

# Planning and Highways Committee

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**Tuesday 23 June 2020 at 2.00 pm**

**To be held as a video conference**

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

## **Membership**

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Councillors Jayne Dunn (Chair), Jack Clarkson, Tony Damms, Roger Davison, Peter Garbutt, Dianne Hurst, Alan Law, Bob McCann, Zahira Naz, Peter Price, Peter Rippon, Chris Rosling-Josephs and Andrew Sangar

## **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 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 Abby Brownsword on 0114 273 4014 or by emailing [abby.brownsword@sheffield.gov.uk](mailto:abby.brownsword@sheffield.gov.uk).

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## **FACILITIES**

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N/A

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**PLANNING AND HIGHWAYS COMMITTEE AGENDA  
23 JUNE 2020**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 10)  
Minutes of the meeting of the Committee held on Tuesday 2<sup>nd</sup> June 2020.
- 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. Town And Country Planning Act 1990 Section 257, Proposed Closure Of Footpath Off Knutton Rise, Parson Cross, Sheffield.** (Pages 11 - 18)  
Report of the Director of Operational Services.
- 8. Applications Under Various Acts/Regulations** (Pages 19 - 20)  
Report of the Director of City Growth
- 8a. Application No. 20/01192/FUL - 74 Holmhirst Road, Sheffield, S8 0GW.** (Pages 21 - 26)
- 8b. 17/02756/FUL - Bennett Cottage, Mayfield Road, Sheffield, S10 4PR.** (Pages 27 - 62)
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 63 - 72)  
Report of the Director of City Growth
- 10. Date of Next Meeting**  
The next meeting of the Committee will be held on Tuesday 14<sup>th</sup> July 2020 at 2pm.

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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 Audit and 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 2 June 2020

**PRESENT:** Councillors Peter Rippon (Chair), Jack Clarkson, Tony Damms, Roger Davison, Jayne Dunn, Peter Garbutt, Dianne Hurst, Alan Law, Peter Price, Chris Rosling-Josephs, Andrew Sangar and Joe Otten (Substitute Member)

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Bob McCann and Zahira Naz.

1.2 Councillor Joe Otten acted as substitute for Councillor Bob McCann.

**2. EXCLUSION OF PUBLIC AND PRESS**

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

**3. DECLARATIONS OF INTEREST**

3.1 Councillor Dianne Hurst declared a personal interest in Agenda Item No. 8a, Application No. 19/03143/FUL – Land off Moorthorpe Way, Sheffield, S20 6PD, as she lived locally to the site. Councillor Hurst declared that she had not given an opinion or declared her position on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

3.2 Councillor Peter Rippon declared a personal interest in Agenda Item No. 8a, Application No. 19/03143/FUL – Land off Moorthorpe Way, Sheffield, S20 6PD, as Dr. Patrick Harrison, one of the public speakers, was his nephew. Councillor Rippon declared that he had not given an opinion or declared his position on the application therefore would take part in the discussion and voting thereon.

3.3 Councillor Chris Rosling-Josephs declared a personal interest in Agenda Item No. 8a, Application No. 19/03143/FUL – Land off Moorthorpe Way, Sheffield, S20 6PD, as a local ward Member. Councillor Rosling-Josephs declared that he had not given an opinion or declared his position on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

3.4 Councillor Jack Clarkson declared a personal interest in Agenda Item No's. 8b, Application No. 18/01543/FUL – Internet Refractory Products Ltd, Platts Lane Oughtibridge, Sheffield, S35 0HP and 8c, Application No. 17/00161/FUL - Land at the Junction of Oughtibridge Lane and Platts Lane, Sheffield, S35 0HP, as a local ward Member. Councillor Clarkson declared that he had not given an opinion or

declared his position on the applications prior to the meeting, therefore would take part in the discussions and voting thereon.

#### **4. MINUTES OF PREVIOUS MEETING**

- 4.1 The minutes of the meeting of the Committee held on 12<sup>th</sup> May 2020 were approved as a correct record.

#### **5. SITE VISIT**

- 5.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make any 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. TREE PRESERVATION ORDER NO. 437 AT 45 ST ANDREW'S ROAD, SHEFFIELD, S11 9AL**

- 6.1 The Director of City Growth submitted a report seeking to confirm Tree Preservation Order No. 437 made on 30<sup>th</sup> January 2020, to protect the tree in the front garden of 45 St Andrew's Road, Sheffield, S11 9AL. The report stated that the tree was considered to be under threat because an application for it to be felled had been received. A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to making the Order, which found the tree suitable for protection. In view of the assessment, it was considered expedient to make an Order to protect the tree.
- 6.2 The Tree Preservation Order, Tree Schedule, site plan and TEMPO were attached to the report now submitted.
- 6.3 **RESOLVED:** That Tree Preservation Order No. 437, made on 30<sup>th</sup> January 2020, in respect of a tree in the front garden of 45 St Andrew's Road, Sheffield, S11 9AL, be confirmed unmodified.

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

##### **7a. APPLICATION NO. 19/03143/FUL - LAND OFF MOORTHORPE WAY, SHEFFIELD, S20 6PD.**

- 7a.1 Additional representations, officer updates, amended conditions and amended heads of terms were included within the Supplementary Report circulated and summarised at the meeting. A late representation from the Woodland Trust was also drawn to the attention of Members.
- 7a.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.

- 7a.3 Clive Betts MP, Councillor Bob McCann, Ms. Claire Baker (Owlthorpe Action Group (OAG)), Mr. Gary Monaghan (OAG), Ms. Christine Rippon (OAG), Ms. Liz Ballard (Wildlife Trust), Mr. Andy Tickle (Campaign to Protect Rural England), Dr. Patrick Harrison, Ms. Sandra Fretwell-Smith and Mr. Brian Holmshaw attended the Committee and spoke against the application.
- 7a.4 Ms. Clare Plant attended the Committee and spoke in support of the application.
- 7a.5 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report now submitted and also having regard to representations made during the meeting.
- 7a.6 **RESOLVED:** That Application No. 19/03413/FUL - Erection of 74 dwellings, formation of access road, associated landscaping works, open space works and flood storage works at land off Moorthorpe Way, Sheffield, S20 6PD be REFUSED on the grounds of the failure to deliver development across the wider site in a comprehensive manner, the insufficient density of housing proposed on the site and consequential loss of amenity for existing residents and the location of affordable housing on the site. The decision notice to be formulated and the final wording to be delegated to the Chief Planning Officer in consultation with the Co-Chairs of the Planning and Highways Committee.
- 7b. APPLICATION NO. 18/01543/FUL - INTERNET REFRACTORY PRODUCTS LTD, PLATTS LANE, OUGHTIBRIDGE, SHEFFIELD, S35 0HP.**
- 7b.1 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.
- 7b.2 Mr. Phil Owen attended the meeting and spoke in support of the application.
- 7b.3 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report now submitted and also having regard to representations made during the meeting.
- 7b.4 **RESOLVED:** That Application No. 18/01543/FUL - Demolition of existing buildings and erection of 70 dwellings (amended plans and description) at Internet Refractory Products Ltd, Platts Lane, Oughtibridge, Sheffield, S35 0HP be REFUSED for the following reasons:
1. The Local Planning Authority consider that the proposed highways improvements, which include signalling the rail bridge on Oughtibridge Lane, would have an unacceptable impact on the safety of pedestrians, cyclists, vehicles and other road users, and detrimentally effect the free and safe flow of traffic on Oughtibridge Lane and Station Lane. The development is therefore contrary to Policy IB9 (f) of the Sheffield Unitary Development Plan, Policy CS51 (e) of the Core Strategy and paragraphs 108 (b) and (c), 109 and 110 (c) of the National Planning Policy Framework.

2. The Local Planning Authority considers that as the application site and the facilities and services in Oughtibridge (including public transport) cannot be accessed safely, the scheme represents an unsustainable and unsuitable form of residential development that does not take opportunities to prioritise and promote sustainable transport and access. The development is therefore contrary to Policies IB9 (f) and H15 (a) of the Sheffield Unitary Development Plan, Policies CS23, CS51 (b) and (e), CS53 (a) and CS63 (a), (c) and (h) of the Core Strategy and Paragraphs 8 (b), 91 (a) and (c), 102 (c), 108 (a) and (c), 110 (a) and (c) and 127 (f) of the National Planning Policy Framework.

**7c. APPLICATION NO. 17/00161/FUL - LAND AT THE JUNCTION OF OUGHTIBRIDGE LANE AND PLATTS LANE, SHEFFIELD, S35 0HP.**

7c.1 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.

7c.2 Mr. Phil Owen had spoken in support of the previous application and his comments were also relevant to this application.

7c.3 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report now submitted and also having regard to representations made during the meeting.

7c.4 **RESOLVED:** That Application No. 17/00161/FUL - Erection of 34x dwellings with associated access, parking and landscaping works at land at the junction of Oughtibridge Lane and Platts Lane, Sheffield, S35 0HP be REFUSED for the following reasons:

1. The Local Planning Authority consider that the proposed highways improvements, which include signalling the rail bridge on Oughtibridge Lane, would have an unacceptable impact on the safety of pedestrians, cyclists, vehicles and other road users, and detrimentally effect the free and safe flow of traffic on Oughtibridge Lane and Station Lane. The development is therefore contrary to Policy IB9 (f) of the Sheffield Unitary Development Plan, Policy CS51 (e) of the Core Strategy and paragraphs 108 (b) and (c), 109 and 110 (c) of the National Planning Policy Framework.

2. The Local Planning Authority considers that as the application site and the facilities and services in Oughtibridge (including public transport) cannot be accessed safely, the scheme represents an unsustainable and unsuitable form of residential development that does not take opportunities to prioritise and promote sustainable transport and access. The development is therefore contrary to Policies IB9 (f) and H15 (a) of the Sheffield Unitary Development Plan, Policies CS23, CS51 (b) and (e), CS53 (a) and CS63 (a), (c) and (h) of the Core Strategy and Paragraphs 8 (b), 91 (a) and (c), 102 (c), 108 (a) and (c), 110 (a) and (c) and 127 (f) of the National Planning Policy Framework.

**8. DATE AND TIME OF FUTURE MEETINGS**

- 8.1 **RESOLVED:** That future meetings of the Planning and Highways Committee be held on a 3 weekly basis on the following Tuesdays at 2.00pm:-

23<sup>rd</sup> June 2020  
14<sup>th</sup> July 2020  
4<sup>th</sup> August 2020  
25<sup>th</sup> August 2020  
15<sup>th</sup> September 2020  
6<sup>th</sup> October 2020  
27<sup>th</sup> October 2020  
17<sup>th</sup> November 2020  
8<sup>th</sup> December 2020  
12<sup>th</sup> January 2021  
2<sup>nd</sup> February 2021  
23<sup>rd</sup> February 2021  
16<sup>th</sup> March 2021  
6<sup>th</sup> April 2021  
27<sup>th</sup> April 2021  
18<sup>th</sup> May 2021  
8<sup>th</sup> June 2021

**9. DATE OF NEXT MEETING**

- 9.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 23<sup>rd</sup> June 2020 at 2pm.

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## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Operational Services

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**Date:** 23<sup>rd</sup> June 2020

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**Subject:**

Town And Country Planning Act 1990 Section 257, Proposed Closure Of Footpath Off Knutton Rise, Parson Cross, Sheffield.

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

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**Summary:**

To seek authority to process the Public Path Closure Order required to close the footpath (that has no formal status) between Knutton Rise and Public Footpath ECC\117 in the Parson Cross area of Sheffield, shown hatched black on the plan attached as Appendix A.

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**Reasons for Recommendations**

Based on the information in the report the Council is satisfied that the proposed closure of the footpath is necessary to enable the Development to be carried out.

**Recommendations:**

Raise no objections to the proposed closure of the footpath off Knutton Rise, as shown hatched black on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

Authority be given to the Director of Legal and Governance to

- a. take all necessary action to close 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.
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**Background Papers:**

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**Category of Report:** OPEN

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## DIRECTOR OF OPERATIONAL SERVICES

REPORT TO PLANNING  
AND HIGHWAYS COMMITTEE  
23<sup>rd</sup> JUNE 2020

### TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257, PROPOSED CLOSURE OF FOOTPATH OFF KNUTTON RISE, PARSON CROSS, SHEFFIELD.

#### 1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Closure Order required to close the footpath (that has no formal status) between Knutton Rise and Public Footpath ECC\117 in the Parson Cross area of Sheffield, shown hatched black on the plan attached as Appendix A.

#### 2.0 BACKGROUND

- 2.1 On the 14<sup>th</sup> May 2020 planning permission (ref: 20/01001/FUL) was granted for the erection of four dwellinghouses with associated parking off Knutton Rise, Parson Cross, Sheffield.
- 2.2 In order to enable the approved development to be carried out, it is necessary to close the footpath which runs through the site. Though the path has no legal status, it is considered prudent to make a formal closure application. If the application is successful it will prevent any public rights from being established across the site.

#### 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. No objections have been received from those that have responded.
- 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 If the Council is satisfied that the footpath needs closing to enable the approved Development to be carried out, it would be appropriate to process the closure using the powers contained within Section 257 of the Town and Country Planning Act 1990.

## 5.0 HIGHWAY IMPLICATIONS

- 5.1 The subject footpath is unmade and currently has no legal status.
- 5.2 The alternative route, along the adopted footway of Knutton Crescent and footpath ECC\117 is approximately 30 metres longer, though it has a tarmac surface and is well lit.
- 5.3 Therefore the diversion of the footpath should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

## 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 There are no costs accruing to the Council's Highway Maintenance Division in association with this proposal.
- 8.2 Therefore there will be no increase in liability on the Highway Maintenance revenue budget.

## 9.0 CONCLUSION

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

## 10.0 RECOMMENDATIONS

- 10.1 Members raise no objections to the proposed closure of the footpath off Knutton Rise, as shown hatched black 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 close 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
- c. resolved and withdrawn prior to the order being confirmed.

*Gill Charters*

Gill Charters

Head of Highway Maintenance

9<sup>th</sup> June 2020

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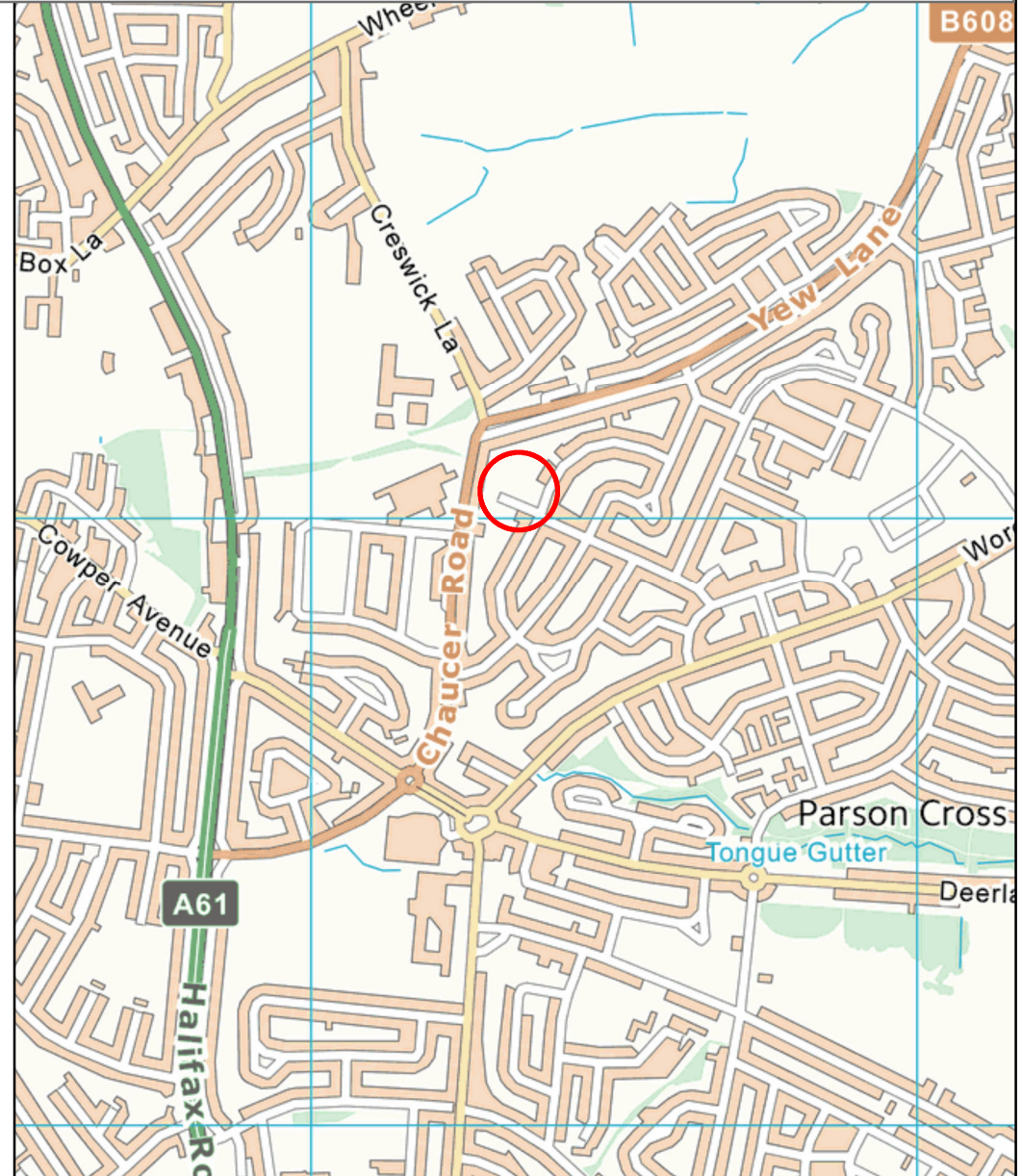
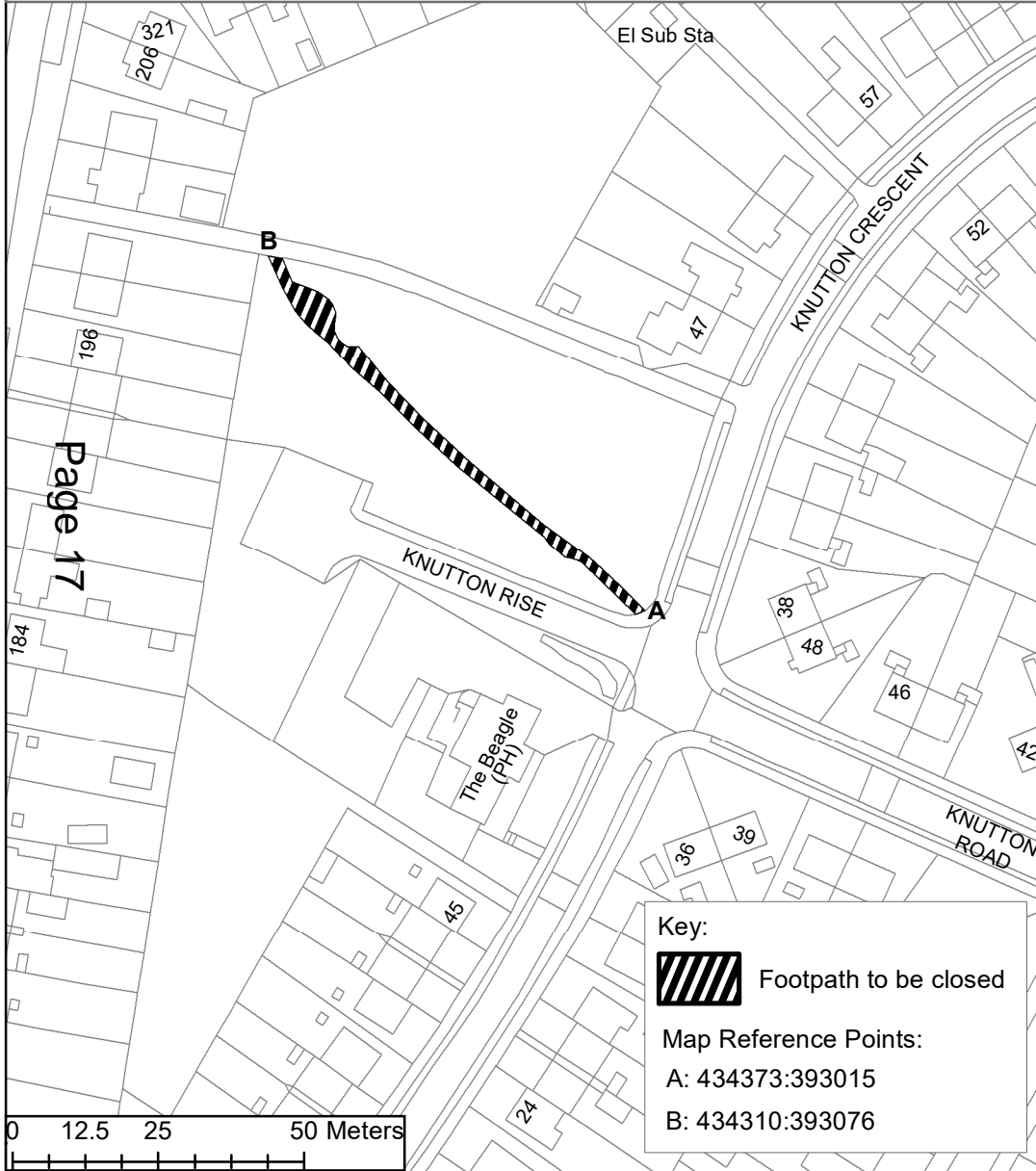


Highway Records  
Operational Services  
Howden House  
Union Street  
Sheffield  
S1 2SH

CLOSURE OF FOOTPATH  
OFF KNUTTON RISE  
PARSON CROSS  
SHEFFIELD 5

APPENDIX A

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## SHEFFIELD CITY COUNCIL Planning and Highways Committee

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**Report of:** Director of City Growth Department

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**Date:** 23/06/2020

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

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**Author of Report:** Dinah Hope and Lucy Bond

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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:**

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.

**Category of Report:** OPEN

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|                  |   |
|------------------|---|
| Case Number      | 20/01192/FUL (Formerly PP-08630586)                       |
| Application Type | Full Planning Application                                 |
| Proposal         | Erection of single-storey rear extension to dwellinghouse |
| Location         | 74 Holmhirst Road<br>Sheffield<br>S8 0GW                  |
| Date Received    | 03/04/2020  |
| Team             | South   |
| Applicant/Agent  | CK Architectural  |
| Recommendation   | Grant Conditionally                                       |

#### **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 No. S8-1902 002 (Rev A) Published 03.04.2020

Reason: In order to define the permission.

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

#### **Other Pre-Commencement, 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 in accordance with the requirements of the National Planning Policy Framework. The Local Planning Authority considered that it wasn't necessary to have detailed discussions in this case.



## LOCATION AND PROPOSAL

This application relates to a two storey semi-detached dwelling located on the north-east side of Holmhirst Road, in the Woodseats area of the city. The site is in an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The locality is residential in character, predominantly consisting of terraced and semi-detached properties, of Edwardian-era design.

The dwellinghouse the subject of this application is faced in red brick with a grey clay tiled roof. There is a ground floor bay window on the front elevation which appears to be an original feature. To the rear there is a ground floor bay window, a small ground floor 'off-shot' and a small dormer window, all of which appear of significant age and may also be original features. The modest front garden of the property has been hard surfaced to provide off street parking, and there is an averagely proportioned garden at the rear which contains small outbuildings.

To the rear the boundary with the attached neighbour at 72 Holmhirst Road is marked by a mix of solid walls and timber fencing approximately 2.0 metres in height. The boundary to the neighbour at 76 Holmhirst Road to the northwest side is also marked by a mix of solid walls and timber fencing, this time approximately 1.6 metres high. Ground levels do not vary materially between the application site and neighbouring properties

This planning application seeks consent for the erection of a modest single-storey rear extension to replace the existing rear ground floor bay window and off-shot.

The mono-pitch roof extension proposed is the full width of the dwelling and only projects approximately 1.3 metres from the northeast rear elevation. It has a total height of around 4.0 metres, and 3.4 metres at the eaves.

Planning permission is only required for the extension because the proposed eaves height is in excess of 3.0 metres. Were the eaves to be less than 3.0 metres in height the extension could be constructed as Permitted Development without the need for planning permission.

## SUMMARY OF REPRESENTATIONS

Immediate neighbours were notified of the application by letter. No representations have been received.

## PLANNING ASSESSMENT

### Design

Unitary Development Plan Policies BE5 ('Building Design and Siting') and H14 ('Conditions on Development in Housing Areas'), and Core Strategy Policy CS74 ('Design principles'), require good quality design in keeping with the scale and character of the surrounding area. Also relevant is the Council's Supplementary Planning Guidance (SPG) on 'Designing House Extensions' which provides advice on design as well as privacy standards.

These policies are in conformity with the National Planning Policy Framework and in particular paragraph 127 which states that planning decisions should ensure that developments are visually attractive as a result of good architecture and result in a high standard of amenity.

Whilst all of the above policies and supplementary guidance outline the requirement that new development meets high standards of design, it should be noted that this application proposes development at the rear of the dwelling that will not be visible from the public realm.

The modest projection and mono-pitch roof design of the extension proposed are considered to appropriately reflect and respect the built form of the host dwelling and its neighbours, many of which have already been extended to the rear in various ways.

The application form and accompanying drawings submitted state that the proposed modest extension would be finished in brickwork with grey clay tiles matching those of the host dwelling. This is to be welcomed and will ensure that the extension is entirely compatible with the character of the host dwelling.

It is considered that the extension proposed is acceptable in scale, design, and materials in relation to the built form of the host dwelling and its neighbours, and no adverse effect on the street-scene or the character of the area is envisaged as a result of the development proposed.

#### Amenity/Living Conditions

UDP Policy H14 states that new development in Housing Areas should not cause harm to the amenities of existing residents, and Core Strategy Policy CS74 requires that development contributes to the creation of successful neighbourhoods. SPG Guideline 4 also advises that over development of a house plot with extensions that leave little garden space will not be permitted.

As stated above, these policies are in conformity with paragraph 127 of the NPPF which requires the creation of places with high standards of amenity.

In relation to the existing footprint of the dwellinghouse and adequately sized rear garden, the proposed extension is considered to be very modest and would maintain ample outdoor amenity space for use by residents of the property.

#### Impact on neighbouring occupiers

Guideline 5 of the SPG advises that unreasonable overshadowing and over dominance of neighbouring dwellings should be avoided,

Due to the limited projection of the extension proposed, the existing rear extension of the attached neighbour, and the existing off-shot to the rear of the neighbour at 76 Holmhirst Road, no harm to the amenity of neighbouring occupiers due to overshadowing or over dominance is envisaged.

Guideline 6 of the SPG advises that extensions should protect and maintain minimum levels of privacy.

The proposed extension would abut that already existing at the attached neighbour, and the shared boundary is marked by a tall wall / fence, therefore no potential adverse impact on the privacy of this neighbour is envisaged. No window is proposed in the northwest side elevation of the extension proposed such that no loss of privacy is envisaged to this neighbour.

Due to the separation provided by the length of rear gardens no material additional loss of privacy is envisaged for neighbours to the northeast rear of the site.

It is considered that the extension proposed would result in no material harm to the amenity of neighbouring occupiers

#### SUMMARY AND RECOMMENDATION

In summary, the proposed modest single-storey rear extension is considered acceptable in scale and design and no adverse effect on visual amenity or the character of the area is envisaged, nor is any harm envisaged to the amenity of neighbouring residents as a result of the development proposed.

The proposal is considered to accord with the provisions of the UDP, the Core Strategy, adopted SPG and the National Planning Policy Framework, and it is recommended that planning permission be granted subject to the listed conditions.

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|                  |  |
|------------------|--|
| Case Number      | 17/02756/FUL (Formerly PP-06194876)                                  |
| Application Type | Full Planning Application  |
| Proposal         | Demolition of existing dwellinghouse and erection of a dwellinghouse |
| Location         | Bennett Cottage<br>Mayfield Road<br>Sheffield<br>S10 4PR             |
| Date Received    | 30/06/2017   |
| Team             | West and North   |
| Applicant/Agent  | Bramhall Blenkharn Ltd   |
| Recommendation   | Grant Conditionally  |

## **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 nos.  
1278\_EX10\_01\_P1 'OS Location Plan';  
AA16-8-1 'Site Survey';  
both published on 30.7.2017.

Drawing nos.  
1278\_AR10\_01\_B 'Proposed Site Plan';  
1278\_AR30\_02\_B 'Proposed Context Elevation'  
1278\_AR40\_01\_B 'Proposed Sections'  
1278\_AR50\_01\_B 'Proposed Plans and Elevations'  
1278\_AR50\_03\_B 'Proposed Plans and Elevations Compared With Existing Ground Plane'  
1278\_AR50\_04 'Proposed Plans and Elevations Compared With Proposed Ground Plane'  
1278\_AR50\_05 '3D Views of Proposed Driveway Elevation'  
all published on 1.5.2020.

Reason: In order to define the permission.

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

3. Demolition of 'Building 2' as identified in the 'Bennett Cottage, Sheffield. OS Ref: SK 289-853. Bat Survey (Ref No. 170825 dated 16.8.2017)', shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- (a) evidence of a license issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or
- (b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity will require a licence.

Reason: In the interests of biodiversity.

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:

- (i) the programme and method of site investigation and recording;
- (ii) the requirement to seek preservation in situ of identified features of importance;
- (iii) the programme for post-investigation assessment;
- (iv) the provision to be made for analysis and reporting;
- (v) the provision to be made for publication and dissemination of the results;
- (vi) the provision to be made for deposition of the archive created;
- (vii) nomination of a competent person/persons or organisation to undertake the works;
- (viii) 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 has 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.

5. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be



disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

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

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

7. Large scale details, including materials and finishes, at a minimum of 1:10 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- (i) windows, window reveals and surrounds;
- (ii) rooflights;
- (iii) doors and surrounds;
- (iv) parapet eaves;
- (v) stonework detailing;
- (vi) retaining walls.

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

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

8. Details of 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.

9. 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 before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

10. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

11. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved 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 it is essential for these works to have been carried out before the use commences.

12. 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.

13. 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.

14. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying the sustainability measures to be incorporated into the development. Any agreed measures shall have been installed/incorporated before the dwelling is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed measures shall be retained in use and maintained for the lifetime of the development.

Reason: In the interests of mitigating the effects of climate change.

15. Before any demolition or construction works commences, details of the management and routing of vehicles to and from the site during demolition and construction works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works for demolition and construction shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

## Other Compliance Conditions

16. The development shall be carried out in accordance with the mitigation strategies described in Section 5 and 6 of the 'Activity Survey for Bats, Bennett Cottage, Mayfield Road, Sheffield S10 4PR dated October 2016 prepared by Absolute Ecology, Section 5 of the 'Bennett Cottage, Sheffield. OS Ref: SK 289-853. Bat Survey (Ref No. 170825 dated 16.8.17)' prepared by Whitcher Wildlife Ltd, and Section 5 of the 'Bennet Cottage, Sheffield Bat Survey (ref: 20200004 Revision 1 dated 5.6.20)' prepared by Steven Whitcher.

Reason: to ensure mitigation in the interests of biodiversity.

17. Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwelling shall be constructed without prior planning permission being obtained from the Local Planning Authority.

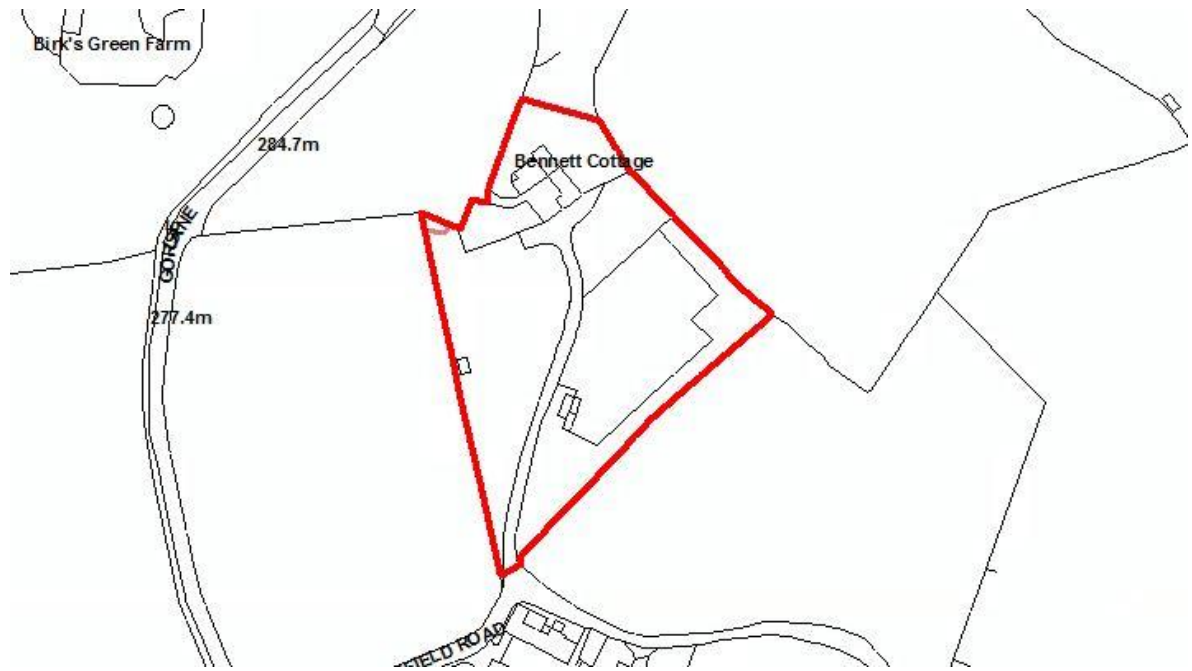
Reason: To ensure that the traditional architectural character of the Green Belt is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are advised that this development is liable for the 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.

Please note: You must not start work until you have submitted and had acknowledged a CIL Form 6: Commencement Notice. Failure to do this will result in surcharges and penalties.

Site Location



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## LOCATION

The application site is located on a south facing slope on the north side of Mayfield Road in the Mayfield Valley, approximately 400 to 600 metres to the west of the built up area of the city.

The site comprises a detached stone built dwelling, some detached outbuildings and its garden totalling approximately 1 hectare of land. The existing dwelling is located at the northern end of the site where it is set back approximately 50 metres from the road frontage. A private drive runs from Mayfield Road up to the dwelling.

The site contains many trees, mainly around the boundaries of the site.

## PROPOSAL

The proposal seeks full planning permission for the demolition of the existing dwellinghouse and for the erection of a replacement dwellinghouse. Four outbuildings near to the dwelling are also to be demolished.

This application has been amended since its original submission to revise the design of the proposed dwelling, including lowering the floor level of the building, lowering part of its roof, raising ground levels at the rear of the building, replacing the originally proposed external render finish on the side and rear elevations with natural stone, and retaining more trees on the eastern boundary.

The existing dwelling at Bennett Cottage has been previously extended since it was originally built. The current dwelling has an irregular 'L-shaped' footprint. The original house is two-storey and the extensions to it have been a combination of two-storey and single-storey additions to form much of the eastern wing of the dwelling. The proposal seeks demolition of this existing dwelling which includes the eastern wing.

The four outbuildings to be demolished comprise of a detached outbuilding on the eastern side of the existing dwelling, and three smaller outbuildings on the western side of the dwelling.

As amended, the proposed replacement dwelling would be sited in a similar location to the existing dwelling with its primary elevation facing south.

The proposed dwelling would provide two floors of accommodation on a generally rectangular footprint. The ground floor would comprise garaging for three vehicles in the eastern half and an indoor pool in the western half together with some ancillary rooms. The upper floor would provide the main living space including a living/dining/kitchen, four bedrooms, a study, snug and utility rooms.

The proposed design reflects a contemporary approach. The proposed dwelling would have an elongated, two-storey, flat roofed, front elevation. It would be faced in stone and would have large feature windows and glazed balconies. An off-centre projecting element on the front elevation would form a double-height entrance lobby.

The proposed dwelling would be partly cut into the rising ground levels such that at the rear of the building the first floor would open onto the higher ground level. The side and rear elevations would also be faced in natural stone.

The proposed roof would be planted with sedum and incorporate roof lights.

The proposal seeks to construct the replacement house to high levels of thermal performance and would incorporate a ground source heat pump.

Immediately around the proposed dwelling the formal landscaped areas comprise of paved paths and terraces with low retaining walls and soft landscaping.

The northern end of the existing driveway leading up to the proposed dwelling would be re-aligned to the east with additional landscaping proposed alongside it.

The proposal as amended has reduced the number of trees to be removed from 32 down to 12 trees. Of the trees to be removed, 9 are on the inner fringe of the belt of trees wrapping around the proposed dwelling, and the other 3 are towards the southern end of the site.

34 new replacement trees are proposed to be planted.

The applicant has submitted the following documents in support of this application: a topographical site survey, a Design and Access Statement and supplementary Design Statement, a Bat Activity Report and a Bat Survey, a Heritage Statement, a Landscape and Visual Impact Assessment and addendum, a Tree Survey and Constraints Plan, Tree Protection Plan, Landscape Masterplan, and an Energy Efficiency Report.

## RELEVANT PLANNING HISTORY

In 1978 planning permission was granted conditionally for the alteration and extension of a building and outbuildings to be used for the purpose of a dwellinghouse. The submitted drawings showed a two-storey extension on the eastern side of the cottage which would be linked to an adjoining outbuilding providing additional accommodation including a study, two bedrooms and a play room, and a dining hall and lounge in the converted outbuilding. Conditions removing permitted development rights for future extensions or buildings, and stating that the use of the new accommodation formed by the proposed development shall at all times remain incidental to the use of the dwelling at Bennet Grange Cottage [sic] were imposed (application no. 78/0656P refers).

In 1989 planning permission was granted conditionally for an extension to form a bedroom and utility room. This planning permission related to the erection of a single-storey pitched roof extension off the eastern facing elevation of the dwelling (application no. 89/0940P refers).

In 2012 a planning application for the erection of a detached double garage was withdrawn prior to its determination (application no. 11/03748/FUL refers).

An application seeking a lawful development certificate for proposed extensions and outbuildings was refused in May 2020 (application no. 18/04166/LD2 refers).

## SUMMARY OF REPRESENTATIONS

This application has been publicised by newspaper advert, display of site notices and by letters of notification to nearby properties.

The representations received comprise:

- 90 objections from residents;
- 4 representations from a planning consultant objecting on behalf of residents;
- an objection from Cllr D Johnson;
- objections from the following groups: Sheffield Conservation Advisory Group, CPRE South Yorkshire, Hallamshire Historic Buildings, Sheffield Ramblers, Friends of Porter Valley;
- 35 supporting representations;
- 2 neutral comments; and
- responses from Historic England and Natural England.

The 90 representations of objection from residents that have been received relate to the following matters (condensed):

### Mayfield Valley Setting

- Mayfield valley is picturesque open countryside with stone built residences, ancient woodland, farmland and historical buildings, unspoilt scenery, remained relatively unchanged, outstanding beauty, it has some of the finest examples of architecture through the ages integral to the features of our landscape, significant asset to the city;
- this is an area of green belt and high landscape value;
- where changes allowed all have been strictly controlled to ensure high quality and to reflect character and appearance of the area, Bennett Grange and Mayfield Environmental Centre/School, Birks Green Farm (BE18);
- Mayfield valley is an attraction for tourists, walkers, runners, and cyclists, used by schools to demonstrate historical value of Sheffield and its heritage.

### Heritage

- unwarranted demolition of a vernacular building, shame to see quaint attractive cottage demolished, the cottages are not derelict, no excuse for demolishing any part or whole of a historic building in the Mayfield valley, would be a significant break from evolving tradition in the valley, would result in irretrievable loss of a fine stone built building in character with the surroundings;

- this cottage was attached to Bennett Grange, Bennett Cottage formed part of the Bennet Grange estate, likely that Bennett Cottage is of a similar age to Bennett Grange (dates stated: 1300s, 1580), it was built for workers of Bennett Grange, originally a farm and granary for Beauchief Abbey, should be preserved sympathetically to encompass old and new together, cottage is in good order, the building was well maintained, most of the interior requires modernising, not lacking amenities, cottage is a local heritage asset, it is a listed building in the South Yorkshire register, the current cottage blends into its surroundings, traditional architecture, natural stone, the cottage was cruck built;

- the old barns now incorporated into the cottage have the original cruck beams, dated between 1100-1300, contain medieval cruck barn truss listed as an unscheduled monument in the South Yorkshire Sites and Monuments Record, probably dates back to time when Bennet Grange was tied to Beauchief Abbey, must hold on to our history, the cruck barn is a valued heritage asset that is rare in the area, its poor management should be investigated, previous poor management should not be a reason to dismiss current heritage value, concerned that the cruck barn has been removed, consider a building preservation notice;

- cruck made a feature of 1989/90 conversion, whilst not load bearing the cruck beams were in good condition when property was sold around 2016;

- potential damage to landscape and green belt, the Mayfield valley should not be spoilt by the construction of a modern luxury house;

- the Area of Special Character is a safe guard until it is declared a conservation area which could be lost by inappropriate development (UDP Policy BE18).

### Design and Context

- proposed design whilst praiseworthy does not respect character of its location which retains distinctive agricultural feel;

- poor design, inappropriate in design and materials, anachronistic, unremarkable, looks ugly, overbearing, looks like a massive concrete block with glass façade, floor to ceiling glass, render and zinc cladding would detract from site, out of keeping with its surroundings, will be the only ultra modern building in the valley and stand out as such, proposed building not of significant architectural merit to justify demolition, it is proper to promote or reinforce local distinctiveness (NPPF paragraph 57);

- does not improve character, completely out of character in the area where the cottage is located, incongruous with its surroundings, would harm distinct rural character, out of context in the landscape, detracts from pleasing coherent



landscape, negative visual impact on the historic Mayfield Valley rural landscape, could not be more out of keeping with the history of the valley, does not enhance or maintain current environment, this is not the place to regenerate, no case to introduce contemporary architecture into this landscape, mitigation would not be needed in the case of appropriate design for the setting, NPPF states permission should be refused for development of poor design, contrary to NPPF paragraph 64 as it does not improve character, would undermine NPPF 109 protection and enhancement of the landscape is the overriding consideration, at odds with BE5(a), BE15, BE18;

- it would not be long before proposed design would look tired with rendered elevations being stained from the elements, private swimming pool environmentally unfriendly;

- if the property is demolished the stone can be used in keeping with the rest of the properties around;

- proposed entrance tower viewed from front and south gives the appearance of being significantly higher and more prominent than the existing ridge line of Bennett Cottage due to gradient of the site;

- highly visible from the surrounding valley and rural lanes, proposed development is in a prominent position as viewed from the south, it will be visible from the valley opposite to the west especially Andwell Lane, removing natural screening to the southeast will open up a view of the new build from Mayfield Road and the valley beyond;

- trees screen Bennett Cottage so it can only be seen from westerly end of Mayfield Road and from Harrison Lane, if trees were reduced or removed the proposed building would be very prominent and look incongruous above the lower Mayfield valley, trees creating the shield are not listed so could easily be removed, the trees are deciduous;

- surrounded by a group of well maintained properties that have been thoughtfully restored to respect the period they were built;

- affects setting of a number of historically important buildings in the vicinity, conflict with national policy;

- negative impact on setting of adjacent properties some of which are listed, will not sit well between two grand old buildings, the entire boundary wall to the east and south east is shared with Fulwood Hall a house of historic importance, replacing the old stone cottage with a contemporary building can only have a negative impact;

- would be built up to and higher than an historic dry stone wall forming boundary between Bennett Cottage and grade II listed building Fulwood Hall, contrary to NPPF paragraph 65 as impact would cause material harm to the designated heritage asset or its setting.

## Ecology

- impact adversely on wildlife, harmful to local environment, falls into Natural England's designated impact risk zone area of Sites of Special Scientific Interest, duty to consult Natural England, the area falls into a protected conservation area for the tree sparrow which has red list status and is globally threatened, the area around Bennett Grange and Bennett Cottage is an important bat habitat, removal of mature trees surrounding the cottage will impact on wildlife as well as negatively altering the appearance of the valley side.

## Green Belt and Policy

- over development of the site in the green belt;
- the cottage has already been extended by 30% its original size since 1989, replaces a once small cottage with a mansion sized dwelling, increase of 139 sq metres, appears over 20% increase, in effect adding the size of an average 3 bed house to a site in the green belt, contrary to NPPF paragraph 89 dwellings must not be materially larger than the one it replaces;
- inappropriate development in the green belt, compromise essential characteristic of green belt, encroachment, significant and irreparable harm to visual amenity;
- contrary to provisions of local policy, no other material considerations to indicate otherwise, the proposed development should be refused unconditionally;
- demolition and new build at odds with Core Strategy Policy CS71;
- would harm the city's rural setting, loss of area's distinctiveness, impact on historic environment, (CS74, CS31);
- detrimental impact on views and vistas in Mayfield Valley and gateway to city (CS31, CS75);
- proposed layout and design would harm the openness of the green belt, would not maintain or enhance the site and surrounding area which is generally high landscape value, contrary to policy GE2;
- does not warrant special circumstances under GE3;
- not in keeping with the area, detract from landscape and visual amenities of green belt (GE4);
- design and style will not compliment existing building, will look intrusive, not blend into landscape (GE6);
- replacement is a modern building unsympathetic to rural character, does not protect or enhance area of high landscape value, contrary to GE8;

- does not respect appearance and character of the area of special character, loss of historic building, several trees will be removed, new development inappropriate (BE18);

- existing building is historic building of local interest, contributes to local character, worth preserving (BE20);

#### Neighbourliness

- no details regarding proposed new wall on eastern elevation and how trees will be removed, eastern and southern elevations of Bennett Cottage share a common boundary with fields to Fulwood Hall;

- the proposed raised terrace to the west of the proposed site plan will overlook and have an adverse visual impact on property at Bennett Grange;

- the construction of a new low retaining wall to the northeast of the proposed site may affect land in ownership of Bennett Grange and trees, the site plan indicates retention of trees that do not belong to the applicant;

- environmental impact during demolition and construction will be significant in this conservation area;

- demolition work and transportation of materials would cause havoc on the small country lanes, width of roads restrict access to all but smallest commercial vehicles, potential damage to boundary walls and road.

#### Precedent

- represents a step change, it will stand as a precedent and the character of this place would be lost, a creeping change resulting in despoiling of an important amenity, destroying intrinsic character.

#### Information

- the application lacks information regarding existing buildings, a heritage and environmental assessment.

#### Alternatives

- Bennett Cottage can be restored to a high standard whilst retaining the original frontage and outward appearance, modern fixtures and fittings and eco-friendly and sustainable utilities can be sensitively incorporated in listed or historic buildings, if not re-construct in a similar style to existing which would respect and sustain the design and construction principles of the area;

- suggestions that it should be approved because of its eco-friendliness are ridiculous, much can be done to mitigate the existing property against heat loss.

4 representations of objection from Landor Planning Consultants have been received on behalf of local residents relating to the following matters:

- the proposed dwelling is materially larger than the existing dwelling and must be regarded as inappropriate development in the green belt. Inappropriate development is by definition harmful to the green belt (NPPF paragraph 143) and there are no special circumstances to outweigh this harm;

- the existing dwelling is a non-designated heritage asset the total loss of which is not outweighed by public benefits;

- Bennett Cottage does not have permitted development rights as these rights were removed under planning permission 78/0656P, the applicant does not have a fallback position to justify the replacement of the existing dwelling with a materially larger replacement dwelling;

- NPPF paragraph 133 states that the essential characteristics of Green Belt are their openness and permanence, there is no distinction to the perceived harm to the Green Belt based on visual impact or lack of therein, the harm caused by development relates to openness, visual impact is not a factor relevant to the concept of openness, if land is occupied by buildings it is not open regardless of visibility and is inappropriate as defined by the NPPF;

- dispute the contention that the application site constitutes previously developed land, the land associated with Bennett Cottage comprises a hectare of predominantly open land which is free from permanent structures, there are no records to indicate the land associated with Bennett Cottage has been lawfully established as domestic curtilage, the land associated with Bennett Cottage has no lawful use and is not curtilage, the site cannot be considered to be previously developed;

- the NPPF states that residential gardens do not constitute previously developed land, even where such gardens are located within built up areas, any such residential garden associated with Bennett Cottage is not within a built up area, but is Green Belt;

- there is no distinction in the NPPF between above and below ground development and no benefit to some of the proposed development being below ground level, the construction of buildings in the Green Belt is simply regarded as inappropriate, there is no caveat to suggest that below ground construction is any less harmful to the Green Belt, any exercise to differentiate proposed increases in built volume above or below ground is irrelevant and has no legal or national planning policy base, the agent acknowledges that the proposed volume increase is 97.34% which must be regarded as disproportionate;

- there are no existing elevation or floor plans to facilitate an assessment of the existing volume compared to the proposed, therefore not possible for the application to be properly assessed;

- as demolition is proposed a survey to assess the existing dwelling for bat roost potential is required;
- lack of adequate plans and supporting information is further justification for the application to be refused;
- the proposal is for replacement of an existing building (dwelling) with a new dwelling, NPPF exception 145(d) is not met by the proposal as the replacement building is materially larger than existing;
- the claim that the proposal meets the exemption criteria in NPPF 145(g) is incorrect as the site is not previously developed land;
- as there is no exception criteria applicable to the proposed development it must be regarded as inappropriate development;
- there are no very special circumstances or other considerations which outweigh the harm to the Green Belt in this case;
- while it may be desirable that the proposed replacement dwelling could have low carbon emissions, an energy efficient home could be built in any location and does not mitigate that the proposed development is inappropriate and does not constitute very special circumstances required to outweigh the harm to the Green Belt;
- the alleged precedent cases have no bearing as there are no similarities, outside Sheffield, different local development plans, different planning policy considerations, in one case an earlier iteration of the NPPF, and they were agreed to be previously developed land, and one was limited infilling which is not applicable to the application proposal;
- the existing dwelling known as Bennett Cottage predates the earliest OS Mapping of 1855, the property may be regarded as a non-designated heritage asset in accordance with NPPF paragraph 197, a balanced judgement in relation to the loss of this heritage asset is required, the applicant has not identified any public benefits to the proposal that outweigh the loss of a heritage asset, the application must be refused on heritage grounds;
- the following information is absent from public scrutiny, existing plans, analysis/evidence of the originally 1948 volume of the dwelling, bat roost survey/report, tree survey, extended phase 1 ecology report, arboricultural impact assessment, preliminary arboricultural method statement and tree protection plan;
- there is discord between the currently submitted plans and the initial supporting documents, none can be listed as an approved document, the heritage statement is no longer a valid document;
- UDP Policy GE3: no very special circumstances have been demonstrated by the applicant;

- UDP Policy GE5 generally accords with NPPF, criterion 145 (d) is often linked to 145(c) which allows buildings in the Green Belt to be extended provided it does not result in disproportionate additions over and above the original building, the reduction in volume is not demonstrated by any plans, impossible to carry out an assessment proposal in relation to GE5 and 145(d);

- numerous appeals have been dismissed for subterranean development in the green Belt, the excavation works and removal of material from the site to facilitate subterranean development would also constitute inappropriate development in the Green Belt, no assessment has been carried out to demonstrate the extent of the original building in relation to the volume increases already affected by previous extensions and the conversion and amalgamation of a barn within the dwellinghouse, Bennett Cottage already has disproportionate additions over and above the original building;

- the proposal fails on all the criteria of the NPPG: substantial and spatial visual harm by virtue of bulk, massing and quantum, significant areas of excavation and hardstanding, enlarged driveway, urbanising form of contemporary development incongruous and alien in the open countryside which is rural in character and predominantly devoid of buildings, permanent development with no provision to return the land to a state of openness, substantial harm to openness;

- the development is inappropriate by default and harmful by definition;

- account should be taken of the applicant has explored various tactics and permutations of Green Belt policy to justify an inappropriate development, previously developed land and permitted development rights;

- the application must be refused for reasons relating to: harm to the Green Belt, unjustified loss of undesignated heritage assets, insufficient plans submitted, insufficient information to assess ecological impact and impact on trees, inadequate design, heritage, landscape statements, and design – a balanced judgement.

Councillor D Johnson objects:

- the proposal will be a significant loss of heritage and impact adversely on the green belt;

- loss of the cottage would impact adversely and inappropriately on the visual setting of the green belt in this much loved part of the Mayfield Valley, this is not a sensitive redevelopment;

- whilst the design of the new build might be impressive it does not justify the loss of Bennett Cottage;

- the cottage is significant because it is one of the few remaining cruck house constructions, many of these have been lost, any now remaining likely to be unique and should be preserved as a rare example, Historic England's decision not to list

the building should not mean that the heritage importance has been determined, it should be safeguarded by planning controls instead;

- even with the crucks being removed does not alter the cottage is one of original cruck construction, Historic England acknowledges that the crucks appear to have been removed in relatively recent past and since 1961, not right to give the developer the benefit of the doubt if he is unable to account for most significant part of this historic cottage the crucks.

The Sheffield Conservation Advisory Group (SCAG) have commented:

- the Group felt that the development was inappropriate for the Mayfield Valley, which was a traditional part of rural Sheffield. The Group noted that the proposed extension was equivalent to one third of the existing property. The Group felt that the development would be too large for the Green Belt. The Group considered that there was a real likelihood of the development having an adverse impact on the area. The Group was not opposed to a new design, but considered that this design was inappropriate and the roof, the scale and the design of the new building would be unacceptable. The Group regretted the loss of Bennett Cottage which it felt could be extended. The Group considered the loss of trees would be regrettable. (meeting of SCAG held on 19.9.17).

CPRE South Yorkshire (Campaign to Protect Rural England) have the following concerns:

- the site is located in the Green Belt in a sensitive landscape, if the proposed scheme were to fall within NPPF 89 criteria it would be consistent with policy and could be judged on its own merits on the basis of any other material considerations;

- from the plans the new design is materially larger and occupies a larger footprint than the existing dwelling, although the height is lower with the exception of the entrance tower, consequently the proposal is contrary to Green Belt policy and should consider whether very special circumstances have been presented to justify approval;

- CPRE acknowledge that the proposals have merit and are keen to encourage innovative designs and welcome commitment to energy efficiency, recognise that the development will not be very visible from most vantage points and that with a reduction in the scale of the entrance tower the landscape impact would be limited, welcome efforts taken to screen the development with tree screening and lowering the height of the dwelling;

- on the other hand, the site features a monument (01588/01) as listed in the South Yorkshire Sites and Monuments Record for a medieval cruck with one surviving truss, whilst this has not been deemed by Historic England to be sufficiently significant to warrant listing local heritage assets should not be reliant on listing to give them a level of recognition as planning considerations;

- it must be borne in mind that the application proposes the replacement of a group of buildings characteristic of the local landscape and cultural heritage with a new scheme that is materially larger and removes those well established features, would form a new relationship with its surroundings that is different from the existing one;

- in this context, CPRE do not consider the proposal has provided a case for very special circumstances for development in the Green Belt and would recommend that substantially more evidence should be required, on the basis of current evidence suggest that the application be refused.

Hallamshire Historic Buildings (HBB) objects:

- objects to this application to demolish Bennett Cottage, a small stone built farm house estimated to be C17/C18 and associated medieval barn, and replace with a contemporary new build;

- the barn is a heritage asset, estimated to be 1100-1300 according to Vernacular Architecture Group Database, listed on Historic England database, on SCC's record, the South Yorkshire Archaeology Service database, evidence provided by Historic England indicates that the cruck barn has been damaged since it changed hands;

- as no heritage statement describing the heritage asset or its significance has been provided with this application and it is not reasonable to suppose a cruck could accidentally be removed from this barn, this application should be declined as per NPPF paragraphs 130 and 128;

- the applicant should be dissuaded from resubmitting, NPPF 55 cannot apply in this case, the proposed new build is neither exceptional in design or innovative, creating new builds requires greater energy than can be promised by any energy efficiency improvements over a stone cottage, the proposed new build is not an eco-home and the inclusion of thermal efficiency ratings are irrelevant without an overview of the environmental impact of a development which includes a swimming pool, Mayfield is a SSSI and no consideration appears to have been given to the potential harmful chemicals used with the swimming pool, nor potential loss of natural habitat and other impacts of tree felling and landscaping;

- the present scheme in ignoring the value inherent in reuse of heritage assets is at odds with National Planning Policy 55 and 135;

- the proposed development fails with NPPF 131 and does not add anything to local character, it is completely at odds with the local character and has a negative effect on it, the proposed scheme fails to significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area;

- the prevailing character of Mayfield is an historic agricultural landscape characterised by a patchwork of fields, dry stone walls, narrow country lanes and farm buildings. Bennett Cottage is a good example of agricultural vernacular architecture which supports the character of the area, what remains of the cruck



barn is heavily compromised and the barn and cottage have undergone a number of changes, nonetheless the barn is likely the oldest example of agricultural vernacular in the area, to demolish Bennett Cottage and replace with the proposed new build is doubly harmful to the character of the Mayfield Valley;

- contrary to the claims in the D&A statement the site is clearly visible across the valley and a number of roads, footpaths and byways in the vicinity, the site will be more exposed if trees are removed;

- whilst the proposed new build occupies a larger area than Bennett Cottage and by this token this application should be rejected, HBB anticipate issues with a resubmitted application if the essentials of the present proposal are retained, the form is unsympathetic with traditional forms of buildings in the area, large amounts of glazing will be prominent as will the tower-like entrance hall and unusual roof line, even at a distance the building will be eye catching and out of keeping with its surroundings, this design detracts from the sense of openness which exceptional developments in Green Belt are supposed to retain;

- Mayfield is a beautiful rural area which is valued because of its underlying character as an historic agricultural landscape, it is an Area of High Landscape Value, NPPF 109 asserts the importance of valued landscapes, UDP Policy GE8 seems appropriate and consistent with the NPPF and it seems that in this case it is on the basis of NPPF 109 that the character of Mayfield Valley can be most robustly defended which is applicable to this case and should see this application rejected;

- HHB hopes that a balanced view will be taken that considers the importance of protecting heritage assets and the character of areas which historically Sheffield City Council has worked hard to protect, the overriding principle should be to defend a principle, not only the loss of one heritage asset but the potential loss of many more with unprecedented harm to some of Sheffield's most beautiful countryside.

The Friends of Porter Valley Committee object:

- not against the modernisation of buildings per se, but in this particular case feel it is wrong to destroy a vernacular building in its current setting. Social history is associated with such buildings in the valley. Happy for see additional buildings or extensions added, but not for whole-scale demolition.

The Sheffield group of The Ramblers object:

- Mayfield is an easily accessible area for walkers to reach from the centre of Sheffield, this makes it a popular area for members and other walkers, The Ramblers are also attracted by picturesque and charming character of cottages like Bennett Cottage and the surrounding attractive landscape, this is important for the enjoyment of walks;

- the demolition of Bennett Cottage and the proposal to replace it with a modern looking building would alter the character of the landscape, it would be a significant

loss to the contribution this cottage and others like it in Mayfield make to our heritage and enjoyment of healthy activity of walking in this area.

35 representations of support have been received relating to the following matters:

- it is difficult to see the cottage;
- the run down nature of any building like this is not very attractive, can't understand heritage value just solely based on age, sprawling mix of inappropriate and badly executed extensions added over the years, poor and lacking cohesion;
- high quality design which replaces a nondescript dwelling which is not sufficient merit for listing and not a priority for retention, an outstanding and thoughtful design, modern architecture when applied sympathetically enhances an area, sustainable scheme, high specification, care needs to be given to the design of the new structure;
- stands in secluded area with trees around, not clearly visible, low rise design, similar footprint, will be lower than existing structure, roof is a living roof, the development has considered the environment, the proposed plan to replace with a modern family home carefully designed which blends into the valley would be a fresh approach, would not be prominent, not intrusive, can't see it, setting within the landscape is almost totally hidden, will not impact on anyone's view of this valley, appreciate quality of design, does not look unsympathetic, will not spoil the landscape, will add character to the area rather than detract from it, makes positive contemporary and sensitive contribution to surrounding area, benefit overall keeping of the area;
- this is exactly the type of modern design needed in Sheffield, innumerable precedents of C21 houses being built in high quality rural settings, the argument is not about new and old but design and construction quality, planning process is not about preservation at all costs but about sustainable conservation which requires selective renewal, that renewal should not preclude contemporary design, need to stop always shying away from innovation in favour of safe and traditional, important that landscapes continue to be shaped by the future and not just nostalgia;
- the effect on the green belt is broadly neutral, the effects thereafter will be positive for the environment, economy, health and living conditions;
- would not impact on residents in the area;
- numerous quality buildings springing up in Sheffield 10, many extensions and rebuilding in the valley some very good some indifferent, seen changes in the valley, this is an essential part of an evolving community, always be the need for change over time.

2 neutral comments have been received:

- Bennett Cottage is quaint vernacular building easy on the eye in keeping with local tradition, proposal is in stark radical contrast lovely to live in and look out from

but inappropriate and unattractive to view. However in practice neither building is or would be in public view since the location is effectively very secluded and well hidden. Therefore the merits or otherwise of the proposal are less concerned with its visual appeal, or lack of, to the general public;

- suggest requesting a landscape visual impact assessment to fully understand the proposals.

Historic England have stated that the Secretary of State for Culture, Media and Sport has decided not to add Bennett Cottage to the List of Buildings of Special Architectural or Historic Interest.

Natural England have stated that they have no comments to make on this application.

## PLANNING ASSESSMENT

### Policy Issues

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

The relevant development plan for the site is the Sheffield Local Plan which includes the Sheffield Core Strategy and the saved policies and proposals map of the Sheffield Unitary Development Plan (UDP).

The UDP Proposals Map identifies the site as being within the Green Belt, an Area of High Landscape Value, and the Mayfield Valley Area of Special Character.

The Government's planning policy guidance on Green Belts and other matters is contained in the National Planning Policy Framework (NPPF). The Government has also published planning practice guidance (NPPG's) on various categories including advice on the role of the Green Belt in the planning system.

The NPPF is a material consideration in planning decisions. The NPPF was published in 2012 and has subsequently been revised in 2018 and 2019 with consequent changes to some paragraph numbering.

Assessment of a development proposal also needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for

example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In addition to the potential for a policy to be out of date by virtue of inconsistency with the NPPF, paragraph 11 of the NPPF makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer the policies which are most important for determining the application will automatically be considered to be out of date.

At the current time, the Council can demonstrate a five year supply. The 5-year Housing Land Supply Monitoring Report (published May 2020) sets out the land supply position as at 31 March 2019 and shows a 5.1 year supply of sites, including the appropriate buffer. Consequently the policies that are most important for determining this application are not automatically considered to be out of date.

#### Proposed Demolitions and Heritage Issues

The proposal involves the demolition of the existing dwelling and four separate outbuildings. Bennett Cottage is not a listed building, is not within a designated conservation area, and is not an Ancient Monument.

As noted above, the UDP identifies the site as being within the Mayfield Valley Area of Special Character. In the surrounding locality there are listed buildings to the east at Fulwood Hall (Grade II) off Harrison Lane, Hole In The Wall Farm (Grade II) and West Carr Cottages (Grade II) both off David Lane; to the south west at Douse Croft Farm (Grade II) off Douse Croft Lane; and to the west at Swallow Farmhouse (Grade II) off Brown Hills Lane.

UDP Policy BE18 relates to development in Areas of Special Character. It seeks to protect the appearance of Areas of Special Character by retaining features which contribute to the character of the area and by requiring new development to respect the appearance and character of the area. Whilst BE18 is a saved policy, the UDP makes clear that the Area of Special Character designation was given to areas that were likely to become Conservation Areas and that the tighter controls in these areas were designed to safeguard them until such time that their declaration as conservation areas could be considered. However, the UDP was adopted in 1998 and the evidence base that supported its policies is even older. In that time, two Areas of Special Character have been declared as new Conservation Areas and four others have been added to existing Conservation Areas, but there are no proposals to designate further Conservation Areas. Whilst it is acknowledged that the area has historical character, the weight afforded to policy BE18 is greatly reduced.

In relation to its consistency with the NPPF, Areas of Special Character are not defined as designated heritage assets, though they could be considered a non-

designated heritage asset. As such, a balanced judgement of the impact on its significance would be required in accordance with paragraph 197 of the NPPF.

UDP Policy BE15 seeks to ensure that development which would harm the character or appearance of listed buildings, Conservation Areas or Areas of Special Character will not be permitted. As described above, the weight given to Areas of Special Character is greatly reduced as is this element of BE15. In other respects policy BE15 is consistent with the NPPF and can be afforded weight.

UDP Policy BE17 expects a high standard of design using traditional materials and a sensitive approach to new buildings in Conservation Areas and Areas of Special Character. Again, as the weight given to Areas of Special Character is greatly reduced, so is this element of BE17. In other respects policy BE17 is consistent with the NPPF and can be afforded weight.

UDP Policy BE19 expects proposals for development affecting the setting of a listed building to preserve the character and appearance of the building and its setting.

UDP Policy BE20 encourages the retention of historic buildings which are of local interest but not listed.

The aims of policies BE19 and BE20 are consistent with the NPPF and can be afforded weight.

NPPF paragraphs 184 to 202 relate to conserving and enhancing the historic environment. NPPF paragraph 184 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

The annexe to the NPPF defines 'heritage asset' as a building, monument, site, place, area of landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

NPPF paragraph 191 states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

NPPF paragraph 192 states that in determining applications, local planning authorities should take account of: (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic activity; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

NPPF paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

NPPF paragraph 198 states that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss occurs.

The applicant's Heritage Statement has assessed the historical background of Bennett Cottage. It notes that, historically, the cottage was accessed off 'Back Lane' to the north, later independently accessed via Bennett Grange, and was depicted as two detached buildings forming an 'L' shaped plan. It states that the farmhouse dates to the 18th century built of rubble sandstone, gritstone quoins to the front façade, currently under a modern concrete tiled roof with UPVc casement windows. It states that some original features have been retained including the central chamfered floor beam, the parlour and kitchen with their original fireplaces and the remains of a partition wall, plank and battened doors, bressumer beam [a main supporting beam] and king post trusses in the roof. It states that the barn has been extensively modernised and apart from some sections of the exterior walls, it retains no original features. Internal beams have been added as decorative features. The Heritage Statement considers the significance of Bennett Cottage was historically affected by major modifications to the fabric of the barn during the late 20th century, and recommends that a watching brief during ground works within the garden should take place to mitigate potential impacts to known and unknown archaeology.

Historic England has assessed the buildings at Bennett Cottage, an 18th century house with an associated farm range converted for domestic use, and has reported that the asset does not meet the criteria for listing. Historic England report that Bennett Cottage does not appear to be that described in deeds dated 1669 and 1730, and that although the house is thought to date to the C18 it has been extensively altered with the remodelling of the ground floor, the addition of extensions and the loss of original fabric such as its stone slate roofing. Although the converted barn retains a number of substantial, potentially medieval timbers, these are clearly reset within a rebuilt structure for decorative effect. It no longer represents a surviving cruck-framed barn.

Historic England's analysis suggests that the cottage probably dates to the C18 century, the continuous outshot to the rear containing the staircase being an early addition, probably also C18 century. The lean-to porch to the west gable is likely to be a C19 addition with the glazed porch to the front door being added in the C20 and remodelled in the late C20. The two-storey range linking the east gable of the cottage to the southwards projecting range of former farm buildings was added in the late C20, around the same time as the farm range was substantially rebuilt and altered to form part of the domestic accommodation. It is this farm range that is likely to have been the cruck-framed barn reported to survive in 1961, however photographs of building work clearly shows that the roof structure of this range is

now modern, even though it includes substantial rough-hewn timbers of some antiquity. The cruck blades shown in photographs are no longer in situ.

Heritage England state that the farm range has been altered with additional windows included, much of the walling rebuilt, and that the ground floor of the original cottage was also thought to have been remodelled around this time with the removal of the internal wall between two principle rooms, the reconstruction of the two fireplaces and insertion of timbers to create a beamed ceiling, room divisions and joinery on the upper floor appear less altered consistent with an C18 date. External photographs of the cottage taken before the alterations show it to have had stone slate roofs and taller chimneys.

The Vernacular Architecture Group (VAG) which maintains a Cruck Database describes the record of Bennett Cottage as 'crucks removed 2017'.

The South Yorkshire Archaeology Service has no objections to the proposal subject to conditions to secure the archaeological investigation and recording of the building prior to demolition.

In this instance, the site and existing buildings at Bennett Cottage are not a designated heritage asset. Whilst the outward appearance of the building is of a traditional form and materials which have a moderate contribution to the character of the locality, the cottage and former barn have been substantially altered.

On balance, the building has a less than moderate significance as a non-designated heritage asset, and that with regard to the scale of harm, its loss and significance as a heritage asset, it is considered that its loss would not be significant and that it would not significantly harm the character and appearance of the Mayfield Valley Area of Special Character, also an undesignated heritage asset.

The listed buildings at Fulwood Hall are approximately 340 metres to the east of Bennett Cottage, West Carr Cottages 350 metres, Hole In The Wall Farm 450 metres, Douse Croft Farm 400 metres, and Swallow Farm 340 metres, each with open fields between them and the application site. It is considered that, given the treed setting and limited scale of the proposed development, the immediate and extended environment of the listed buildings, and the distances between the proposed development and these listed buildings, the proposal would not harm the special architectural or historic interest or the setting of listed buildings in the locality.

The proposal complies with UDP Policies BE15, BE17, BE18 and BE20, and NPPF paragraphs 184 to 202.

#### Highway and Transportation Issues

NPPF paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

There are no changes proposed to the existing access off Mayfield Road.

The proposal would generate traffic including heavy goods vehicles during demolition and construction works. The impact of increased traffic during demolition and construction works would be for a temporary period and would not significantly harm highway safety. Conditions are recommended to secure appropriate management of demolition/construction traffic. The proposed development once completed and occupied would not generate a significant increase in vehicular traffic.

There are no highway objections to this proposal.

## Design

UDP Policy BE5 seeks good design and the use of good quality materials in new developments and Core Strategy Policy CS74, relating to design principles, also expects high quality development which respects and takes advantage of distinctive features of the city and including its townscape and landscape character and its heritage.

NPPF paragraphs 124 to 132 relate to achieving well designed places. NPPF paragraph 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make developments acceptable to communities. NPPF paragraph 127 states that planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history while not preventing or discouraging appropriate innovation or change, establish and maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

Policies BE5 and CS74 are consistent with the NPPF and have significant weight.

The contemporary design approach to the new build is acceptable in principle. The scale of harm resulting from the construction of a contemporary dwellinghouse on a discreet site within the Mayfield Valley Area of Special Character, an undesignated heritage asset, would not be significant.

The quality of the proposed design is considered to be good. The proposed building, as amended, uses natural stone for the external facing material and incorporates a green planted sedum roof. The main feature windows would have zinc surrounds, whilst the remaining windows would have aluminium frames. Timber boarding is used on doors and in recessed panels which compliments the use of natural materials.

The front elevation is the dominant elevation of the building although its massing is reduced on the eastern side beyond the main entrance by the staggered recessing of the upper floor. The main entrance projects approximately 0.5 metres above the surrounding parapet and is a positive yet subordinate element which, along with



the subdivision of the large areas of glazing, provides some welcome verticality to the front facade.

It is considered that the proposed building would be complementary in scale, form, appearance and materials to its setting. The proposal therefore complies with UDP Policy BE5 and Core Strategy Policy CS74, and NPPF paragraphs 124 and 127.

#### Impact on the Green Belt

The UDP includes policies GE1 to GE6 relating to the Green Belt.

In particular, UDP Policy GE1 relates to development in the green belt and sets out the restrictions on development in the green belt in relation to the broad purposes of green belts. UDP Policy GE2 relates to protection and improvement of the green belt landscape, GE3 relates to new buildings in the green belt, GE4 to development and the green belt environment, GE5 to housing development in the green belt, and GE6 relates to house extensions in the green belt. These policies pre-date the NPPF.

Of these, UDP Policy GE5 states that new houses in the Green Belt, other than those needed to support agriculture and other acceptable uses, will be permitted only where this would involve either: (a) infilling of a single plot within the confines of an existing village, group of buildings or substantially developed road frontage, or (b) replacement of an existing house on the same site providing that the new house is not significantly larger than the one it replaces.

In this instance, the proposal falls within the criteria under GE5(b), providing the new house is not significantly larger than the one it replaces.

UDP Policy GE5 is considered to be in part conformity with the NPPF. Whilst the terminology in part (a) of the policy goes beyond that in the NPPF (paragraph 145 (e)) which only refers to villages, not groups of buildings or substantially developed road frontages, part (b) refers to the replacement of existing houses, which would fit within the scope of brownfield sites referenced in NPPF paragraph 145 (g).

The latest version of the NPPF (Feb 2019) includes paragraphs 133 to 147 relating to protecting green belt land.

NPPF paragraph 143 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

NPPF paragraph 145 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt and lists the exceptions to this. The exceptions include (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; (e) limited infilling in villages, and (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would - not have a greater impact on the openness of the Green Belt than the existing development [the

second test of paragraph 145(g) is not repeated here as it relates to contributing to meeting an identified affordable housing need which is not being claimed by the applicant].

The applicant has stated that this scheme is not a replacement building in the context of paragraph [145] part (d). The application site is not within a village under paragraph 145(e).

The applicant has stated (DLP letter of 12.3.19) that the proposal represents the complete redevelopment of previously developed land and should therefore be tested against paragraph 145 part (g).

The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure and lists the exclusions to this (agricultural/forestry buildings, minerals extraction/waste disposal by landfill, land in built up areas such as residential gardens/parks/recreation grounds/allotments, and land where the remains of the structure have blended into the landscape).

The application site is not in the built up area and is not one of the exclusions specified in the NPPF definition of previously-developed land.

Therefore Bennett Cottage and its curtilage (i.e. its residential garden) constitute previously-developed land for the purposes of paragraph 145(g) of the NPPF and the development of the land is excluded from the general Green Belt policy provided the proposed development would not have a greater impact on the openness of the Green Belt than the existing development.

The Green Belt NPPG provides guidance on what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt. Paragraph 001 advises that assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgement based on the circumstances of the case. By way of example (and the courts), it identifies that the openness of the Green Belt has a spatial aspect as well as a visual aspect - in other words, the visual impact of the proposal may be relevant, as could the volume - and that the degree of activity likely to be generated by a development, such as traffic generation, could impact on openness.

In this case, it is noted that the proposed replacement dwelling would be sited in a similar position to the existing dwelling although its built form will be different.

The existing building is of modest scale and complements the Green Belt setting due to its traditional form, footprint, massing, use of materials and pitched roofscape.

Part of the existing dwelling cuts into the rising ground level at the rear of the site. The proposed replacement dwelling would also be partly cut into the rising ground levels on the site reducing the amount of the new building which would be visible above ground.

The existing dwelling and outbuildings have a combined volume of approximately 1,130 cubic metres.

In pure volume terms (above and below ground volumes) the proposed dwelling, as amended, would be larger than the existing dwelling.

However, a greater proportion of the proposed dwelling would be cut into the sloping bank such that the above ground volume is substantially reduced.

The existing dwelling has a ground floor level of approximately 277 AOD with a small flat courtyard in front of it raised above the falling ground level to the south. The external levels alongside the southern gable of the eastern wing of the existing dwelling which projects further forward than the earlier cottage and drops downwards are approximately at 276 AOD.

The proposal as originally submitted indicated a floor level of the lower storey of the proposed dwelling to be set at 275 AOD coinciding with the existing external ground level at the front of the proposed dwelling and resulting in most of the lower storey of the proposed dwelling to be below adjacent ground level to the sides and rear, hence the upper floor of the building appearing as single-storey at the rear.

The extent of cutting the proposed dwelling into the bank, as originally submitted, resulted in the flat parapet roof of the proposed building being at a height equivalent to the eaves of the original cottage.

As amended, the proposed dwelling is to be set lower down into the site by approximately 1.7 metres resulting in the floor level of the lower storey being set at 273.3 AOD and the overall height in comparison to the existing dwelling being reduced to below the eaves level of the cottage. The height of the proposed dwelling would be similar to the ridge height of the lowest ridge on the range of buildings forming the eastern wing of the existing dwelling, and lower than the remaining ridges of the eastern wing which rise in sections up the slope.

The amendments to the projecting entrance stair tower has reduced its projection down from 6.6 to 2.6 metres in comparison to the original submission. As amended, this feature element is now considered to be a positive yet subordinate element on the proposed dwelling.

The volume of the proposed building above the lowered ground would be approximately 1,442 cubic metres (28% larger than the existing buildings). Compared to the existing ground plane the above ground volume of the proposed dwelling would be approximately 1,323 cubic metres (17% larger than the existing buildings).

As regards siting, the foot print of the proposed building would be rectangular (approximately 28 metres by 23 metres) rather than the existing 'L-shape' footprint of the existing dwelling. The front elevation of the proposed dwelling would be sited in a similar position to the current gable at the southern end of the cottage wing. The proposed rear elevation would be in a similar alignment to the rear walls

of the existing dwelling. The proposed western elevation would align with the existing west elevation of the cottage, and the proposed staggered eastern elevation would extend beyond the eastern side of the existing dwelling by between 4.5 and 7.5 metres approximately but would only partly extend across the adjacent outbuilding that is also to be demolished.

The landscape of this part of the Green Belt is generally characterised by predominantly stone walled agricultural fields interspersed with some small areas of woodland. Settlement in this area is generally restricted to farmsteads and scattered dwellings.

The UDP identifies the site and surrounding land as being within an Area of High Landscape Value.

UDP Policy GE8 seeks to protect and enhance Areas of High Landscape Value (AHLV). In addition UDP Policies GE2 and GE4 also seek to maintain and enhance areas with a generally high landscape value.

UDP Policy GE15 seeks to encourage and protect trees and woodlands, while UDP Policy BE6, which applies to all areas of the city and its surrounding countryside, expects good quality landscaping in new developments.

UDP Policy GE8 is broadly consistent with the NPPF, which states that policies should protect and enhanced valued landscapes, though the evidence base for the AHLV designations is now dated. GE4 aligns but uses terminology more consistent with good design. Policy GE15 is less strategic and more specific than the NPPF with regard to tree habitats. Policies GE8, GE4 and GE15 are therefore in part conformity with the NPPF and have moderate weight. UDP Policies GE2 and BE6 are in conformity with the UDP and can be given significant weight.

NPPF paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by (a) protecting and enhancing valued landscapes ... (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The proposal as amended would result in the loss of 12 trees (identified on the submitted tree survey as trees T43, T44, T45, T46 (a group of 4 trees adjacent to the realigned drive), trees T53, T54, T55 (close to the northeast corner of the proposed dwelling), trees T88, T90 (on the western side of the proposed dwelling), tree T81 (half way up the western boundary) and trees T9, T21 (on the edge of a group of trees at the southern entrance to the site).

Of these: T9 (Norway maple), T21 (Scots Pine), T53 (Goat willow), T81 (Wild cherry) are classed as Category U trees unsuitable for retention; T43, T44, T45, T54 (4 x Cypress), T46 (Cherry), T90 (Common Yew) are suppressed, leaning, damaged and are Category C2 low quality trees; and T88 (Sycamore) is a mature Category A2 high quality tree but has some dead wood.

The applicant's landscape masterplan identifies 34 new trees to be planted on the site, some in similar locations to those to be felled.

It is considered that the removal of the trees specified is acceptable subject to appropriate new tree planting.

The appearance and character of the new building will be different from the traditional character of the existing buildings. A substantial part of the new building will be below ground. It is considered that the visual impact of this change upon the surrounding landscape will be negligible.

The applicant's Landscape and Visual Assessment (LVIA) is an appraisal of the local landscape in and around the proposed site to ascertain the potential visual impacts of the proposed dwelling from the principal viewpoints. The LVIA notes that the landscape character of the area is (at national level) within the 'Yorkshire Southern Pennine Fringe'.

The LVIA identifies principal viewpoints in the Mayfield Valley within 1.5 km of the site including: from the southwest, south and southeast direction Douse Croft Lane (PV1), Foxhill Lane/Harrop Lane/Cough Lane junction (PV2), Foxhill Lane (PV3), Greenhouse Lane (PV4), footpath from Ringinglow Road (PV5), Hangram Lane (PV6), footpath from Hangram Lane (PV7), footpath from Mayfield Road (PV8) and from the northeast direction Harrison Lane (PV9).

The LVIA states that the proposed new building will result in no change, in terms of landscape impact, on the surrounding area.

The LVIA report identified that the most significant visual impacts of the scheme, as originally submitted, were on receptors at Harrison Lane (PV9,) which were of moderate magnitude with moderate adverse significance during the construction phase which were expected to reduce to slight adverse significance once construction work is completed.

Views from two private residential properties off Harrison Lane (Fulwood Hall and Bole Hill Farm) were considered to be similar to PV9. Lesser impacts (negligible and minor) were identified at PV1 to PV7 during the construction phase which were expected to reduce to no change once construction work is completed.

In mitigation the LVIA notes that the landscape masterplan proposes additional planting within the site. The LVIA concludes that due to the steeply sloping topography, scattered shelter belts and woodlands, the visual envelope of the site is limited to small areas within the surrounding Mayfield Valley, mainly to the south, and that once building is complete there would be no visual impact on the majority of principal receptors, and with tree planting on the eastern boundary as mitigation, the slight adverse visual impact at Harrison Lane (PV9) would reduce in the long term.

The proposed scheme, as amended, retains more of the existing vegetation and trees along the eastern boundary further screening views of the proposed development. The magnitude of visual impacts on receptors at Harrison Lane

(PV9), Fulwood Hall and Bole Hill Farm are considered to be negligible with no change in significance. As the proposal as amended is smaller in scale with lower eaves height the impacts from all the viewpoints are reduced further.

The Council's Preliminary Landscape Character Assessment (2011) of the countryside around the city identifies the application site as being within an 'Upland Character Area: UP3 Upland Rolling Slopes and Valleys to the West' and describes these areas as where these Pennine foothills have an undulating and, in places, steeply sloping topography with interlocking pattern of fields, including blocks of woodland [with] patches of semi-improved and acid grasslands on steeper slopes with permanent pasture in small fields enclosed by dry stone walls.

It is considered that the applicant's LVIA has assessed the appropriate landscape and principal viewpoints and that this reflects the Council's 2011 Assessment. Overall, it is considered that the conclusions of the LVIA regarding the magnitude and significance of the landscape and visual impacts of the proposed development as amended are sound.

The proposed landscaping masterplan indicates that any temporary disturbance to the site due to construction activities will be remediated by the implementation of a soft landscaping scheme. It is considered that the proposal would not significantly intensify activity on the site post construction and that the permanent impacts of activity generated by the proposed development following construction are likely to be negligible.

Overall, it is considered that whilst the volume of the proposed dwelling would be greater than the existing buildings on the site, much of the new volume would be below the existing ground plane. The 'squaring' of the new building's mass compared to the existing buildings generally 'L-shaped' form, whilst representing a different design approach, has kept the extent of the proposed building to similar parameters of siting, overall width and depth as the existing spread of buildings and has resulted in a significantly lower height of building. The visual impact of the proposed development would be negligible. The contemporary design approach to the new build is acceptable in principle and the quality of the proposed design is good. The proposed building, as amended, uses natural stone for the external facing material and incorporates a green planted sedum roof.

It is considered that the proposed development including the design of the building, its setting within the immediate landscape on the site and its use of natural stone, are acceptable and would not harm the appearance and character of the immediate or surrounding landscape or the Area of High Landscape Value. The proposal complies with UDP Policies GE2, GE4, GE15 and BE6 and NPPF paragraph 170.

In respect to UDP Policy GE5(b), which has moderate weight, the proposed house would be significantly larger than the existing house it replaces.

However the more appropriate test in this case is paragraph 125 (g) of the NPPF, and it is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development, either

visually or spatially. Therefore the proposal, as amended, complies with NPPF paragraph 145(g).

## Ecology

UDP Policy GE11 seeks to protect and enhance the natural environment and promote nature conservation.

GE11 conforms in part with the NPPF, which focuses on biodiversity net gain, and so has moderate weight.

NPPF paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other measures, (d) minimising impacts on and providing net gains for biodiversity including by establishing coherent ecological networks that are more resilient to current and future pressures.

NPPF paragraphs 174 to 177 relate to habitats and biodiversity. NPPF paragraph 175 identifies the principles that apply when determining planning applications regarding impact on biodiversity and habitats.

The applicant's submitted Bat Survey reports state that a survey in 2016 identified two small Common Pipistrelle roosts in the detached outbuilding to the east side of Bennett Cottage, and as a result a further daytime and dusk emergence bat survey of the site was carried out in 2017. A repeat survey was undertaken in 2020. The 2017 and 2020 surveys identified no bat field signs around the roof of the outbuilding or around the interior of the outbuilding. Overall the outbuilding was assessed as providing a very low potential for roosting bats with no signs of existing roosts.

The dwelling was identified as having a moderate roosting potential due to occasional voids around the eaves, however no roosts were identified in the 2017 survey. No bats were identified emerging from the outbuilding or from the dwelling in the 2017 survey. No bats were identified emerging from the outbuilding in the 2020 survey.

The 2017 and 2020 surveys did record high levels of bat foraging activity on the site.

The 2017 report assesses that the outbuilding is used as an occasional day roost for small numbers of Common Pipistrelle and that works to demolish this outbuilding will potentially have a high impact on roosting bats if suitable precautions are not put in place. The site as a whole provides a moderate value foraging habitat for bats. It states that with a sensitive lighting scheme the proposed development will have minimal impact on foraging or commuting bats and won't fragment foraging habitats. The report outlines a mitigation strategy for working methods, timing and mitigation including the installation of two habitat boxes incorporated into the walls of the building and faced with stone. The 2020 survey concurred that the previous findings that the outbuilding contains an

occasionally used day roost of Common Pipistrelle bats remain accurate and recommended that the previously outlined mitigation strategy be adhered to.

It is considered that the proposed removal of 12 trees identified will not harm or sever the tree belt around this site and will not have a significant impact on habitat or wildlife corridors.

The Council's Ecology Unit has no objections to the proposed development. Conditions will be required to secure the mitigation strategy, bat licence, and incorporation of appropriate planting in the landscape scheme.

It is considered that the proposed development would not significantly harm matters of ecological interest and provides appropriate mitigation. The proposal complies with UDP Policy GE11 and NPPF paragraphs 170 and 174 to 177.

#### Effect on the Amenities of Nearby Residents in Locality

Mill Lane Farm and Cottage Mill are on the south side Mayfield Road opposite the entrance to the application site. To the north, there are residential properties at Bennett Grange, the row of houses at Jeffrey Green and at Birks Farm off Harrison Lane and Brown Hills Lane. To the east are Fulwood Hall on Harrison Lane, a group of several properties around the junction of Harrison Lane/Blackbrook Road, and there is a group of properties at the junction of Mayfield Road/David Lane.

The southern end of the grounds of Bennett Grange adjoin the application site. The house at Bennett Grange is approximately 90 metres to the north of Bennett Cottage. The tree belt on the northern boundary of the application site between these two properties is to be retained. It is considered that the proposed development would not overlook or otherwise harm the living conditions of occupants of Bennett Grange. The substantial separation distances of 100 metres and over to other nearby houses in the locality would ensure that the proposal would not harm the amenities of occupiers of those buildings.

The proposal retains sufficient open land within its curtilage and would not result in overdevelopment of the site.

It is considered that there would be sufficient separation distances between the proposed dwelling and nearby residential properties to ensure that there would be no overbearing, overshadowing, overlooking or other adverse impacts on the living conditions of residents in the locality.

#### Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is applicable to this development.

In this instance the applicant is seeking self-build exemption relief from the levy.

#### SUMMARY



The site and existing buildings at Bennett Cottage are not a designated heritage asset.

The Mayfield Valley Area of Special Character is not a designated heritage asset.

In weighing applications that directly or indirectly affect non-designated heritage assets, the NPPF advises that a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.

Whilst the outward appearance of the building is of a traditional form and materials which have a moderate contribution to the character of the locality, the cottage and former barn have been substantially altered.

On balance, the building has a less than moderate significance as a undesignated heritage asset, and with regard to the scale of harm, its loss and significance as a heritage asset, it is considered that its loss would not be significant and would not significantly harm the character and appearance of the Mayfield Valley Area of Special Character.

There are designated heritage assets (listed buildings) at 5 nearby properties. It is considered that, given the treed setting and limited scale of the proposed development, the immediate and extended environment of the listed buildings, and the distances between the proposed development and these listed buildings, the proposal would not harm the special architectural or historic interest or the setting of listed buildings in the locality.

The contemporary design approach to the new build is acceptable in principle. The quality of the proposed design is good. The proposed building, as amended, uses natural stone for the external facing material and incorporates a green planted sedum roof. The proposed building would be complementary in scale, form, appearance and materials to its setting.

In respect to UDP Policy GE5(b), which carries moderate weight, the proposed house would be significantly larger than the existing house it replaces.

However the more relevant test under the NPPF is paragraph 145(g). It states that the redevelopment of previously developed land is not inappropriate provided the proposed development would not have a greater impact on the openness of the Green Belt than the existing development.

Bennett Cottage and its curtilage comprises previously-developed land for the purposes of paragraph 145(g) of the NPPF.

Overall, whilst the volume of the proposed dwelling would be greater than the existing buildings on the site, much of the new volume would be below the existing ground plane. The 'squaring' of the new building's mass compared to the existing buildings generally 'L-shaped' form, whilst representing a different design approach, has kept the extent of the proposed building to similar parameters of siting, overall width and depth as the existing spread of buildings and has resulted in a significantly lower height of building. It has been ascertained that the visual

impact of the proposed development would be negligible. The contemporary design approach to the new build is acceptable in principle and the quality of the proposed design is good.

It is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development. Therefore the proposal is not inappropriate development in the Green Belt and complies with NPPF paragraph 145(g).

It is considered that the visual impact of this change upon the surrounding landscape will be negligible. In this instance, the proposed development including the design of the building, its setting within the immediate landscape on the site and its use of natural stone, are acceptable and would not harm the appearance and character of the immediate or surrounding landscape or the Area of High Landscape Value.

The proposed development would not significantly harm matters of ecological interest and provides appropriate mitigation.

There would be sufficient separation distances between the proposed dwelling and nearby residential properties to ensure that there would be no significant adverse impact on the living conditions of residents in the locality.

There are no highway safety implications.

In relation to paragraph 11 of the NPPF, as Sheffield can demonstrate a five year housing supply the most important policies in the determination of this application are not automatically considered to be out of date. The most important local policies in the determination of this application, which in this case revolve around the Green Belt, design, ecology, landscape and heritage impacts, do, when considered as a collection, align with the NPPF. As such section d) of paragraph 11 is not applied in this instance.

In addition to complying with NPPF paragraph 145(g), the proposal complies with UDP Policies GE2, GE4, GE11, GE15, BE5, BE6, BE15, BE17, BE18 and BE20, Core Strategy Policies CS74, and the Government's planning policy guidance contained in the NPPF in particular paragraphs 109, 124, 127, 170, 174 to 177, and 184 to 202.

## RECOMMENDATION

It is recommended that planning permission is granted subject to conditions.



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of City Growth Department

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**Date:** 23 June 2020

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

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**Author of Report:** Marie Robinson 0114 2734218

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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  
23 JUNE 2020

### 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

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| (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 a glass covered canopy to east elevation of nursery building at Chantreyland Nursery Grange Barn 34 Matthews Lane Sheffield S8 8JS (Case No 19/02748/LBC)   |
| (ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for retention of a rear dormer window and rear boundary walls, and application to erect rear external stairs to first floor flat (amended description 16/09/2019).at 331 & 331A Baslow Road Sheffield S17 4AD (Case No 19/02706/FUL)   |
| (iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for retention of use of car park as hand car wash and car park (Use Class Sui Generis) including siting of shipping container and alterations to canopy at Jumeirah Spice 1 The Common Sheffield S35 9WJ (Case No 19/03644/FUL)   |
| (iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for retention of front dormer extension to form additional living accommodation to house of multiple occupation (Resubmission of 19/01105/FUL) at 5 Cemetery Avenue Sheffield S11 8NT (Case No 19/03966/FUL)   |
| (v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for demolition of detached garage and former car port, alterations to roof including erection of rear dormer window with Juliet balcony, solar panels to rear and rooflights to front, erection of two-storey side extension and single-storey rear extension to dwellinghouse at 56 Lees Hall Avenue Sheffield S8 9JF (Case No 19/04264/FUL) |
| (vi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for  |

erection of a two-storey side extension, single-storey rear extensions, and formation of gable end at 52 Westwick Crescent Sheffield S8 7DH (Case No 19/03733/FUL)

(vii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of existing rear dormer, erection of front and rear dormers to dwellinghouse and alterations to fenestration at 108 Hangingwater Road Sheffield S11 7ES (Case No 19/03078/FUL)

(viii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for Part A: 3 internally illuminated fascia signs; and Part B: 1 internally illuminated fascia sign at Unit A2 Meadowhall Retail Park Attercliffe Common Sheffield S9 2YZ (Case No 19/02014/ADV)

(ix) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for change of use to part of ground floor from dwellinghouse (Use Class C3) to shop (Use Class A1) and erection of a single-storey front extension to form a shop front at 37 Hinde House Lane Sheffield S4 8GY (Case No 9/04343/FUL)

(x) 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 palisade security gates and fencing to forecourt of industrial unit at Norjen Precision Ltd 80 Holywell Road Sheffield S4 8AS (Case No 19/03471/FUL)

(xi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for use of detached garage as a dwellinghouse (Use Class C3) with associated alterations including replacement and additional windows and doors, and provision of 4 rooflights (re submission of 19/01411/FUL) at Garage Site At Rear Of 23 To 31 Hanson Road Sheffield S6 6RF (Case No 20/00379/FUL)

(xii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for installation of a digitally imprinted hi-tech micromesh PVC banner depicting portland stone cladding to first and second floor exterior wall facing Rockingham Gate incorporating an 7.6m x 9.8m commercial advertising area at Plug Box Office 1 Rockingham Gate Sheffield S1 4JD (Case No 20/00458/ADV)

(xiii) 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 two-storey rear extension to dwellinghouse at Azaan House 18 Fentonville Street Sheffield S11 8BB (Case No 19/04599/FUL)

(xiv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for

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| replacement of existing 9.70m monopole with a 20.0m high monopole including ground-based equipment cabinets and associated works at Land Adjacent Existing Mast Stradbroke Road Sheffield S13 8LR (Case No 19/03679/FULTEL)   |
| (xv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of 14.5m monopole and equipment cabinets and erection of 20.0m high monopole supporting 12 no antenna apertures, and associated equipment cabinets (To be sited to the front of Ecclesall Medical Centre, Millhouses Lane) (Amended Description) at Junctions Of Knowle Lane And Ecclesall Road South, Millhouses Lane And Woodholm Road Sheffield S11 9SH (Case No 19/04101/FULTEL) |
| (xvi) 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 a dwellinghouse (Re-submission of planning permission 17/03139/FUL) at Curtilage Of The Coppice 10 Stumperlowe Hall Road Sheffield S10 3QR (Case No 18/02685/FUL)   |
| (xvii) 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 single-storey rear extension and provision of rooflights to front and rear of dwellinghouse at Curtilage Of The Coppice 56 Bowood Road Sheffield S11 8YG (Case No 19/04434/FUL)  |
| (xiii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of a 11.7m monopole and erection of a 20.0m high monopole supporting 12 no antenna apertures, 8x equipment cabinets and ancillary works (Amended Site Location Plan) at Telecommunications Mast Near Junction With Hollybank Road Mansfield Road Sheffield S12 2AJ (Case No 19/02278/FULTEL)   |

### 3.0 APPEALS DECISIONS – DISMISSED

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| (i) To report that an appeal against the delegated decision of the Council to refuse planning permission for application for retention of an external staircase to rear of dwelling at 31 Hinde House Lane Sheffield S4 8GY (17/03638/FUL) has been dismissed.               |
| Officer Comment:-<br><br>The main issue was the effect of the development on the living conditions of adjoining occupiers to the appeal building with regard to privacy and overlooking.<br><br>The Inspector concluded that the development does harm the living conditions |

of the adjoining occupier with regard to overlooking and privacy as there are extensive views of the rear of the adjoining buildings.

They also concluded that the steps as set out in the notice were necessary to remedy the breach of planning control and were not excessive.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for demolition of attached garage, erection of three-storey rear extension, erection of single-storey side extension with 1 front dormer, alterations to roof to form habitable living accommodation including erection of 2 front dormers, 2 juliette balcony's to rear and new pitched roof, and alterations to fenestrations at Broom Cottage New Mill Bank Sheffield S36 3ZG (18/03982/FUL) has been dismissed.

Officer Comment:-

The appeal resulted from a failure to reach a decision on the revised information submitted by the appellant provided a statement of case and a putative reason for refusal, confirm we would have refused planning permission due to harm to the Green Belt.

The Inspector found that the proposals would be inappropriate development in the Green Belt and a small but harmful loss of openness and gave limited weight given to the fall back position.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for application to approve details in relation to condition number(s): 9 (Remediation - Validation Report) imposed by planning permission 17/03867/FUL Lynthorpe House 86 Charlotte Road Sheffield S1 4TL (17/03867/COND4) has been dismissed.

Officer Comment:-

The Remediation Validation report submitted to discharge condition 9 attempted to demonstrate that the approved Remediation Strategy had been implemented.

The Inspector identified the main issue was whether or not appropriate information had been submitted within the Remediation Validation Report to demonstrate that the Strategy had been fully implemented.

She noted that the area of contention was a portion of open space, adjacent to but located within the original application site boundary, and within which the approved Site Investigation Report and Remediation Strategy identified a need for a 600mm capping layer.

The Remediation Validation Report does not demonstrate that this was undertaken across the full extent of the site, within the area of open space. The inspector therefore agreed that the Council were correct to refuse the application, and dismissed the appeal.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for application to single-storey rear extension - the extension is 8 metres from the rear of the original dwellinghouse, ridge height no more than 4 metres and height to the eaves of 2.9 metres at Bengreave Farm Hollin House Lane Sheffield S6 6RG (19/02899/HPN) has been dismissed.

Officer Comment:-

The application refused because it was considered that the enlarged part of the dwellinghouse would extend beyond: (i) a wall which forms the principle elevation of the dwellinghouse; and, (ii) the original side elevations of the dwelling and have a width greater than half the width of the original dwellinghouse. The appeal centred on which elevation was the primary elevation.

The Inspector agreed with the LPA, i.e. that the primary elevation does not have to be the one that faces the highway.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of kiosk and installation of freestanding smart kiosk (Application for determination if approval required for siting and appearance) at Telephone Box Outside 49 Furnival Gate Sheffield S1 4QQ (19/01908/TEL) has been dismissed.

Officer Comment:-

The Inspector concluded that although the siting and appearance of the kiosk would not unacceptably harm the amenity of the locality, or impede pedestrian flows, he considered that the projecting perspex hood on the structure would cause a hazard to blind and partially sighted people and would therefore be detrimental to the safe and efficient operation of the highway.

(vi) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of kiosk and installation of freestanding smart kiosk (Application for determination if approval required for siting and appearance) at Telephone Box Outside 45-47 Fargate Sheffield S1 2HD (19/01907/TEL) has been dismissed.

Officer Comment:-

The Inspector concluded that although the siting and appearance of the kiosk would not unacceptably harm the amenity of the city centre conservation area, or impede pedestrian flows, he considered that the projecting perspex hood on the structure would cause a hazard to blind and partially sighted people and would therefore be detrimental to the safe and efficient operation of the highway.

(vii) To report that an appeal against the delegated decision of the Council to



refuse planning permission for removal of kiosk and installation of freestanding smart kiosk (Application for determination if approval required for siting and appearance) at outside 13-15 Haymarket Sheffield S1 2AW (19/01909/TEL) has been dismissed.

Office Comment:-

The Inspector concluded that although the siting and appearance of the kiosk would not unacceptably harm the amenity of the locality, or impede pedestrian flows, he considered that the projecting perspex hood on the structure would cause a hazard to blind and partially sighted people and would therefore be detrimental to the safe and efficient operation of the highway.

(viii) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of kiosk and installation of freestanding smart kiosk (Application for determination if approval required for siting and appearance) at O/S 19 Market Place City Centre Sheffield S1 2GH (19/01910/TEL) has been dismissed.

Office Comment:-

The Inspector concluded that although the siting and appearance of the kiosk would not unacceptably harm the amenity of the locality, or impede pedestrian flows, he considered that the projecting perspex hood on the structure would cause a hazard to blind and partially sighted people and would therefore be detrimental to the safe and efficient operation of the highway.

(ix) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of kiosk and installation of freestanding smart kiosk (Application for determination if approval required for siting and appearance) at Sheffield City GP Health Centre Rockingham House 75 Broad Lane Sheffield S1 3PB (19/01905/TEL) has been dismissed.

Officer Comment:-

The Inspector concluded that although the siting and appearance of the kiosk would not unacceptably harm the amenity of the Well Meadow Conservation Area, or impede pedestrian flows, he considered that the projecting perspex hood on the structure would cause a hazard to blind and partially sighted people and would therefore be detrimental to the safe and efficient operation of the highway.

(x) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of kiosk and installation of freestanding smart kiosk (Application for determination if approval required for siting and appearance) at O/S 127 Pinstone Street Sheffield S1 2HN (19/01911/TEL) has been dismissed.

Officer Comment:-

The Inspector concluded that although the siting and appearance of the kiosk would not unacceptably harm the amenity of the city centre conservation area, or impede pedestrian flows, he considered that the projecting perspex hood on the structure would cause a hazard to blind and partially sighted people and would therefore be detrimental to the safe and efficient operation of the highway.

#### 4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for use of part of ground floor of dwellinghouse as an office (Class B1 Business) or a Letting shop (Class A2 Financial and Professional Services), provision of a ramp and resurfacing of front patio area (amended description) at 294 Staniforth Road Sheffield S9 3FT (Case No 19/01862/FUL) has been allowed.

Officer Comment:-

The Inspector considered the main issues to be the effect of the proposal on the viability and vitality of the district shopping centre and the effect of the proposal on the character and appearance of the area.

She concluded that there was no substantive evidence to suggest that the vitality and viability of the shopping area would have serious problems. She considered the nearest shopping areas to be in very good health and, given the small size of the unit in question she did not think the proposal would conflict with UDP Policies H10 or S5.

On the issue of character and appearance she noted that there were other small shops interspersed between residential properties in the locality and, given the small scale nature she did not consider that it would result in a concentration of non housing uses in the area, neither did she think that the construction of the ramp would be visually dominant. On that basis she concluded that there would be no conflict with UDP Policy H14.

(iii) To report that an appeal against the delegated decision of the City Council to refuse planning permission for erection of 2x single-storey buildings (Use Class B8 - storage) to house a data centre including 12x air conditioning units, 2x generators, provision of a access gates and 2.4m high fencing at Land Between Sheffield Road And Canal Wharf Road Sheffield S9 1RG (Case No 19/03085/FUL) has been allowed

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposed development on the character and appearance of the area.

She did not agree with the Council that the buildings would resemble portacabins, rather she thought that they would appear as simple metal clad industrial units and that there would be little visibility of them from Sheffield Road due to landscaping and advert hoardings. She considered that the development would improve the appearance of this unkempt and untidy site.

She therefore concluded that the proposal would not conflict with Core Strategy Policy CS74 or UDP Policy IB9.

#### 5.0 CIL APPEALS DECISIONS

Nothing to report

#### 6.0 ENFORCEMENT APPEALS NEW

Nothing to report

#### 7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report

#### 8.0 ENFORCEMENT APPEALS ALLOWED

(i) To report that an appeal against the Enforcement Notice issued by the Council for unauthorised erection of a boundary fence and gate facing Ecclesall Road South and facing Whirlow Court at 351 Ecclesall Road South, Sheffield S11 9PX

Planning Inspectorate Ref Appeal A: APP/J4423/C/19/3240405  
Appeal B: APP/J4423/C/19/3240406)  
has been allowed in part, notice upheld as varied.

#### Officer Comment:-

The appellant appealed against the notice on ground (f) that the steps required to comply with the requirements of the Enforcement Notice are excessive and lesser steps would overcome the objections and ground (g) that the time given to comply with the notice is too short.

The inspector determined that given that there is no appeal made on ground (a) relating to the planning merits of the fence therefore he was unable to consider an alternative to the steps required by the notice and concluded that the proposal put forward by the appellant would not remedy the breach of planning control that the notice seeks to achieve. Therefore the appeals on ground (f) did not succeed.

With regards to ground (g) the Council did not have any objections to extend the compliance time period from 4 weeks to 8 weeks and therefore the inspector varied the notice to reflect this.

## 9.0 RECOMMENDATIONS

That the report be noted.

Colin Walker  
Interim Head of Planning

*23 June 2020*