It is acknowledged that the access road is not an adopted road, however, part of the footpath to the front of the existing library is. The road is not surfaced in tarmac and comprises of cobbles and hard packed earth. The condition of Osmaston Road is not therefore ideal. The applicant is in no position to carry out works to the entire street at present, but they are willing to make improvements to the footpath in front of the existing library and to areas which they can improve.

The applicant wishes to seek improvements to the entire length of Osmaston Road in the future; however, they are not owners of the land or in a financial position to carry these works out now. Although Osmaston Road is not an adopted highway, the footpath leading from Chesterfield Road up and along the front of the library is adopted highway. The applicant has confirmed that this section will be enhanced and has agreed to improve this section of footpath. This will at least improve how the site is accessed by foot from the shopping centre and from public transport which runs along Chesterfield Road.

The application drawings show that car parking space for 16 vehicles (2 of which are designed to provide access for people with disabilities) is to be used by staff. This would therefore limit the use of the access road by persons visiting the facilities and this situation is almost identical to the existing medical practice and library service where the on-site car parking is used by the staff and patients use the surrounding streets. Furthermore, like the current situation, a significant number of people using the facilities use public transport or walk.

It has been confirmed that deliveries would be from Chesterfield Road and due to the limited number of deliveries in a week, the servicing of the building is not considered to pose a significant highway safety issue and is not deemed to be significantly different to the current arrangements for deliveries.

The car parking situation is not ideal, but the services provided are considered to be in a very sustainable location whereby the car parking arrangement are

very similar to the arrangements currently adopted by the medical practice and the library. Furthermore, although data has shown a small increase in vehicle movements, as previously shown, the additional traffic generated by the proposal is not considered to have a severe material impact on the capacity or safety of the local highway network. The conglomeration of the facilities, together with limited deliveries, is not considered to severely intensify the use of the road. Moreover, the cumulative impact is not considered to be severe enough to warrant a refusal on highway safety grounds as outlined in the NPPF.

The on-site parking is proposed to be for staff and disabled customers only and as such the vast majority of users of the facility who require parking will be reliant on on-street parking. Although it is acknowledged that a more localised impact will arise, the numbers accessing Osmaston Road are not likely to be as high as those stated as people will have to park in a much wider area. This is still not considered to be ideal; however, significant weight has to be given to the fact that the traffic generation will be absorbed in a much wider area than Osmaston Road, as currently is the case with the existing facilities.

It is noted that there is potential for an increase in on street parking within the wider residential area and that this may give rise to some problems relating to overall access. However, significant weight has to be given to the fact that the current medical practice and library facilities require people to use the local streets for parking and, given the constraints of the residential area, and of the site, the provision of the community facilities with extensive car parking is not achievable.

The medical practice has worked hard to find a suitable site and one with greater car parking accommodation cannot be found in the immediate locality that would not have similar access issues. A site with greater car parking accommodation would not be sustainably located within the community for which these services are to cater for.

The level of car parking is not considered to be ideal, given that only 16 spaces are located on site, and this does represent a shortfall in terms of the aims of policy S10 (f). However, the levels of traffic in and around the area will already be within the highway network due to the close proximity of the existing facilities.

The proposed facilities are located within a very sustainable location that is accessed by 10 bus services. The consolidation of the facilities, together with the siting of the building, provides a sustainable development opportunity.

Although it is acknowledged that additional on street car parking is likely to occur, the nature of the residential streets- with traffic calming measures and existing on street car parking - means that it is likely that any car parking will be spread across all neighbouring roads, including Cobnar Road. These roads are well linked to the proposed site by pedestrian crossings and wide footpaths and on balance, the increase in traffic is not considered to be severe enough to be detrimental to highway safety.

## Cycling Provisions

Core Strategy policy CS55 and UDP policy T10 seeks to promote and enhance the integration of cycle routes, with the wider area. The application seeks to widen the public realm in front of the development and provide cycle stands within the site to promote cycling to the building. The proposed facilities can only be expected, under the planning system, to improve elements closely linked to the proposed development. Whilst this proposal cannot be expected to be the catalyst for the resurfacing, and widening of all cycle routes close to the site, further details of how the existing footpath around the site can be enhanced through signs and markings should be requested through a condition. This will ensure that the proposed links to the existing public realm are made more visible and accessible to cyclists and pedestrians.

## Air Quality

Core Strategy policy CS53 looks at the management and demand for travel and the implementation of Travel Plans which can maximise the use of sustainable forms of travel and mitigate the negative impacts of transport. The policy is also reinforced in Core Strategy policy CS66.

Policy CS66 deals with air quality, and requires action to protect air quality to be taken in all areas of the city, with further action to improve air quality to be taken across the built up areas and where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

Paragraph 124 of the NPPF requires planning policies to contribute towards EU limit values or national objectives (Air Quality Objectives) for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites locally. It also requires planning decisions to be consistent with the air quality action plan. Sheffield has an Air Quality Action Plan which identifies the whole of the urban area of the city as an Air Quality Management Area.

The proposal would combine the traffic generation from an existing medical practice/ pharmacy, which is sited within 75 metres of the site, and a library. An Air Quality Assessment has been carried out and in summary, the proposed construction and operational air quality impacts of the proposed development are considered to be insignificant.

The Air Quality Assessment demonstrates that the proposed scheme will not cause any exceedance of the air quality limit values in areas where they are not currently exceeded. In line with this assessment, it is not considered that further mitigation measures are necessary for the long term operations of the scheme, but that for the construction phase, mitigation measures should be written into a dust management plan.

The air quality assessment outlines mitigation measures to be carried out before the development commences and states that a dust management plan should be submitted and approved by the Local Planning Authority. Subject to a

condition being attached to any approval, requiring the mitigation measures outlined in the report to be submitted, the proposal is considered to be acceptable in terms of its air quality impact.

## Public Art

Policy BE12 of the UDP seeks to encourage the provisions of public art in places which can readily be seen by the public. The site does not give rise to any substantial opportunities for public art; however, the pedestrian access points which link the site with the wider shopping area and the natural green network could be enhanced through various small pieces of art. The proposal should be conditioned to ensure that the public realm and local green network are promoted and enhanced through the use of public art.

## SUMMARY

The proposal offers an opportunity to consolidate three local facilities into one building. The existing library is in need of significant repairs and the medical practice, which is set approximately 75 metres away, needs to be refurbished and expanded to meet current health care requirements. The proposal would provide a cost effective proposal which would significantly enhance the community facilities provided within the Woodseats Area.

The proposed development would be set on a parcel of land which is currently used by the Council to provide library facilities. Although the site incorporates a section of grass verge and various soft landscaping, the site is predominantly brownfield. Sited on a parcel of land within a Shopping Centre, the principle of development of the site is considered to be acceptable both in terms of local planning policies and the NPPF.

The proposal has been sited forward of the original building to try to integrate the facilities with the public realm to the front of the site by providing a welcoming landscaped entrance point and an active frontage. The height and massing of the building is not considered to be excessive and the materials and detailing enable the community building to relate to the wider character of the area. The design of the building is considered to respect the character of the area and be mindful of the amenities and living conditions of the neighbouring properties. Subject to conditions being imposed upon any approval given, it is not considered that the proposal would be detrimental to the general amenities of the surrounding area and accordingly, in this respect the proposal is considered to be acceptable in terms of local and national planning policies.

The building has been designed to be as sustainable as possible. The building itself is to be efficient and the proposed landscaping will provide a means of sustainable drainage, as well as good quality visual amenities.

The proposal has received opposition on the grounds of increased traffic and the perceived lack of formal car parking. The facilities proposed are already in the immediate vicinity of the site, and such problems do already exist. It is accepted that in the main, the existing traffic flows are already on the highway network and

whilst the on- site car parking is not considered to be ideal, it is accepted that the site is highly accessible on foot and by public transport. The site is in a very sustainable location and any increase in on street parking is not considered to be severe enough to warrant a refusal on this basis alone. The presumption in favour of sustainable development has to be given great weight, especially as this proposal is a consolidation of facilities which already exist within close proximity to the site.

In light of the above, the proposal is considered to be acceptable and subject to conditions being attached to any approval, for further details of specific elements of the proposal, this application is recommended for conditional approval.

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Case Number	15/01006/FUL (Formerly PP-04068930)
Application Type	Full Planning Application
Proposal	Erection of a 4-storey building to form 6 x 2 bedroom apartments with off street basement car parking and provision of amenity space
Location	Land Between 1 To 3 And No's 5 And 7Dover RoadSheffieldS11 8RH
Date Received	23/03/2015
Team	South
Applicant/Agent	DLP Planning Consultants
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:

121 P 1.07 Rev C  
121 P 1.08 Rev C  
121 P 1.03 Rev B  
121 P 1.04 Rev C  
121 P 1.05 Rev C  
121 P 1.06 Rev C  
121 P 1.01

Reason: In order to define the permission.

### Pre-Commencement Condition(s)

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

Reason: In order to ensure an appropriate quality of development

4. Before the development is commenced, full details indicating how:
  - a) two of the flats can be easily adapted to be lived in by people with disabilities and
  - b) facilities for disabled people to enter the building and within the curtilage of the site,

shall have been submitted to and approved in writing by the Local Planning Authority and the flats shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained.

Reason: In order to provide adequate provision for mobility housing within the development

5. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
  - a) Be based on the findings of EITHER: an approved noise survey of the application site, including an approved method statement for the noise survey OR approved noise survey.
  - b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
  - c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

6. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results



submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

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

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

7. A detailed soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The approved landscaping scheme shall thereafter be implemented before the flats are occupied.

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

8. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the of the completed development will be obtained from decentralised and renewable or low carbon energy;

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

9. Details of all boundary treatments, including measures to fair face the boundary treatment with No.6 Wilson Road shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, and the flats shall not be used unless such boundary

treatments have been provided in accordance with the approved details and thereafter such measures/treatments shall be retained.

Reason: In the interests of the amenities of occupiers of adjoining property and future occupants of the development

10. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 5 litres per second. Before the use of the development is commenced, a validation test to demonstrate that the necessary equipment has been installed and that the above flow rate has been achieved shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority.

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

11. Before the development is commenced full details shall be provided of any structures and excavations that will be the subject of highway loading and/or retain the adjacent footway.

Reason: In the interests of ensuring the structural integrity of the highway

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

12. The flats shall not be used unless the car parking accommodation for 6 as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

13. The approved landscape works shall be implemented prior to the development being brought into use. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

#### **Other Compliance Conditions**

14. All windows in the north elevation of the building facing No. 5 Dover Road shall be non-opening and fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of it shall at any time be glazed with clear glass.

Reason: In the interests of the amenity of occupants of neighbouring dwellings

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

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

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

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

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

You should apply for a consent to: -

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

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

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

The notice should be sent to:-

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

For the attention of Mr P Vickers

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

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

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

5. You are advised that residential occupiers of the building should be informed in writing prior to occupation that:
  - (a) limited/no car parking provision is available on site for occupiers of the building,
  - (b) resident's car parking permits will not be provided by the Council for any person living in the building.
6. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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## LOCATION AND PROPOSAL

The application relates to a parcel of land which was formerly a tennis/volleyball court between the Former Polish Ex-Serviceman's Club and Nos. 5 & 7 Dover Road. The site lies within an allocated Housing Area and within an Area of Special Character.

The site is bordered to the north by these residential properties and to the west a small portion of the site also adjoins the residential curtilage of No. 6 Wilson Road. The southern boundary of the site adjoins the curtilage of the former Polish Club, now the Pointing Dog.

The area of land was formerly elevated above the level of land at the rear of the Polish Club and was supported by a retaining wall and earth batter. The natural fall in land level along the length of Dover Road approximates to a fall of 1 in 10 and this continues the site from north to south. This results in the 'natural' level adjacent the boundary with Nos. 5 & 7 Dover Road being elevated approximately 3.5 metres above that at the boundary with the former Polish Club (though it is clear that ground levels within this site and on adjacent sites have been changed over a period of years).

The area was however excavated in preparation for re-development in 2013, reducing its ground level to one commensurate with the former Polish Club (see planning history).

The street scene of Dover Road is characterised, in the main, by two storey Victorian semi-detached houses in modest curtilages though there are some examples of later infill development, not least of which is the property on the neighbouring site to the north which is a rather out of character 1970's development - nos. 5 & 7 Dover Road. Whilst many of the properties are two storeys in height several feature traditional gablets enabling further accommodation in the roof space.

To the south lies the Pointing Dog (the former Polish Servicemen's Club) a Victorian Villa which has since been extended in a variety of ways and has recently undergone a substantial refit and re-modelling process to facilitate its refurbishment and re-opening.

Part of the re-modelling involved the erection of a single storey side extension in a contemporary style and the rendering of the rear two storey extension both of which will be viewed in juxtaposition with any development on this application site.

It is proposed to erect a three/four storey building (uppermost floor located in the roof space), accommodating 6 x 2 bedroom flats, the lower ground floor of which would be occupied by semi-undercroft parking for 6 vehicles, 1 of which is a disabled space. The accommodation would be arranged over three floors with two flats each at first and second floor level and a further two flats accommodated in the roof space.

The front elevation of the building would contain both vehicular and pedestrian access to the building from footway level the former being achieved via a 3.0 metre wide opening. A single pedestrian door would be located immediately adjacent this vehicular entrance. The location of the vehicular entrance would necessitate the removal of a section of boundary wall (approximately 5.3 metres in length).

Accommodation on the floors above would feature open plan living room/dining room/kitchen spaces served by fenestration in the front elevation. The larger window openings in the front elevation would feature glazed screens with doors opening onto balconies.

The design includes a contemporary interpretation of the traditional gablets already featured in the street scene to facilitate fenestration for the top floor flats.

Additional main habitable room windows for those flats closest to the Pointing Dog would be located on the south elevation facing towards Ecclesall Road.

Proposed principle external materials are as follows:

- Reconstituted Coursed stone for the side and rear elevations.
- Natural coursed gritstone for the front elevation.
- Natural slate for the roof
- Aluminium window and door frames

#### RELEVANT PLANNING HISTORY

Permission was refused in 2013 (13/03930/FUL) for the erection of 9 apartments with associated undercroft car parking accommodation.

There were three reasons for refusal, which related to:-

- Poor design – in particular with regard to the rear elevation and the ground floor element facing Dover Road;
- Overdevelopment
- Absence of provision for Open Space (no planning obligation had been signed)

A subsequent appeal of the above refusal was dismissed by the Planning Inspectorate in 2015.

#### SUMMARY OF REPRESENTATIONS

13 representations have been received in all though some of the comments relate to the scheme as originally submitted rather than the amended scheme now under consideration. Nonetheless all comments are included here:

Cllr Aodan Marken has made the following comments:

The scheme fails to address the 2 main issues highlighted by the Inspector in refusing the appeal for the previous application.

The development represents another over intensive development proposal.

Local residents have clearly detailed continuing issues with the design (on a Victorian road), building line, size, height and the open space requirement. The parking spaces are inadequate on a road that has seen much more traffic, parked cars and taxis since the adjacent Pointing Dog opened just over a year ago. That building clearly has significant servicing requirements and questions remain as to how this will impact the residents of another big building in very close proximity on the same site.

Other representations have raised the following concerns:

The change in number of flats does not reduce numbers of people and may be the opposite

There is insufficient parking for possible number of occupants

The proposal is an overdevelopment of the site and the new block will be too close to the Pointing Dog and the neighbouring building on Dover Road

Living in the new block will be unpleasant because of noise, smells - from the Pointing Dog and access and privacy and the need for a bit of space

Problems with deliveries and parking in an already difficult area for this/ access to Dover Road and Ecclesall Road

The design is out of keeping with the area and other developments. The building is too big and not well designed

The building is too close to Dover Road, too close to the back of The Pointing Dog, and too high in comparison with the adjacent building.

Residents will be subjected to even more noise from the roads, being closer to the road, and will suffer even more from the awful smells that still emanate from the club. It is unfair to subject them to this.

The footprint of the proposed new building does not allow sufficient space for residents, particularly with pushchairs, wheelchairs or bicycles, to enter or leave with a safe margin between themselves and moving vehicles.

There is poor visibility at the Dover Road/Ecclesall Road junction. The new development will bring even more drivers trying to negotiate this dangerous junction.

The insufficient outdoor space will change the appearance of the street as all buildings within this area contain a front garden.

The new plans have made no concession to the previously refused plans. The developer seems that he just wants to fill the space without any consideration to



the neighbours. A neighbouring property would lose natural lighting to a kitchen window and the view towards Ecclesall Road.

Steps at the rear of the property would result in an increase in noise to adjacent properties.

Lights in the staircase to the rear of the building and in the car park will be a constant nuisance to residents at the bottom of Wilson Road which backs on to the site.

The roof line of the proposed building is still not sympathetic to the area. On the drawings it appears to be as high as the flats at 5-7 Dover Road and does not follow the pattern of a gradually lowering line as you descend the road.

The previous application was rejected on a number of grounds and it appears to me that this proposal is no improvement. The proposed building is too large and will dominate its neighbours. The appearance of the ground floor resembles a multi storey car park and is totally out of character with an essentially Victorian residential street.

The building would be closer to Dover Road and this would break the building line

The design of the back of the building is now worse than in the previously refused scheme. The staircase is an add-on rather than an integral part of the building footprint. As a result the bedroom windows of the 1st floor flats seem to open directly onto the communal staircase.

The proposed use of the front gardens to meet open space requirements have exacerbated problems with the visual appearance of the basement. The raised beds (of the previously refused scheme) have gone so the apron would be more pronounced. The token windows would hardly animate the ground floor and the French windows of the duplex flat would have to be hidden behind a large fence/hedge for privacy and security. The front door and garage door arrangement is pretty much the same as before.

It is surely a fudge to count the front gardens as a contribution to the open space requirement. Would the portion at the northern end really be used communally?

There is insufficient private amenity space for future occupants.

The building is susceptible to noise breakout from the balconies, the open staircase at the back and the front communal space.

On street car parking permits should not be granted if fewer on-site spaces are allowed because of the sustainable location

There does not appear to be enough storage space for waste disposal for the apartments

The bedroom at lower ground floor level would suffer from very poor amenity levels as it is adjacent the undercroft car parking.

## PLANNING ASSESSMENT

### Policy

The National Planning Policy Framework (NPPF) has replaced previous national planning guidance and the following paragraphs are relevant in terms of overall principle:

The key principle enshrined in the document is a presumption in favour of sustainable development.

At Paragraph 11: Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

At Paragraph 19 states:

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.

At Paragraph 58 states:

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;
- and are visually attractive as a result of good architecture and appropriate landscaping.

At Paragraph 47 states:

To boost significantly the supply of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.

The site lies within a Housing Area as defined in the adopted Unitary Development Plan (UDP). The Housing designation is retained in the Sheffield Local Plan (SLP) Proposals Map. The site is also located within an Area of Special Character.

The most relevant UDP and SLP Core Strategy policies are:

H5 (Flats, Bed-Sitters and Shared Housing)  
H7 (Mobility Housing)  
H10 (Development in Housing Areas)  
H14 (Conditions on Development in Housing Areas)  
H15 (Design of New Housing Developments)  
H16 (Open Space in New Housing Developments)  
BE5 (Building Design and Siting)  
BE18 (Development in Areas of Special Character)  
CS23 (Locations for New Housing)  
CS24 (Maximising the Use of Previously Developed Land for New Housing)  
CS26 (Efficient Use of Housing Land and Accessibility)  
CS31 (Housing in the South West)  
CS41 (Creating Mixed Communities)  
CS63 (Responses to Climate Change)  
CS64 (Climate Change, Resources and Sustainable Design of Developments)  
CS65 (Renewable Energy and Carbon Reduction)  
CS74 (Design Principles)

The Supplementary Planning Guidance "Designing House Extensions" provides guidelines for protecting residential amenity. Whilst not relating specifically to new build schemes the guiding principles are considered relevant.

The South Yorkshire Residential Design Guide, whilst not formally adopted by Sheffield City Council, offers excellent guiding principles with regard to design, layout and space about dwelling standards for new build residential proposals.

Principle, Density and Mix

Housing is the preferred land use in accordance with Policy H10 (Development in Housing Areas).

H5 'Flats, Bedsitters and Shared Housing' states that planning permission 'will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if (a) a concentration of these uses would not cause serious nuisance to existing residents.

The proposal is for a limited number of two bedroom self-contained flats for sale or let and, as such, there is no reason to believe that their introduction would cause serious nuisance to existing residents. The immediate area surrounding the application site does not contain a concentration of flats, bedsitters or shared homes. The proposal is considered acceptable in respect of Policy H5 (a)

Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area and Policy CS24 gives priority to previously developed sites. The proposals are in accordance with these policies.

Policy CS26 specifies density ranges for new housing developments. Subject to protecting the character of an area, at least 50-80 dwellings per hectare are normally expected in areas within or near to a District Centre.

The proposals represent a density of approximately 147 units per hectare. The traditional housing in the area is typically around 43 units per hectare. The proposed density therefore significantly exceeds both the 50-80 units quoted in Policy CS26 and the density of the surrounding housing, the latter of which partly establishes the context/grain of existing development in the locality.

This figure can be considered to be inflated to a degree by the form of development which obviously accommodates more units in a smaller space than traditional housing and proposals have been approved in the past with densities exceeding stipulated densities.

However, such examples have only been approved where it was considered that the scheme represented good design, respected the character of the area and could be considered to be in keeping with the established overall grain of the built environment in the locality.

The building footprint occupies a very large proportion of the available plot, in sharp contrast with other properties on Dover Road. The proposed building footprint (not including hard and soft landscaping occupies a significant portion (in excess of 55%) of the available space within the site, compared with approximately 30% at the immediately adjacent site to the north (containing 4 properties) and approximately 25-30% at a typical more traditional dwelling on Dover Road. Whilst each of these examples relate to different forms of development (i.e. flats vs dwellings) it is considered that this is indicative of a more intensive development of the site not necessarily reflective of the prevailing grain of development.

In these circumstances, considerations of all relevant factors pertaining to the development (scale/massing/amenity for existing and future residents) become critical considerations and these will be considered in the following report.

#### Housing Mix

The proposals provide a single house type (2 bedroom flats). There is no policy requirement for mixed house types in this scale of development and the area has a good mix of flats, 2, 3, 4 and 5 bedroom properties in housing and flats developments. The provision of flats will however support the overall aims of the policy and in these respects, there is no conflict with Policy CS41.

#### Housing Supply

The NPPF at paragraph 49 states:  
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.

There is currently a shortfall in the supply of deliverable sites for housing, and it is clear that the proposal would make a small contribution to housing supply.

#### Scale and Character

Policy CS31 'Housing in the South West' states:

In South-West Sheffield, priority will be given to safeguarding and enhancing its areas of character. The scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

It continues:

Priority is given to safeguarding and enhancing the character of the south-west because of the concentration of attractive and distinctive neighbourhoods, which are one of the reasons for the strong demand for housing here. This area has a strong concentration of features that are distinctive to Sheffield and which should be safeguarded and enhanced... In recent years there has been a tendency to increase the volume of housing here through higher densities, including the construction of apartments, but respecting the character of the area means that the density of new developments should be in keeping with it. In many parts of the south-west, such as the Victorian suburbs and other areas with distinctive townscape, this will place significant limits on higher densities.

#### Design

The National Planning Policy Framework (NPPF) states:

At Paragraph 9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life

Paragraph 17 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:

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.

At paragraph 59 it 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:

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

Policy BE 18 'Development in Areas of Special Character' states that in Areas of Special Character the following will be expected:

(c) new development which respects the appearance and character of the Area.

Policy H5 'Flats, Bedsitters and Shared Housing' states:

Planning permission 'will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if:

(a) a concentration of these uses would not cause serious nuisance to existing residents; and

(b) living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours; and

(c) there would be appropriate off-street car parking for the needs of the people living there.

Policy H14 'Conditions on development in Housing Areas' states that 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;

H15 'Design of new Housing Developments' states that the design of new housing developments and residential institutions will be expected to:

(a) provide easy access to homes and circulation around the site for people with disabilities or with prams; and

(b) provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents; and

(c) provide uniform walls or fences around rear gardens next to roads, footpaths or other open areas; and

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

The scheme has been revised in several ways since its original submission including the following:

Rear decked space no longer to be considered communal space

Buffer staircase introduced between lower ground floor bedroom and undercroft entrance

A break in the massing of the projecting 'box' on front elevation

The front elevation of the building moved away from Dover Road to a line commensurate with that established as acceptable by the Inspector on the appealed application reference 13/03930/FUL.

Increased landscaping to the Dover Road frontage

Door feature introduced at basement level to Dover Road to create symmetry to basement area – significant change from original submission.

Rear Stair feature revised to remove external stair case – Staircase treated in stone to create visual relief to the rear.

Rear expressed and open staircase design revised to remove timbered elements and now a stone faced expressed core with fully internalised staircase.

Balcony/amenity areas increased.

Changes to the external materials, reducing the palette of materials and extending the use of stone.

Assessment of the Front Elevation and the street scene of Dover Road

In terms of the front elevation taken in isolation, the overall scale and massing of the proposal is not dissimilar to the pair of Victorian semi-detached properties at Nos. 11/13 Dover Road. The ridge height appears incongruous only because of the anomalous nature of the dwellings on the adjacent site (Nos. 5/7) but these should not be taken as an indicator of appropriate ridge height level as it is clear that they themselves are out of character with the prevailing eaves/ridge heights, relative to the highway, on the street.

An almost identical scale and massing (on front elevation) was considered acceptable by the Planning Inspector with regards to the previously refused scheme (13/03930/FUL) and this is a material consideration in this case.

Revisions to the architectural treatment of the front elevation have helped to break up the rather 'monolithic' expressed box as originally submitted and the proposal now has a reasonably well balanced front elevation in terms of expressed features and fenestration.

The elevation is unashamedly contemporary in appearance, and this is not a reason for refusal provided that the overall character remains sympathetic to the context of the street scene.

As with the previously refused scheme the presence of balconies, whilst without precedent on the street, is not considered a reason for refusal given their scale and the fact that the proposal would form something of a 'book end' on the street and provide transition to the contemporary extension at the adjacent club.

These features were also not considered anomalous by the Planning Inspector when considering 13/03930/FUL at appeal.

The fenestration pattern is also contemporary in style but the pattern of glazing achieves good proportions when taken in the context of the elevation overall.

The buildings front elevation would be set back from back edge of footway and whilst its forward-most part would be forward of the immediately adjacent front elevation of the neighbouring property (the back most part of the split elevation of Nos. 5-9A Dover Road) it is not considered that the revised plans feature a footprint that breaches the established building line to a degree that would, taken in isolation, render the building unacceptable.

It is now considered that the concerns with regard to the absence of an effective ground floor treatment on scheme 13/03930/FUL have been addressed to a degree.

The introduction of additional ground floor detailing (albeit some of a 'dummy' nature) and the reduced emphasis of the vehicular entrance combined with larger landscaped areas abutting the back edge of footway have increased the visual interest of the proposal.

The front elevation of the building continues in a single plane to the lower ground floor (rather than the stepped forward blank masonry bulk of 13/03930/FUL) and this significantly reduces the impression that the upper storeys are floating above a visually 'dislocated' undercroft.

Stone boundary walls are used consistently along the street to define the front boundary of individual properties at the back of pavement. (Members may recall that a condition was added retaining this wall, at the Committee's request in consideration of the recent excavation application- 13/03282/FUL). However that condition relates to that specific development, and does not prevent its partial removal through a subsequent application such as this.



The entrance into the building has been reduced in scope to minimise the required demolition of front boundary wall and the resulting 'gap' will not be significantly different to others present in the street scene.

The rear elevation and the street scene of Wilson Road

The revised rear elevation of the building exhibits a simpler form than initially proposed in this submission and is significantly better composed than that which was refused through 13/03930/FUL

The use of gablets on the two flanking sections mirrors traditional forms within the locality and is considered acceptable.

The expressed stair core is not an ideal addition but its roof is sloped so as to accord with the main elevation beyond and the use of the same materials as the main rear elevation will reduce the tendency for the eye to be drawn to this feature.

This rear elevation would be readily apparent from Wilson Road to the rear because of the arrangement of the house/curtilage at No.6 Wilson Road and the amended plans represent a significant improvement when compared to the original submission and the design refused under 13/03930/FUL. It is therefore considered that the design is acceptable in terms of its impact on visual amenity.

In conclusion it is considered that, whilst there are elements of design present that are not ideal the design overall is acceptable within the context of the locality and would have no significant adverse impact on the appearance of the street scenes of Dover Road and Wilson Road and thereby the wider Area of Special Character.

Given the above it is therefore concluded that the proposal is acceptable in regard of Policies H14, H15, BE5, BE18 and CS74 and paragraphs 9 and 58 of the NPPF

Sustainability

Location, land use and economic development

The site is in a highly sustainable location being within easy walking distance of the City Centre and Ecclesall Road District Centre. The proposals represent an efficient use of a previously developed site and will assist the economy in terms of providing jobs during the construction process.

Design

Supplementary Planning Guidance relating to climate change requires the introduction of an element of green roof on developments of more than 5 units but design considerations in this location are considered to outweigh this requirement in this case.

## Renewable energy and energy conservation

CS65 requires the provision of a minimum of 10% of a development's predicted energy needs to be from decentralised and renewable or low carbon energy.

The application's Sustainability Statement analyses several renewable energy sources for suitability considering the constraints on the site. The statement concludes that the 10% provision should be provided by air source heat pumps and or solar water heating though no detail beyond that conclusion is advanced and there is no indication on the plans as to where such plant will be located. There appear to be locations within the undercroft that could provide locations for the plant in the event of permission being granted the submission of further details should be conditioned.

It should be noted that the sustainability credentials of the scheme may be somewhat compromised by the requirement to provide mechanical venting for the kitchens whose windows lie in close proximity to the neighbouring club kitchen and associated extraction system.

As a brownfield site with an existing surface water run-off, policy requires that this must be reduced to a maximum 5 litres per second. This reduction should be secured by condition.

The application does not provide detailed information with regard to reducing surface water discharge from the site.

Given that the current excavations reveal a dense sub stratum (possibly bedrock) it is felt that the ability of the subsoil to provide significant soak away is unlikely. The limited soft landscaping is unlikely to provide sufficient capacity within the site for achieving adequate reduction.

Further details with regard to sustainable drainage should be sought through condition requiring details of measures to reduce surface water runoff.

In conclusion it is considered that technical solutions can be applied that would satisfy the requirements of Policies CS64 and CS65

## Residential Amenity

### Existing Residents

### Overlooking, Overbearing and Overshadowing

With regard to H14 (c) and (d) the general principles outlined in Policy H14 are further supported by Supplementary Planning Guidance 'Design of house extensions' (SPG) which lays out good practice guides for new build structures and their relationship to existing houses. Of these the following are particularly relevant:

SPG guideline 4 states that in most circumstances a minimum distance of 10 metres should be achieved between main aspect windows in the rear elevation and the rear boundary.

SPG guideline 5 states that a two storey structure should not be located closer than 12 metres in front of ground floor windows of a neighbour and that level differences may require this distance to be increased.

SPG guideline 6 states that dwellings should keep a minimum of 21 metres between facing main windows.

#### Properties on Dover Road

Separation distance to the houses on the opposite side of Dover Road would equate to 22 metres. This satisfies Supplementary Planning Guidance and it is considered that this separation distance to dwellings across the public highway is commensurate with other separation distances between opposing houses on the street. Hence, despite the likely more intense use of windows on the upper floor (compared to dormer accommodation on more traditional properties that is likely to be bedroom space) and the presence of balconies it is not felt that unacceptable levels of overlooking would arise in this case.

When considering the relationship between the proposal and properties on the east side of Dover Road, ridge height and separation distance would not differ significantly from other examples on the street and as such there is not considered to be any significant reason to refuse permission on the grounds of overbearing.

Being located to the west of these neighbouring houses some shadow cast is likely from the proposal but given that the ridge height of the proposal (relative to the footway) is no greater than other dwellings on the east side of Dover Road it is not considered that any shadowing potential is sufficient reason upon which to base a refusal of permission.

The proposal would lie in close proximity to the side elevation of properties at 5/7 Dover Road and would undoubtedly take light from windows in the side elevation. These windows are located in a side elevation and therefore can be offered little protection as they do not serve principal habitable spaces and have been designed to borrow amenity from the application site.

#### Property on Wilson Road

The rear elevation of the proposal lies 9.9 metres from the boundary with No.6 Wilson Road a dwelling which is oriented with its main aspect windows perpendicular to Wilson Road. No. 6 has a window at first floor in the side elevation facing the site but once again this window can be afforded limited protection since it is located in a side elevation and therefore it can be argued that it is borrowing amenity from the development site and does not serve a main habitable space.

The separation distance to boundary of rear elevation windows is satisfactory with regard to Supplementary Planning Guidance and therefore it would be unreasonable to argue that the windows in the rear elevation of the proposal adversely impact on the privacy of the amenity space of No. 6 Wilson Road. Several windows are located in the side elevations of the proposal and the Applicant has been advised that these are designed to be borrowing amenity from

neighbouring sites. However, these windows are indicated as fixed and obscure glazed and as such it is not considered that they would adversely impact on neighbouring amenity.

These existing resident amenity considerations were considered by the Planning Inspector with regard to the appeal against refusal of 13/03930/FUL and the Inspectors view did not differ from that stated above.

Given the above it is considered that the proposal should not significantly affect existing residential amenity and in this respect is considered to satisfy Policies H5 and H14.

#### Future occupiers

NPPF paragraph 17 (d) states:

Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

#### Natural lighting

In terms of natural light all main habitable rooms should benefit from a reasonable degree of natural lighting. All the flat's main living areas (Living/Dining/Kitchen) will benefit from significant areas of glazing and all will have good outlook.

The sole areas of concern would be the rather gloomy aspect that may be present in the bedrooms of the northernmost flat on the ground floor where the presence of the expressed stair core will form a rather overshadowing/overbearing presence and, would breach the spirit of SPG guideline 5 which suggests that, in best practice, two storey elements such as this should not breach a 45 degree line scribed from the bedroom windows.

#### Outlook

The outlook from main aspect windows facing Dover Road is acceptable and the main aspect windows in the southeast corner of the building facing over the extension to the adjacent club and towards Ecclesall Road should also be acceptable.

The outlook from kitchen and bedroom window in the rear elevation of the development will be more limited but these do achieve a separation distance to boundary of approximately 10 metres which is satisfactory when compared to SPG guidelines.

The outlook from the kitchen of the ground floor flat on the south side of the building will be limited to the roof of the kitchen extension to the Pointing Dog which is not ideal but would not represent a robust reason for refusal in its own right.

The outlook from the bottom floor flat on the north west corner which was previously heavily compromised through the need to provide privacy screening will

now be improved as the rear decked area is now intended for the sole use of this flat and no screen will be required.

#### Noise and disturbance (individual flats)

The previously refused scheme raised concerns with regard to the juxtaposition of bedroom windows and waste handling and storage at the adjacent club.

Bedroom windows on the ground floor have now been relocated to the north west corner of the building and not only achieve somewhat better separation to the club but also will benefit to a degree from the 'screening' afforded by the expressed stair-core.

The potential for noise disturbance towards the bottom floor flat on the north west corner wherein the windows were located within 2.5 metres from the amenity deck has been solved by making this deck exclusively accessible to that flat.

The location of a bedroom at lower ground floor was a cause for concern when the application was originally submitted since it had a party wall flanking the vehicular access. This has been resolved to a degree by siting the stairwell adjacent the access as a buffer and also designating the parking space adjacent the return wall as being for the flat dweller to which the bedroom relates.

It should also be noted that conditions should be added seeking appropriate standards of noise attenuation for all main habitable rooms.

The locating of bin storage within an enclosed structure adjacent the rear of the Pointing Dog should also assist in addressing concerns with regard to the juxtaposition of the two uses. It is worthy of note that the permission for the replacement kitchen carries an operational condition that limits access/egress to the 'back of house' element as follows:

10. The external doors in the kitchen extension shall be kept closed between 2000 hours and 0700 hours, and shall not at any time be opened except in the case of emergencies.

This condition should ensure that activities to the rear of the Pointing Dog do not affect amenity in the early morning and evening/night.

#### Smells and Odours

Officers previously raised concerns (13/03930/FUL) that flats could be subject to wind-blown odours emanating from extractors associated with the club premises to the south.

The Planning Inspector commented that 'There is no substantial evidence to support that assertion and other statutory controls could be invoked if the matter constituted a nuisance' and afforded this matter little weight.

Whilst not in total agreement that the weight of ensuring residential amenity in this regard should fall solely to Environmental Health legislation the Inspector's view is a material consideration on this application.

It should be noted that the details required by conditions attached to the extraction system at Pointing Dog have still not been submitted to the satisfaction of the Local Planning Authority though the owner/Applicant is, at the time of writing this report, co-operating with Council Officers in trying to secure appropriate solutions to both noise and odour control.

### External Amenity Space

External amenity space for the flats is provided in two ways. Each flat features a private balcony, these varying in size between 4.5 square metres and 9 square metres.

The ground floor flat on the north side also benefits from the 55 square metres of amenity space represented by the decked area to the rear of the building.

In all but one case it is considered that the increase in private amenity space is significant. All but one of the balconies now offers a reasonable degree of sitting out space and a reasonable degree of privacy. Moreover these spaces are located in a usable location immediately adjacent living accommodation rather than being accessed via convoluted internal routes through the building.

The exception would be the first floor flat on the north side whose provision would remain much as it was for the refused application 13/03930/FUL. This balcony would satisfy South Yorkshire Residential Design Guidelines for minimum balcony size but the resident would not have the benefit of any further communal space.

In conclusion the external amenity offered to five of the 6 flats is now considered acceptable but the rather more restricted offer to the north side first floor flat needs to be considered in the balance of the decision making process.

### Highway Matters

The scheme has one point of vehicular entrance/egress from Dover Road  
The access point to the proposed undercroft parking is not considered to be a cause for concern with regard to highway safety.

6 car parking spaces are provided with one of these being of larger dimensions and allocated for disabled drivers.

The provision of off street parking indicated represents provision of 1 space per flat. UDP parking guidelines suggest a provision of 1 space per flat with an additional space per four flats for visitors and so the provision here falls short of guidelines.

However, the location is close to the City Centre and to frequently served public transport networks.

It is acknowledged that the locality experiences difficulties with on street parking and a Residents Parking Scheme has been implemented in the locality of Dover Road.

It is appreciated that the proposal could increase parking demand in the vicinity of the development. However the Residents Parking Scheme will prevent casual/visitor parking during the stipulated hours and the development can be designated as 'car free' whereby no permits would be issued to occupants of the flats.

In the event of permission being granted a car free directive should be added to any permission indicating that no additional parking permits will be available to residents of this scheme.

Given these factors, and subject to the appropriate directive, it is considered that a provision of this magnitude is acceptable and satisfies Policy H5

Adequate covered and secure cycle parking will be provided within the undercroft.

#### Landscaping

Policy BE6 'Landscape Design' states that good quality landscape design will be expected in new developments.

The development itself will not result in the loss of any significant publicly accessible open/green space or loss of trees of significant public value though there is evidence that some site clearance of lesser specimens has occurred before the submission of this application.

The proposal includes two areas of frontage planting and some greening of the private space on the decked area to the rear. The frontage planting is welcomed and it is considered that these areas will achieve a reasonable replication of the established pattern of front gardens prevalent in the locality.

#### Mobility Housing and accessibility

UDP policy H7 requires a minimum of 25% of the units proposed to be suitable as mobility housing. This equates to 1.5 units.

The revised scheme is considered to be largely acceptable in this regard with two units earmarked for potential conversion though exact details are not forthcoming in the application. Such details can be sought through condition.

Despite two units being allocated as mobility units only one parking space can be provided due to space constraints. Whilst this is not ideal it is not considered a reason for refusal.

The development provides lift access to upper floors which is welcomed.

Further detailed information with regard to ramp gradients and provision of tactile paving also needs to be secured by condition.

Subject to these conditions the proposal is considered acceptable.

#### Community Infrastructure Levy

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development. Mostly CIL replaces some previous payments negotiated individually as planning obligations, such as contributions towards the enhancement and provision of open space (UDP Policy H16) and towards education provision (Core Strategy Policy CS43).

In this instance the proposal is liable for CIL charges, at a rate of £30 per square metre the exact amount of which will be calculated upon receipt of detailed information regarding gross internal floor space.

#### RESPONSE TO REPRESENTATIONS

Matters relating to scale/massing/ architectural design have been addressed in the main body of this report.

Matters relating to residential amenity and car parking provision have been dealt with in the main body of this report.

#### SUMMARY AND RECOMMENDATION

This is a proposal for six, two bedroom flats in a residential area. The scheme continues to have some shortfalls when tested against best practice in terms of the amenity of future occupants.

It is however considered that, on balance, and subject to appropriate conditions the overall amenity offered to future occupants should be acceptable.

The scheme also includes a feature (the expressed stair-core) which is not considered ideal in design terms.

However, the overall architectural approach for the building is considered appropriate and the stair-core does feature on a rear elevation which is not immediately fronting a highway.

In terms of scale and massing the building does not vary greatly from that felt to be acceptable by the Planning Inspector when considering the appeal for 13/03930/FUL.

No significant adverse impacts on existing residential amenity should accrue from the development and despite limited off-street car parking the presence of a Resident's Parking Scheme and a 'car free' directive added to any permission should negate the possibility of adverse impacts on highway safety/free flow of traffic.



Taking all of the above and taking into consideration the city's current shortfall in housing supply it is therefore felt that, on balance, the scheme meets the relevant requirements of the NPPF and UDP policies BE5, BE18, H5, H14, H16 to Core Strategy policies CS31 and CS74.

Accordingly, it is recommended that the application is granted with conditions.

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Case Number	14/02979/FUL (Formerly PP-03588251)
Application Type	Full Planning Application
Proposal	Demolition of former Eon Works and erection of 129 studios and apartments with ground floor ancillary laundry, cinema, gym and commercial unit for retail, café/restaurant and office use (classes A1, A3, B1)
Location	Former Eon Works Earl StreetSheffieldS1 4PY
Date Received	08/08/2014
Team	City Centre and East
Applicant/Agent	Axis Architecture
Recommendation	GRA GC subject to Legal Agreement

Subject to:

**Time limit for Commencement of Development**

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

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

**Approved/Refused Plan(s)**

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

Drawing numbers:  
26148 (01) 01 Rev B;  
26148, (02) 00 Rev B;  
26148 (02) 01 Rev C;  
26148, (02) 02 Rev D;  
26148, (02) 03 Rev C;  
26148 (04) 01 Rev B;  
26148. (02) 04 Rev A;  
26148. (04) 02 Rev B;

Reason: In order to define the permission.

**Pre-Commencement Condition(s)**

3. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the of the completed development will be obtained from decentralised and renewable or low carbon energy;

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

4. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and postinvestigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then

disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

5. No development shall take place, including any works of demolition, until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during demolition and construction works.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property it is essential that this condition is complied with before any works commence on site.

6. The intrusive investigations recommended in the approved Phase I Preliminary Risk Assessment Report (Eastwood & Partners ref. 37498-001; August 2014) 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 construction commencing. 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

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

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

9. No demolition hereby authorised shall be carried out before a contract for the carrying out of the works of redevelopment of the site has been made, evidence that such a contract has been submitted to and approved in writing

by the Local Planning Authority and planning permission has been granted for the redevelopment for which the contract provides.

Reason: To ensure that premature demolition does not take place and result in an undeveloped site, sometime before rebuilding, which would be detrimental to the visual character of the Conservation Area.

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

10. Prior to any of the apartments being occupied the following highway improvements shall be carried out, details of which shall have been given prior approval by the Local Planning Authority.
1. Resurfacing of footpaths adjoining the site in accordance with secondary palette in Urban Design Compendium.
  2. Reinstatement of redundant crossings as footpath.
  3. Improvements to the surfacing/ lighting and provision highway warning/direction signs to Hallam Lane.

Reason: In the interests of the amenities of future occupiers of the development and in the interests facilitating pedestrian/cycle access and safety.

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

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

12. Prior to the commencement of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

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

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

13. 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.

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

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

15. Prior to construction commencing details of the following matters shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the apartments are occupied.

1. Juliet balconies and railings to terraces.
2. Depth of window reveals
3. Design of clerestory window to twin studios
4. Secure access arrangements for the cycle store.
5. Design of eaves
6. Design of spandrel panels
7. Design of glazing to atrium
8. Design of balustrade to roof garden
9. Typical elevation of a bay at a scale of 1:20, sections and elevations

Reason: In the interests of the amenity of the locality and the safety of users of the cycle store.

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

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

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

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

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

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

19. The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

20. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
  - a) Be based on the findings of an approved noise survey of the application site (which shall include an assessment of noise from the White Rose Works), including an approved method statement for the noise survey.
  - b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
  - c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority

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

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

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

22. Before the use of the building for food and drink purposes is commenced a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:
- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
  - b) Be capable of restricting noise breakout from the Use Class A3 use to the street to levels not exceeding:
    - (i) the background noise levels by more than 3 dB(A) when measured as a 15 minutes Laeq,
    - (ii) any octave band centre frequency by more than 3dB when measured as a 15 minute Leq,
    - (iii) Be capable of restricting noise breakout from the Class A3 use to the flats above to levels complying with the following:  
Bedrooms: Noise Rating Curve (variable) (2300 to 0700 hours),  
Living Rooms: Noise Rating Curve NR 35 (0700 to 2300 hours).

(Noise Rating Curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 kHz to 8 kHz).

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and of the residential occupiers of the building.



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

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

24. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be installed prior to use commencing and be thereafter retained and maintained.

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

25. 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.

26. 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.

27. The surface water discharge from the site shall be subject to a reduction of at least 30% compared to the existing peak flow. This should be achieved by sustainable drainage methods where feasible. Should the design not

include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres per second per hectare is required, or 5l/s in total if the site is smaller than 1 hectare. The detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted and approved by the Local Planning Authority prior to commencement of building.

Reason: To ensure satisfactory drainage arrangements.

### **Other Compliance Conditions**

28. The building shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

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

29. The building shall not be used unless the cycle parking accommodation for 36 bicycles as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

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

30. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried on only between the hours of 0700 to 2300 Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

31. The café/restaurant (A3) use shall only be used for such purpose between the hours of 0700 to 0030 on any day.

Reason: In the interests of the amenities of future occupiers of the residential units.

32. Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. The Environment Agency recommends that the developer considers opportunities to reduce the potential impact of flooding by raising floor levels wherever possible and incorporating flood proofing and resilience measures. They also recommend the developer produce/update a flood evacuation plan. With respect to contamination they recommend that you follow the risk management framework provided in CLR11, Model Procedures for the Management of Land contamination, when dealing with land affected by contamination.
2. The Council's drainage section has advised that the surface water storage could be achieved through the use of green and brown roofs as opposed to underground tanks.
3. The applicant is advised to note the noise concerns raised by the occupier of the White Rose Works. In particular you are advised to consider whether adequate consideration has been given to noise from the presses. This needs to be resolved before specifying a scheme of sound insulation and ventilation.
4. As the proposed development will involve the closing/diversion of a highway(s) you are advised to contact the Principal Engineer of Highway Information and Orders, Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH, as soon as possible.
5. 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.

6. 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.

7. 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

8. 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.

9. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.

10. 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.
11. You are advised that residential occupiers of the building should be informed in writing prior to occupation that:
  - (a) limited/no car parking provision is available on site for occupiers of the building,
  - (b) resident's car parking permits will not be provided by the Council for any person living in the building.
12. 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.
13. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

# Site Location



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## INTRODUCTION

Members may recall that this application was considered by committee on 3 March 2015 when members resolved to grant planning permission subject to conditions and to the applicant entering into a legal agreement to secure the following heads of terms:

### Heads of Terms

1. A contribution of £158,675 to be used for improving open space in the locality in accordance with the Supplementary Planning Guidance 'Open Space Provision in New Housing Development and the City Centre Breathing Spaces Strategy'.
2. A contribution of £462,852 to be used to finance new affordable housing by new building or the purchase, refurbishment or conversion of existing private housing within the City Centre West Affordable Housing Market Area in accordance with the Affordable Housing Interim Planning Guidance 2014 Update.

## PLANNING ASSESSMENT

Before the application was considered at committee and since the committee decision, officers have been pressing the applicant to enter into a legal agreement to secure the above Heads of Terms.

Part of the delay has been due to the owner of the site not being willing to sign a S106 agreement. The developer has now purchased the site from the owner and therefore has become the new owner so can legally enter into a S106 agreement.

The Government has introduced the Community Infrastructure Levy (CIL) which is intended to replace most S106 agreements except for affordable housing and site specific requirements. The Council Cabinet approved the CIL charging Schedule on 15 April this year and CIL takes effect on developments granted planning permission from 15 July this year.

As the legal agreement for this site was not completed by 15 July the planning permission has yet to be issued. This means that CIL now applies to this development.

The applicant has supplied a CIL information form which establishes the CIL liability. The levy becomes due when development commences. In this case the CIL liability is £30 per sqm of residential floorspace. It replaces the requirement to contribute to improving open space.

The requirement for an affordable housing contribution remains and this will be secured by a S106 agreement as before. Planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly related in scale and kind to the development. Affordable housing is supported by national and local planning policy. The affordable housing requirement arises directly from the development being permitted and as affordable housing is not being provided on site it is reasonable to require a

contribution in accordance with the Council's published policy guidance. Therefore it is concluded that the planning obligation meets the relevant tests.

The scheme remains unchanged from that considered and approved by committee in March 2015. Since that time there has been no significant change in circumstances which would justify reaching a different decision to that previously made. The previous application report is appended to this report as is the Supplementary Report that was presented on this item at that meeting. This is to ensure that Members have all the relevant information in front of them.

## SUMMARY AND RECOMMENDATION

There has been no significant change in circumstances since the previous decision therefore it is recommended that members grant consent subject to the applicant entering into a legal agreement to secure the following revised Heads of Terms which reflect the new CIL requirements.

### Heads of Terms

A contribution of £462,852 to be used to finance new affordable housing by new building or the purchase, refurbishment or conversion of existing private housing within the City Centre West Affordable Housing Market Area in accordance with the Affordable Housing Interim Planning Guidance 2014 Update.

In the event that the legal agreement to secure the affordable housing contribution is not in place by 10.9.15 it is recommended that planning permission be refused on the grounds that the proposal is contrary to the National Planning Policy Framework and Core Strategy Policy CS40 in not delivering affordable housing necessary to meet the City's housing needs.

## **APPENDIX 1 - PREVIOUS REPORT TO COMMITTEE 3 MARCH 2015**

### LOCATION AND PROPOSAL

The application site is in the Cultural Industries Quarter Conservation Area at the junction of Earl Street and Eyre Lane. The western boundary to the site adjoins Hallam Lane which is a narrow cul de sac providing service access to buildings that front on to Eyre Street, these are occupied by an auto centre, a dance studio and offices. To the north the site adjoins land used as a public car park and accessed from Matilda Street. To the east and on the opposite side of Eyre Lane there is a dance studio, a metal fabrication workshop and cutlery manufacturers. To south and on the opposite side of Earl Street is the new Fire Station.

The application site is occupied by derelict single storey workshops with a two storey office facing Earl Street. The buildings are faced in brick and the workshops have asbestos sheeted roofs. The existing buildings appear to date from the 1940/50s.

The application is seeking permission to redevelop the site with a 4/5 storey building providing, gym, cinema, laundry and retail/restaurant/office unit on the ground floor. The upper floors accommodate 129 residential units, 83 of which are



studios, 30 are one bed units and 16 are twin bed units served off a central atrium. There are two pedestrian entrances on Eyre Lane and one on Earl Street. There will be no car parking but a 36 space bike store will be accessed from Hallam Lane. An amenity space of approximately 635 sqm is to be provided on part of the roof with approximately a quarter of the roof space being a brown roof.

The building is 5 storeys high on Earl Street and for half of the Eyre Lane and Hallam Lane elevation. It drops down to 4 floors at this point on Eyre Lane elevation but is retained at 5 storeys on the Hallam Lane elevation although the upper floor is set back 1.5m.

The building design is contemporary with a flat roof. It is divided into a series of regular bays by projecting brick piers. Within these bays there are repeating elements of rectangular brick and glazed panels (standing seam on the upper floor). The key public areas of the building at ground floor level on the Eyre Lane, Hallam Lane and Earl Street frontages are formed by glazed shop fronts. Approximately half the bays on the ground and first floors of the Eyre Lane and Hallam Lane elevations are recessed by approximately 1.5m creating small terraces bounded by railings.

Within these recessed bays the walls are faced in white glazed brickwork and Profolite profiled glass. The Hallam Lane and Eyre Lane elevations are split into two elements by a centrally located staircase which is faced in a Profilit profiled glass panel system.

The Earl Street elevation is composed of a solid red brick work element with feature white glazed brick panel and a highly glazed section.

## SUMMARY OF REPRESENTATIONS

Six representations have been received. The comments received are as follows;

- The development could acquire rights to light which may affect the development of the adjoining Euro Parks site which abuts the application site.
- Planning permission should be conditioned to ensure the premises are properly noise insulated. The Hype Dance studios is concerned the incoming residents might complain putting long standing businesses under threat or to additional cost. The White Rose Works opposite the site starts work at 07.30 hours Monday to Saturday during which time fans, machinery and presses are operating. The occupier is concerned that occupiers will complain which could affect operations and have employment implications. They consider bedrooms should not be located on the ground and first floor, windows should be fully sealed and noise and vibration assessments should be undertaken.
- The six storey building will affect light to an adjacent cutlery factory (The White Rose Works) where natural light is critical to the manufacture of highly polished cutlery.
- Following the submission of the sun path analysis they advised that they still have serious concerns that the development will affect natural daylight in the

- factory/workshop. They consider the sunlight assessment lacks clarity as it does not explain at what time in the afternoon overshadowing will set in.
- The applicant has also offered to install roof lights on the upper floor of the building affected but the objector considers that he has not had sufficient time to consider the implications of this possible solution. He has noted that it would only benefit the top floor and that the manufacturing primarily takes place on the lower floor. He also says that any light gained could be affected by future development and that this solution raises security concerns which his insurers may not accept. However he would be willing to accept a condition requiring the provision of roof lights. They also consider the development will breach their rights to light. (The right to light is not a planning matter as there is a remedy under separate legislation and planning should not duplicate these controls).
- Parking and traffic impacts need to be considered along with any disruption to access during construction. This might affect customers who need to park near to the Hype Dance Studio.
- Existing building is in a poor state of repair and of no architectural merit. The Development should maintain the Cultural Industry Quarters character and appearance. The proposed development sits comfortably with adjacent development.

Sheffield Conservation Advisory Group considered the application at their meeting on 16.9.14 and made the following comments.

The Group felt that the development did not respect its context and it would cause unacceptable damage to the conservation area. The Group considered that the development was too high, the design was inappropriate and the materials were inappropriate in an area of mainly red brick buildings. The Group recommended that there should be some form of ground floor activity within the development, to reflect the intention that the Cultural Industries Quarter should be a lively area of the City Centre.

## PLANNING ASSESSMENT

### Policy

The site is located within a Fringe Industry and Business Area in the Unitary Development Plan (UDP), where Business, General Industry and Warehousing uses are preferred and should be dominant. However, this designation is no longer fully appropriate as the Core Strategy policy CS6(f) identifies that manufacturing uses are no longer appropriate in this part of the City Centre.

Policy CS17(c) promotes a mix of uses, particularly related to the creative and digital industries. This is reflected in the proposal within the draft City Policies and Sites to designate the area as a Business Area where employment uses will be promoted through the restriction of residential to no more than 40% of the floorspace in the area (draft Policy H1). The draft City Policies and Sites Background Report on Economic Prosperity and the City Region in paragraphs 7.184 to 7.187 explains that the balance of uses in the area is currently acceptable. This draft policy carries some weight because the Unitary Development Plan

designation is now not fully appropriate. Therefore it is concluded that a residential scheme is acceptable in principle.

The commercial unit is to be used for retail, restaurant/café or office use. Retail and office uses are acceptable under both the Unitary Development Plan and Draft City Policies and Sites policies. Food and drink uses are acceptable in Fringe Industry and Business Areas and should be considered on their merits in Business Areas. The National Planning Policy Framework requires out-of-centre retail uses to be assessed in terms of their impact, (if greater than 2500 sqm or a locally set threshold) and against the sequential test. In this case the commercial unit is only 75 sqm and therefore the impact test does not apply. The retail floor space is small and will serve residents in the surrounding area. It will be located only 60m from the central shopping centre and will help to deliver an active frontage to the development. Given this it is considered that the sequential test is not a reason for opposing this application.

The site is previously developed and therefore development here will contribute towards achieving the aims of Core Strategy Policy CS24 which seeks to maximise the use of previously developed land for new housing.

The proposal for 129 studio and 1-bed apartments is on a site of 0.15 hectares would represent a gross density of above 860 dwellings per hectare which, whilst high, is acceptable in this City Centre location, where Core Strategy Policy CS26 requires new housing to be at a density of 70 dwellings per hectare or above.

Core Strategy Policy CS41 aims to ensure development of mixed communities. This will be promoted by providing for a broad range of smaller households in the City Centre where 'no more than half the new homes in large developments should consist of a single house type'. This is defined as no more than 50% of the same house type in schemes of more than 60 new homes. As this proposal is for 129 apartments, and 83 (64%) are studios and 46 (36%) are one bedroom units or twin studios, the proposal does not comply with this part of the policy.

This mix has improved considerably since the original submission when approximately 90% of the units were of a single type. The applicant has been pressed hard to amend the scheme so that the mix is as close as possible to the policy requirement, but he is unable to go further without undermining the overall viability. The applicant has confirmed that internal partitions will be lightweight and non-loadbearing to allow maximum flexibility for layout changes to reflect market changes in the future. A sketch plan has been submitted to demonstrate how the layout of the studios could be reconfigured to create larger units. In light of the above it is concluded on balance that the proposed mix can be supported despite being contrary to policy. This is on the basis that the scheme will deliver much needed residential accommodation in a sustainable location and regenerate a prominent derelict site in the conservation area. It also seems likely that this part of the city with its proximity to the University will appeal to residents seeking smaller short term accommodation.

Policy CS41 also seeks to promote mixed communities by providing purpose-built student accommodation as part of a mixed housing development with a mix of

tenures and sizes of unit on larger sites primarily in the City Centre. It also seeks to limit hostels, purpose built student accommodation and housing in multiple occupation where more than 20% of residences within 200m of the site are shared housing.

The applicant has described the accommodation as studios and apartments and the agent has indicated that whilst it would be targeted at foreign students, key workers would not be excluded. The vast majority of the units provide limited living/cooking and eating space and the scheme also includes a communal laundry and cinema space. This leads officers to conclude that this is not designed as long term living accommodation. Currently 36% of accommodation within 200m of the site is shared and this will reduce to 33% taking into account recent consents. As the scheme comprises of self-contained units if it were permitted the percentage of shared or purpose built student accommodation would fall. However in all likelihood there would be an increase in the student population in the area, which the policy is intended to control. The character of student accommodation has changed since the policy was formulated and has moved away from purpose built cluster flats to more self-contained units. However in this case the site is close to the University and there is no significant community to imbalance. Given this and the fact that the development will redevelop a vacant site in the conservation area, it is considered that there is no basis for resisting the application under this part of the policy.

#### Affordable Housing

Core Strategy Policy CS40 requires developers of new housing development to contribute towards the provision of affordable housing where practical and financially viable. The Affordable Housing Interim Planning Guidance 2014 locates the site in the City Centre West Affordable Housing Market Area where the expected contribution is equivalent to 10% of the units on the site being transferred at the Transfer Price. That is the price per square metre at which properties will be sold by the developer to a Registered Provider. In this case an off-site commuted sum is considered to be acceptable.

The applicant has agreed to meet the affordable housing policy and provide a contribution of £462,852 in accordance with the guidance. This will be secured by a planning obligation.

#### Open Space

The City Centre Living Strategy Supplementary Planning Guidance guideline 12 states that in order to provide open space available to the public, developments will be expected to make a financial contribution towards provision or enhancement of open space in line with the City Centre Breathing Spaces Strategy or provide publicly accessible open space as part of their scheme. In this case the scheme does not provide any publicly accessible open space; therefore under the terms of the guidance a contribution is required. Based on the standard formula in the guidance the open space contribution is £158,675 which will be secured by a unilateral obligation.

## Conservation area and design issues

The National Planning Policy Framework (NPPF) states that Local Planning Authorities should set out in their plans a positive strategy for the conservation and enjoyment of the historic environment. In developing this strategy they should take account of new development making a positive contribution to local character and distinctiveness. Where development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Unitary Development Plan policy BE16 'Development in Conservation Areas', states that buildings which make a positive contribution to the character of the conservation area will be retained. Redevelopment of sites which detract from the character of the conservation will be encouraged where it would enhance the character or appearance of the area. It states that permission will only be given for proposals which preserve or enhance the character or appearance of the conservation area.

The existing industrial buildings date from the 1930s to 1950s. They largely comprise of single storey red brick buildings with multiple gables facing Eyre Lane and Hallam Lane. There is a two storey works entrance on Earl Street. Some of the original metal frame window openings remain. Part of the roof is missing and the buildings are deteriorating. Whilst the buildings exhibit some characteristics of metal trade buildings they are not of such high architectural or historic merit that their retention is justified. The Urban Design Compendium does not identify the buildings as significant buildings which contribute to the character of the area.

The scheme as originally submitted was 6 storeys high across the whole site. Following negotiations this has been reduced to 5 storeys on the southern half of the site dropping to 4 storeys half way along the Eyre Lane elevation but continuing at 5 storeys on Hallam Lane albeit set back by 1.5m. The buildings around the site are predominantly single or 2 storeys high. The new Fire Station opposite the site on Earl Street and wrapping around the corner onto Eyre Lane is the equivalent of 5 storeys high and the buildings on the opposite side of Hallam Lane and facing onto Eyre Street are between 1 and 3 storeys high.

Officers consider a reasonable case can be made for 5 storey development on the Earl Street frontage as the Fire Station building opposite is of a similar scale and Earl Street provides a secondary link between the Cultural Industries Quarter Conservation Area and the Moor. Stepping the development down to 4 storeys on Eyre Lane ensures the scale of the building responds to the prevailing character.

The applicant was also advised to drop the height of the building along the northern part of the Hallam Lane elevation to 4 storeys but have instead set the upper floor back by 1.5m. Hallam Lane is a particularly narrow lane and it is considered that a 5 storey building will appear quite overbearing in this context. Setting back the upper floor is unlikely to have a significant impact on the massing of the scheme. As a result it is considered that the scheme will have a harmful impact on the Hallam Lane frontage of the conservation area. Hallam Lane is a cul

de sac which functions as a service area for buildings facing on to Eyre Lane and has very low levels of pedestrian and vehicular traffic. As a result the visual impact and harm caused will be less substantial. Given this it is concluded that the harmful impact is not so severe as to justify refusing planning permission.

The development responds to the character of the conservation area in that it will be sited at the back edge of footpath which is a strong characteristic of development in the area. The fenestration also provides a regular rhythm of repeating windows in a contemporary interpretation. Since the original submission the predominant material has been changed to red brick which is the traditional facing material in the conservation area.

The elevations are divided into series of bays by brick piers and by a glazed stair tower. The spacing of the bays and the fenestration of window openings varies between the two halves of the development. This helps to break down the massing of the building and create variety. The full height windows to each unit will create visual interest and result in reasonably inviting elevations. The ground floor of Earl Street and the Eyre Lane and Hallam Lane corners contain significant elements of shop front type glazing and the Shop/ restaurant/office and gym uses on the Eyre Lane/Earl Street corner will help to help to create activity and interest at street level.

The facing materials are of acceptable quality and the predominant red brickwork is sympathetic to the surroundings. The other materials are glazing, and metal cladding along with window frames coloured dark grey/silver. The use of these contemporary materials with a predominant framework of traditional red brick is considered to be acceptable. Overall the design is considered to be satisfactory and the scheme will make a positive contribution to the street scene.

#### Flood Risk

The majority of the site lies within flood zone 1 but a small part of the south west corner lies within flood zone 2 where there is a medium probability of flooding. As part of the site is in flood zone 2 the applicant has submitted a sequential assessment to consider whether the development could reasonably be located in a lower flood risk zone. As the development is primarily intended to serve students the search area for alternative sites has been limited to the Cultural Industries Quarter.

Six allocated sites have been identified from the City Policies and Sites document, a number of which are not available. The other sites are wholly located within flood zone 2 and therefore cannot be considered to be sequentially preferable. Therefore the proposal is considered to pass the sequential test.

Residential development is classed as more vulnerable development and commercial development as less vulnerable development. More vulnerable and less vulnerable development is compatible with flood zones 1 and 2.

The 1 in 200 year flood level which is taken to be equivalent to the 1 in 100 plus an allowance for climate change is 61.21m at Earl Street and 59.59 in the centre of

the site. The site level at the junction of Earl Street and Eyre Lane is 62.69 rising to 63.42 at the junction of Eyre Lane with Hallam Lane. The site levels rise further at the northern end of the site. As the site is approximately 1.5m above the 1 in 100 year flood level with an allowance for climate change the flood risk assessment concludes that the site is not at significant risk of flooding. There is the potential for shallow risk surface water flooding to the building entrance on Earl Street and from fluvial flooding in an extreme storm but this can be addressed by setting the Earl Street entrance at least 300mm above road level and setting other entrance levels a nominal height above road level and no lower than the existing building level.

The existing site is completely impermeable and will remain so following the development. It is expected that infiltration will not be viable due to impermeable ground and historic contamination. In order to deliver a 30% reduction in reduction in run-off to reduce the risk of flooding from surface water run-off underground storage will be provided.

Yorkshire Water has no objections to the proposal subject to conditions being attached requiring drainage details to be submitted. The Environment Agency has no objections to the proposal. Whilst they have made some recommendations they have not asked for any conditions. The Council's drainage section has no objections subject to a condition restricting the surface water discharge in order to minimise the impact of flooding.

#### Noise and Amenity Issues

A noise assessment has been submitted with the application. This measured background noise and specifically considered noise from the adjacent dance studios and, the auto repair workshop. Noise from the White Rose Works was not measured as it was not considered to be a principle source of noise at the time of the noise survey. Glazing and ventilation specifications are proposed in the noise assessment.

Whilst the Environmental Protection Officer has some concerns about the noise report these are minor. The officer has advised that the site is suitable for the proposed use and a suitable scheme of attenuation works should be readily available and capable of providing a satisfactory living environment for future occupiers. The proposed conditions establish internal noise levels that will provide a satisfactory noise climate for residents and should minimise the risk of noise complaints. The noise attenuation works will have to be designed to meet these noise levels taking into account noise sources and the noise attenuation works will have to be validated to demonstrate that they achieve the internal noise levels. If the noise levels cannot be achieved with windows partially open the scheme of works will include a system of alternative acoustically treated ventilation. Although noise from White Rose Works has not been measured the Environmental Protection Officer considers that a fairly standard scheme of sound insulation will be sufficient for this site. Should the developer underestimate the noise attenuation works required then it is likely that they will fail the validation condition. This will result in a delay in when residents can move in until the attenuation is upgraded to meet the terms of the conditions.

The latest scheme provides residential accommodation on the ground floor. However these are set back approximately 1.4m from the back edge of footpath with a railing to protect a small hard surfaced terrace. This provides some defensible space and help to protect privacy. Given that the footfall along Eyre Lane is quite low this arrangement is considered to be acceptable.

There is a small amount of amenity space that will be provided on the roof (approximately 625 square metres) to meet some of resident's needs.

#### Access Issues

The application site is located in the city centre and consequently is well served by shops, services and public transport. In a sustainable location such as this there is no requirement for car parking and none is proposed.

A bicycle store is provided on the ground floor which can accommodate 36 bicycles. The Council's parking guidelines for students are 1 space per two residents. This would suggest 73 spaces should be provided. Whilst the cycle parking provision does not meet the guidelines this is not considered to be sufficient reason for opposing the application.

Level entrances will be provided to the residential accommodation and the commercial units. Lifts will be provided to the upper floor 25% of the units will be mobility apartments. It is therefore concluded that the development will be accessible to people with disabilities.

#### Sustainability

The application site is a brownfield site and in a sustainable location well served by shops, services and public transport.

The applicant has advised that the 10% of the predicted energy needs will be most likely be met by Photo Voltaic arrays on the roof. This complies with Core Strategy Policy CS 65 which seeks to reduce carbon emissions.

The applicant has confirmed that the development will be designed to level 3 Code for Sustainable Homes and therefore the proposal meets Core Strategy Policy CS64 which seeks to encourage sustainable design.

A brown roof will be provided over approximately 25% of the roof which will provide improved insulation, improve biodiversity and attenuate surface water run-off.

#### Archaeology

Buildings occupied the plot by 1823, these are likely to have been the Royal Hotel Public House, shops and back-to-back and terraced houses. Cellars belonging to these buildings will have impacted on any earlier archaeological deposits within their footprints. The current buildings on the site were erected between the late



1930s and early 1950s. The archaeological potential within the Site relates primarily to the 19th -century deposits and is considered to be good.

The assessment suggests that the archaeological interest in this site is fairly limited and therefore a condition is proposed to secure some further investigation of the below-ground deposits identified as of potential interest.

#### Impact on Natural Light

The applicant has carried out a sun path analysis which assesses which part of the building will fall in shadow as a result of the development. It should be noted that since the original objection the Eyre Lane elevation has been reduced in height from six storeys to five/four storeys. The sun path analysis shows that on the 21st of March (vernal equinox), 21st June (longest day), 21st December (shortest day) there is no difference in the amount of building in shadow comparing the existing building with the proposed building at 9am, 12am on all three dates and at 3pm on 21st December. However on 21st of March and 21st of June there is an increase in overshadowing of the Eyre Lane elevation from mid to late afternoon. Therefore there is likely to be some additional impact on the operations at the White Rose Works.

The applicant has been liaising with the occupier of the White Rose Works about the loss of light issue. They have offered to fund some additional roof lights to the first floor of the block of the works adjoining Eyre Lane. This is feasible as this building has a flat roof.

The occupier has raised some concerns about this possible solution which are outlined in the representations section and advised that they need more time to consider the implications. The applicant is continuing to hold discussions with the occupier and officers will report progress verbally at committee.

However it is not clear what level of natural light is required to efficiently undertake existing operations within the White Rose Works or what level of impact the development will have on operations. As it stands there will be plenty of dark days and long periods during the winter when the occupier has to operate using artificial light. It is also not clear how easily any loss of light could be managed by internal reorganisation or adjusting the timing of operations. There is also some overlap between planning concerns and private rights under the Right to Light Act. Given the above it is considered that the planning remit is limited and it is concluded that even if it is not possible to reach agreement on roof lights that the impact of the development on loss of light will not be so severe as to justify refusing planning permission. Therefore given this and the doubts that roof lights will provide a workable solution it is not reasonable to attach conditions requiring these works.

#### RESPONSE TO REPRESENTATIONS

There are no windows on the elevation that adjoins the Euro Parks site and therefore there is no reason why rights to light should be acquired. The

development will result in a 3/4 storey gable wall which should not prejudice the development of this site.

Whilst there is likely to be some disruption during construction parking is not permitted on Eyre Lane adjacent to the site.

## SUMMARY AND RECOMMENDATION

The proposal does not conflict with local development plan policy except part a) of policy CS41 which seeks to ensure that not more than half of homes in large developments are of a single house type. There are also some reservations about the massing of the development on the Hallam Lane frontage. The impact on natural light to the White Rose Works is a negative impact but not so severe as to justify resisting the proposal.

However the scheme will regenerate a vacant site within the conservation area and deliver housing in a sustainable location. It will deliver a much needed contribution to affordable housing and meet the Council's sustainable design policies. Subject to the above concerns about massing the detail scheme design is sympathetic to the character of the conservation area and will significantly improve the appearance of the site. The environment is considered to be satisfactory for residential accommodation and the interests of existing businesses will be protected by the proposed noise conditions. Taking the above into account it is concluded that the planning benefits outweigh the harmful impacts and therefore permission should be granted subject to the proposed conditions and subject to the applicant entering into a legal agreement to secure the following heads of terms:

### Heads of Terms

1. A contribution of £158,675 to be used for improving open space in the locality in accordance with the Supplementary Planning Guidance 'Open Space Provision in New Housing Development and the City Centre Breathing Spaces Strategy'.
2. A contribution of £462,852 to be used to finance new affordable housing by new building or the purchase, refurbishment or conversion of existing private housing within the City Centre West Affordable Housing Market Area in accordance with the Affordable Housing Interim Planning Guidance 2014 Update.

## **APPENDIX 2 – SUPPLEMENTARY REPORT TO COMMITTEE ON 3.3.2015**

### Additional Condition

No demolition hereby authorised shall be carried out before a contract for the carrying out of the works of redevelopment of the site has been made, evidence that such a contract has been submitted to and approved in writing by the Local Planning Authority and planning permission has been granted for the redevelopment for which the contract provides.

To ensure that premature demolition does not take place and result in an undeveloped site, sometime before rebuilding, which would be detrimental to the visual character of the Conservation Area.

#### UPDATE ON LOSS OF LIGHT

The applicant and occupier of the White Rose Works are discussing various options for improving the natural lighting to the Works. This includes introducing roof lights and possibly a specialist lightbox strip to the perimeter of the ground floor workshop.

The applicant understands the importance of maintaining the existing business and the occupier of the White Rose Works has indicated that he has no wish to stand in the way of the regeneration scheme.

As yet the detailed scheme of works is not agreed as discussions will need to take place with the White Rose Works insurers. However there is time to resolve this before the likely project delivery date of Sept 2016.

As explained in the committee report the impact on loss of light is not considered to be sufficient to justify refusing planning permission and there is a separate remedy under the Right to Light Act. The applicant and occupier of the White Rose Works are seeking to resolve the issue by agreement without recourse to legal proceedings.

The occupier of the White Rose Works has confirmed that he is satisfied at this stage that the right to light issue should be able to be resolved by mutually acceptable solutions but notes that if this is not possible it can be addressed through his private rights under the Right to Light Act.

Therefore the recommendation remains as set out in the committee report.

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## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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

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**Date:** 4 September 2015

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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  
4 SEPTEMBER 2015

### 1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

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

### 2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for erection of raised veranda to rear of dwellinghouse at (Re-submission of 14/04093/FUL) at 49 Halifax Road Grenoside Sheffield S35 8PA (Case No 15/00298/FUL)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for use of shop as a hot food takeaway ( Class A5) at Rivals 749 City Road Sheffield S12 2AA (Case No 14/01085/CHU) has been dismissed.

#### Officer Comment:-

The Inspector considered that the main issues to consider in this case were the effect of the proposal on the vitality, viability and function of Manor Top Shopping Centre and on the living conditions of occupiers of nearby residential properties.

He observed that non-retail uses already predominate in the centre and that the loss of a retail use as proposed would further dilute the concentration of A1 shops and result in 3 hot food takeaways in a row which would exacerbate the situation, particularly as the unit would present a dead frontage during the day. The Inspector noted that the unit was occupied by a retail use at the time of his visit suggesting that there is no evidence of falling retail demand. He therefore concluded that the proposal would materially harm the function of the shopping centre and diminish its vitality, contrary to Policy S10 of the UDP.

On the issue of harm to living conditions the Inspector observed that there were already high ambient noise levels due to the situation of the site and concluded that, subject to an appropriate condition to govern the fume extraction system to control odour dispersal, the proposed use would not cause significant harm to the living conditions of occupiers of nearby

residential property but this did not outweigh the harm identified in relation to the vitality of the centre and the appeal was therefore dismissed.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for prior notification for the change of use of an agricultural building to 3 dwellings at Stable Building Middlewood Hall Mowson Lane Sheffield S35 0AY (Case No 14/04252/ARPN) has been dismissed.

Officer Comment:-

This application was to convert stables into a residential property using "Permitted Development" (PD) rights This is subject to the Prior Notification procedure. In this case, the Council considered that the stables were not an agricultural use and so did not benefit from this PD right.

The Inspector set out the main issue to be whether or not the proposed development was permitted under the under Schedule 2, Part 3, ClassQ of the Town and Country Planning (General Permitted Development)(England) Order 2015, Before an assessment of whether it accords with the regulations, it was necessary to consider if it accords with the definition of "Agriculture.

In this case, the land available with the stables was quite extensive which did not comply with the definition of "curtilage " in the regulations. This being the case, the proposal could not be PD.

In addition, the Inspector confirmed it is an established position that the stabling of horses, other than for the farming of horses, is not an agricultural business.

Consequently, the stables are not in agricultural use and therefore the proposed development is not PD.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for erection of retail unit at 591 Staniforth Road Sheffield S9 4RD (Case No 14/03802/FUL) has been dismissed.

Officer Comment:-

The Inspector noted that the main issues were the effect on the character and appearance of the area and the effect on the vitality of the Darnall Shopping Centre.

He concluded that the proposal would consolidate the already poor appearance of the existing building and detract further from the character of the immediate area. A building of this form would represent poor design contrary to the aims of the National Planning Policy Framework and UDP Policy BE5.

The Inspector also considered that the sequential test had not been satisfactorily carried out and as such he was unable to conclude that there were no suitable premises within the existing shopping centre. He considered that accepting new retail development outside the centre would result in consolidation of retail activity away from the centre and would therefore detract from the viability and vitality of Darnall District Centre, contrary to the

objectives of the National Planning Policy Framework.

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the decision of the Council at its meeting of 6 January 2015 to refuse planning consent for use of distribution centre/warehouse for post-16 school with associated alterations, including single-storey extension to form entrance, re-cladding and installation of windows and doors at 6 Hydra Business Park Nether Lane Sheffield S35 9ZX (Case No 14/03411/FUL) has been allowed.

**Officer Comment:-**

The decision on this appeal was “recovered” for the Secretary of State to make after considering a report from the Planning Inspector

The Inspector considered the main issues to be whether the proposal would undermine the Council’s local plan policies that seek to protect employment land and uses in the area, whether the effect of the proposal on the ability to attract heavier industrial type employment uses to the surrounding area in the future and, the effect of the proposal on pedestrian safety.

In the first part, it was felt that as the proposed use was an acceptable use in a General Industrial Area rather than a preferred use and there was still employment land available it did not conflict with local plan policy. Also it would not decrease the number of jobs in the area but would contribute to employment.

In the second part, it was accepted that the school could be susceptible to noise pollution from the surrounding area but the noise report confirmed that this could be mitigated. There was also the possibility that, in the future, the presence of a school would be a concern to future prospective occupiers on nearby sites because of the risk of complaints about noise nuisance. Nevertheless, it was considered that the presence of other existing including a children’s nursery could give future occupiers similar concerns, There was no evidence that the existing users had complained about noise. As such, the proposal did not conflict with Core Strategy policies Cs35 and CS32.

With regard to pedestrian safety, the evidence shows vehicular movements through the business park are not particularly heavy and HCV’s are in the minority. Also, the children arriving at the school will be between the ages of 16 and 19, not young children with poor road sense. The risk to pedestrians using the footpaths to access the school would be at an acceptable level.

Overall, the Inspector considered that safe access would be available and the proposal would accord with the Council policies.

The Secretary of State agreed with the Inspector’s conclusion and allowed the



appeal.

## 5.0 RECOMMENDATIONS

That the report be noted

Maria Duffy  
Acting Head of Planning

*4 September 2015*

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