

# Planning and Highways Committee

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**Tuesday 12 July 2022 at 2.00 pm**

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

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

## **Membership**

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Councillors Dianne Hurst (Joint Chair), Alan Woodcock (Joint Chair), Nighat Basharat, Mike Chaplin, Tony Damms, Roger Davison, Brian Holmshaw, Barbara Masters, Bob McCann, Peter Price, Garry Weatherall, Sophie Wilson and Cliff Woodcraft

## **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 telephone no. 0114 273 5033 or by emailing [abby.brownsword@sheffield.gov.uk](mailto:abby.brownsword@sheffield.gov.uk).

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## **FACILITIES**

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

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

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**PLANNING AND HIGHWAYS COMMITTEE AGENDA  
12 JULY 2022**

**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 5 - 8)  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 9 - 14)  
Minutes of the meeting of the Committee held on 14<sup>th</sup> June 2022.
- 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. Applications Under Various Acts/Regulations** (Pages 15 - 16)  
Report of the Director of City Growth
- 7.1 Application No. 22/00455/FUL - Southernwood, 62 Dore Road, Sheffield, S17 3NE** (Pages 17 - 50)
- 7.2 Application No. 21/04854/FUL - Land adjacent No. 8 Southbourne Road, Sheffield, S10 2QN** (Pages 51 - 76)
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 77 - 80)  
Report of the Director of City Growth
- 9. Date of Next Meeting**  
The next meeting of the Committee will be held on Tuesday 9<sup>th</sup> August 2022 at 2pm in the Town Hall.

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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 Policy Committees, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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Planning and Highways Committee

Meeting held 14 June 2022

**PRESENT:** Councillors Alan Woodcock (Joint Chair), Nighat Basharat, Mike Chaplin, Tony Damms, Roger Davison, Brian Holmshaw, Barbara Masters, Bob McCann, Peter Price, Garry Weatherall, Sophie Wilson, Cliff Woodcraft and Tony Downing (Substitute Member)

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**1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Dianne Hurst. Councillor Tony Downing attended as substitute.

**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 Mike Chaplin declared a personal interest in Agenda Item 7b, Application No. 22/00723/FUL - Land at junction with Cobden View Road and Northfield Road, Sheffield, S10 1QQ, as he had previously been involved in objecting against the owner blocking use of the land as a community garden. Councillor Chaplin took no part in the discussion and voting thereon.

3.2 Councillor Sophie Wilson declared a personal interest in Agenda Item 7b, Application No. 22/00723/FUL - Land at junction with Cobden View Road and Northfield Road, Sheffield, S10 1QQ, as she was employed by Olivia Blake MP, who had objected to the application. Councillor Wilson took no part in the discussion and voting thereon.

3.3 Councillor Nighat Basharat declared a personal interest in Agenda Item 7c, Application No. 21/02714/FUL - 715 - 717 Abbeydale Road, Sheffield, S7 2BE, as she had previously been involved in objecting to the application, prior to her election as Councillor. Councillor Basharat left the room and took no part in the discussion and voting thereon.

3.4 Councillor Alan Woodcock declared a personal interest in Agenda Item 10c, Application No. 20/03276/FUL - Kenwood Hall Hotel, Kenwood Road, Sheffield, S7 1NQ, as he had been previously known the managing director of the hotel. Councillor Woodcock declared that he had not given an opinion or made up his mind on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

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

- 4.1 The minutes of the meeting of the Committee held on 24<sup>th</sup> May 2022 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. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

##### **6a. APPLICATION NO. 22/01397/FUL - 268 HANDSWORTH ROAD AND LAND TO THE REAR OF 270, SHEFFIELD, S13 9BX**

- 6a.1 An additional representation from a local resident and a representation from Clive Betts MP, along with the officer response, a report correction, an amended condition, an amended directive and an additional condition and directive were included within the supplementary report circulated and summarised at the meeting.
- 6a.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 6a.3 Lesley Ward and Councillor Dianne Hurst attended the meeting and spoke against the development.
- 6a.4 Susan Crowley attended the meeting and spoke in support of the application.
- 6a.5 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report including the amended condition and directive and the additional condition and directive, now submitted and also had regard to representations made during the meeting.
- 6a.6 **RESOLVED:** That an application for planning permission for continuation of use of land as car sales forecourt and vehicle storage area (sui generis), including retention of portable building and container (retrospective application), resurfacing works, and erection of a 2.1 metres high acoustic fence along the south-west edge of the designated storage area and car sales forecourt (Amended description) at 268 Handsworth Road and land to the rear of 270 Sheffield, S13 9BX, Application No. 22/01397/FUL, be REFUSED on the grounds that there is

inadequate separation between the site and adjoining residential properties which would lead to an unacceptable invasion of privacy to the first-floor windows of the affected dwellings, resulting in an unacceptable effect on the living conditions of occupiers of those properties. Final wording of the decision notice to be agreed by the Chair and Planning Officers.

**6b. APPLICATION NO. 22/00723/FUL - LAND AT JUNCTION WITH COBDEN VIEW ROAD AND NORTHFIELD ROAD, SHEFFIELD, S10 1QQ**

- 6b.1 Additional representations, along with the officer response, a report correction and additional conditions were included within the supplementary report circulated and summarised at the meeting.
- 6b.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 6b.3 Councillor Ruth Milsom attended the meeting and spoke against the application.
- 6b.4 James Roberts attended the meeting and spoke in support of the Committee.
- 6b.5 Councillor Brian Holmshaw raised concerns regarding the siting of bins for the residential units and their collection and moved that details of the servicing strategy should be required prior to commencement of the works. This was seconded by Councillor Mike Chaplin. A vote was taken by show of hands and was passed.
- 6b.6 Councillor Garry Weatherall proposed an amendment to the condition regarding deliveries, collections and movement on site to restrict movement, sorting or removal of waste materials, recyclables or their containers in the open air from the commercial units to 10pm on Sundays and Bank Holidays. This was seconded by Councillor Tony Damms. A vote was taken by show of hands and was passed.
- 6b.7 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report including the additional conditions and amended conditions, now submitted and also had regard to representations made during the meeting.
- 6b.8 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report including the amended conditions and additional conditions and the amended conditions regarding servicing, deliveries and movement, sorting or removal of waste materials, recyclables or their containers in the open air from the commercial units to 10pm on Sundays and Bank Holidays, for the erection of 13 flats and 3 retail units (Use Class E) with associated cycle parking and landscaping at land at junction with Cobden View Road, Northfield Road, Sheffield, S10 1QQ (Application No. 22/00723/FUL).

**6c. APPLICATION NO. 21/02714/FUL - 715 - 717 ABBEYDALE ROAD, SHEFFIELD, S7 2BE**

- 6c.1 Additional representations, along with the officer response, a report correction, an amended condition and an additional condition were included within the supplementary report circulated and summarised at the meeting.
- 6c.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 6c.3 Alex Horne attended the meeting and spoke against the application.
- 6c.4 Ali Ay attended the meeting and spoke in support of the application.
- 6c.5 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report including the amended condition and additional condition, now submitted and also had regard to representations made during the meeting.
- 6c.6 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report for the extension including roof lift and front dormers to create habitable accommodation on first and second floors for use as 10-bed House in Multiple Occupation (sui generis), with retail unit (Use Class E(a)) on ground floor and associated first floor office at 715 - 717 Abbeydale Road, Sheffield, S7 2BE (Application No. 21/02714/FUL).

**6d. APPLICATION NO. 20/03276/FUL - KENWOOD HALL HOTEL, KENWOOD ROAD, SHEFFIELD, S7 1NQ**

- 6d.1 An additional representation, along with the officer response, a report correction and an amended condition were included within the supplementary report circulated and summarised at the meeting.
- 6d.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 6d.3 Sharon Watson attended the meeting and spoke against the application.
- 6d.4 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report including the amended condition, now submitted and also had regard to representations made during the meeting.

- 6d.5 **RESOLVED:** That an application for planning permission for demolition of outbuildings, erection of 4 dwellinghouses with associated parking, landscaping and formation of access at Kenwood Hall Hotel, Kenwood Road, Sheffield, S7 1NQ, Application No. 20/03276/FUL, be REFUSED on the grounds that the natural environment should be protected and enhanced in line with UDP GE11 and NPPF 174, the negative heritage impacts including on the historic garden within the Nether Edge Conservation Area, impacts on biodiversity all of which outweighed the benefit of providing 4 homes.

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

- 7.1 The Committee received and noted a report of the Chief Planning Officer detailing new planning appeals received by the Secretary of State.

## **8. DATE OF NEXT MEETING**

- 8.1 The next meeting of the Planning and Highways Committee would take place on Tuesday 12<sup>th</sup> July 2022 at 2pm in the Town Hall.

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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:** 12/07/2022

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

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**Author of Report:** Chris Heeley

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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	22/00455/FUL (Formerly PP-11002590)
Application Type	Full Planning Application
Proposal	Demolition of existing dwellinghouse and erection of 4x dwellinghouses with garages and associated landscaping works
Location	Southernwood 62 Dore Road Sheffield S17 3NE
Date Received	01/02/2022
Team	South
Applicant/Agent	Blenheim Architecture
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:

SWD - BAR - PL - 001 Location Plan Published Date 04 Feb 2022

SWD - BAR - PL - 006 Rev A Proposed Site Plan Published Date 10 Jun 2022

SWD - BAR - PL - 007 Proposed Floor Plans (LG and GF) Published Date 04 Feb 2022

SWD - BAR - PL - 008 Rev A Proposed Floor Plans (FF and SF) Published Date 10 Jun 2022

SWD - BAR - PL - 009 Rev A Proposed Elevations Published Date 10 Jun 2022

SWD - BAR - PL - 011 Rev A Proposed Long Section Published Date 10 Jun 2022

Reason: In order to define the permission.

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

3. No development shall commence until full details of measures to protect the existing trees, shrubs and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 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.

4. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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

5. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to

the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

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

6. No phase of the development (including works of demolition, construction, or other enabling, engineering or preparatory works), shall take place until a Highway Management Plan (HMP) relevant to that particular phase has been submitted to and approved by the Local Planning Authority.

The HMP shall assist in ensuring that all Contractor highway / vehicle activities are planned and managed so as to prevent nuisance to occupiers and/or users of the surrounding highway environment. The HMP shall include, as a minimum:

- a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.
- b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway; and
- c. Details of the site accommodation, including compound, contractor car parking, storage, welfare facilities, delivery/service vehicle loading/unloading areas, and material storage areas.

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

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

7. No development shall commence (excluding the demolition of existing structures and site clearance) until:

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
- b) any remediation works and/or mitigation measures to address land

instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

8. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development 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 equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

9. No development shall commence including site clearance or demolition until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

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

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

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

out in accordance with the approved details.

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

11. Details of all boundary treatments/hedgerows 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 and the dwellings shall not be used unless such means of site boundary treatment/hedgerows has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

12. The dwellings shall not be occupied until the privacy screens as shown on the approved plans serving the roof terraces have been installed. These screens shall be to a minimum privacy standard of Level 4 Obscurity and shall thereafter be retained.

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

13. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

14. The dwellings shall not be used unless the car parking accommodation, turning facility and widening of the driveway as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation, turning facility and widened driveway shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

15. The dwellings shall not be occupied unless a management plan has been submitted to and approved in writing by the Local Planning Authority, to show how the bins are to be emptied from Dore Road, and how other forms of deliveries can be made to the site. Thereafter, the management plan shall be put into place and adhered to for future use.

Reason: In the interests of highway safety

16. Where any development including demolition commences more than two years from the date of the original protected species surveys, or, having commenced is suspended for more than 12 months, development shall cease, until additional/updated protected species surveys have been submitted to and approved in writing by the Local Planning Authority. Thereafter the proposed development shall be carried out in accordance with the approved details, including any revised or additional mitigation measures identified.

Reason: To ensure the ecological interests of the site are maintained in accordance with Policy GE11 of the Unitary Development Plan and that no offence is committed in respect of protected species legislation.

17. Prior to the occupation of any of the dwellings hereby approved, full details of the bio-diversity net gain, including bat and bird boxes, hedgehog friendly fencing and native species planting, to be installed on the buildings / within the development site shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development and permanently retained thereafter.

Reason: In the interests of bio-diversity.

18. 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.

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

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

20. The proposed green/biodiverse roof (vegetated roof surface) shall be installed on the roof(s) in the locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/biodiverse roof(s) shall be installed prior to the use of the building commencing and thereafter retained. The plant sward 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.

21. Before and above ground level works are carried out, an internal and external lighting design strategy for biodiversity shall have be submitted to and approved by the Local Planning Authority. The strategy shall be based on current best practice and guidance from The Bat Conservation Trust and the Institute of Lighting Professionals. The strategy shall be carried out in accordance with the approved details before dwelling is brought into use and retained thereafter.

Reason: In order to positively enhance the nature conservation and biodiversity provision within the development in accordance with NPPF Paragraphs 174 and 180, Core Strategy Policy CS 74 and UDP Policy GE11.

### **Other Compliance Conditions**

22. The glazing in the windows on the south elevation of each unit at first floor level shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and shall not at any time be glazed with clear glass.

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

23. 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 dwellinghouses shall be constructed without prior planning permission being obtained from the Local Planning Authority.

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

24. Notwithstanding the approved drawings, all roof lights on the roof slopes facing north and south shall be set such that their cill height is no lower than 1.8 metres above the finished floor level of the room which they serve before the building is occupied. The roof light positions shall be retained as such thereafter.

Reason: In the interests of the amenities of occupiers of neighbouring property.

25. The dwellings shall not be occupied unless the car parking areas of the site have been constructed of a permeable/porous material (including sub base). Thereafter the approved permeable/porous surfacing material shall be retained.

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

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

Reason: To ensure satisfactory drainage arrangements.

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. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk)

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

3. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
4. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [epsadmin@sheffield.gov.uk](mailto:epsadmin@sheffield.gov.uk).

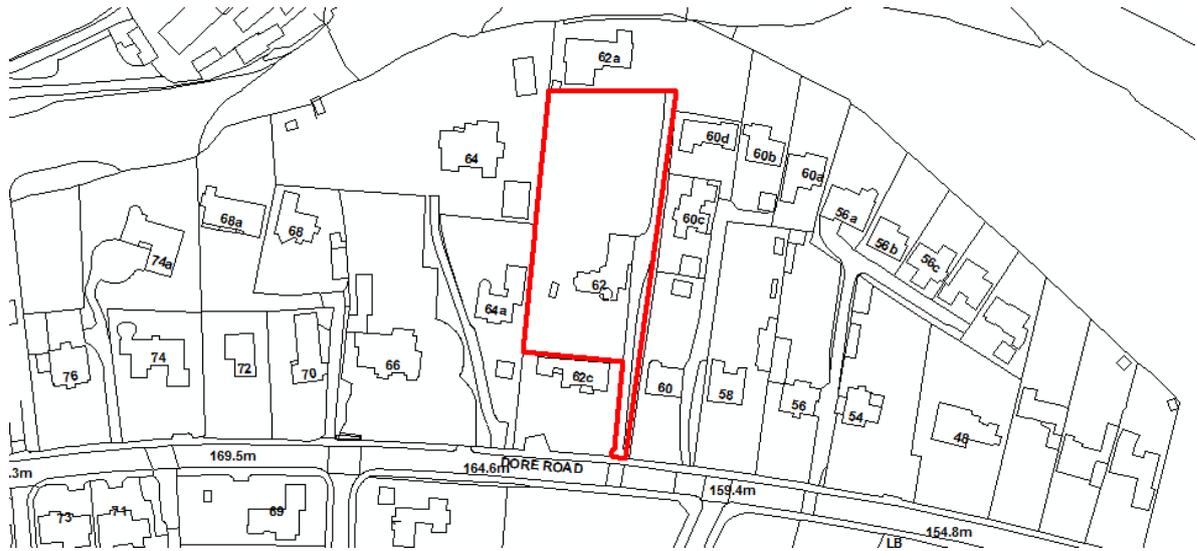
5. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

6. Green/biodiverse roof specifications must include substrate growing medium type and depths (minimum 80mm) and plant schedules. It should be designed to detain at least 60% of the annual average rainfall. A minimum of 2 maintenance visits per year will be required to remove unwanted species (as is the case with normal roofs). Assistance in green roof specification can be gained from The Green Roof Organisation ([www.grouk.org](http://www.grouk.org)) or contact Officers in Environmental Planning email: [EnvironmentalPlanning@sheffield.gov.uk](mailto:EnvironmentalPlanning@sheffield.gov.uk). Alternatively see the Local Planning Authorities Green Roof Planning Guidance on the Council web site.

## Site Location



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## LOCATION AND PROPOSAL

This application relates to No.62 Dore Road, a large, detached dwelling house set in substantial grounds. The property is not readily visible from the highway with No. 62c Dore Road located to the front which faces onto Dore Road.

Vehicular access is provided from Dore Road between No. 62c and 60 Dore Road, which serves the host dwelling and No. 62a Dore Road which is located to the rear of the application site. Boundaries to the site consist mainly of hedging with some stone walls.

The site falls within an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The wider surrounding area is predominantly residential in character, consisting of a mixture of individually designed dwellings varying in size from very large properties in large grounds to smaller dwellings and bungalows within tighter sites which are a result of subdivision of plots.

Immediately adjacent to the site are residential properties on all boundaries. These include No. 62a located to the north of the site, No's 60d, 60c and 60 to the east, No. 60c to the south and No. 64a and 64 to the west. There is a natural fall in land levels from the east down to the west within the vicinity.

The application seeks permission to demolish the existing building on the site and to erect 4 detached dwellings. Living accommodation is to be provided over four floors: a basement level which is entirely underground, two full traditional storeys, and then a storey within the roof structure. Each of the units is indicated on the plans as having 5 large double bedrooms, with the addition of a study, a playroom and a tv room to the upper floors.

The proposed new dwellings have their main aspects towards the eastern and western boundaries of the site, with each having the same architectural approach. The existing vehicular access is to be utilised and the driveway widened, with a turning facility provided between the existing house at 62c and the proposed first new house. Gates are to be installed, set back 15 metres within the site.

## RELEVANT PLANNING HISTORY

The site and adjacent sites have an extensive planning history. The most relevant are listed below:

Outline planning permission was granted in April 2003 for the erection of a dormer bungalow to the front of 62 Dore Road, with all matters reserved. Application No. 03/00755/OUT. This was then followed with a full planning application for the erection of a dwelling house which was granted in March 2008. Application No. 07/04321/FUL. This permission was built out and is now No. 62C the contemporary house to the front of the application dwelling at No. 62.

Planning permission was granted in August 2003 for the erection of a dwelling house and triple garage on the land to the rear of No. 62, close to the boundary with 62A. Application No. 03/02205/FUL. Following this, there were several

additional approvals between 2007 and 2015 on this part of the site for a large dwelling and garaging under applications 07/02406/FUL, 10/02132/FULR, 12/03937/FUL and 15/04032/FUL. These consents were not implemented.

Full planning permission was granted in June 2005 and July 2008 for two storey extensions including a double garage to No. 62 Dore Road. These approvals have not been implemented. Application No's 05/01509/FUL and 08/02451/FUL.

Planning permission was refused in December 2021 for the 'Demolition of existing dwellinghouse and erection of 2x three-storey blocks to form 20x apartments including provision of basement car parking, communal garden area and landscaping works'. This was on the following grounds:

1. The Local Planning Authority consider that the layout, excessive scale, mass and density of the proposed development fails to respond to local character, including plot ratios and densities and will result in a scheme that is totally out of character with the general layout and form of existing residential properties in the immediate area and on this section of Dore Road, and will therefore be detrimental to the visual amenity of the locality. As such, the development will be contrary to the aims of Policy BE5 of the Unitary Development Plan for Sheffield, Policies CS31 and CS74 of the Sheffield Development Framework Core Strategy, Dore Neighbourhood Plan Policy DN5 and Paragraph 130 of the National Planning Policy Framework.

2. The Local Planning Authority consider that the proposed development (due to the size, scale and siting of the blocks, in close proximity to neighbouring boundaries) will create a development that has an overbearing impact on existing neighbouring residents, causing over-shadowing, loss of privacy, a perception of being overlooked from a multiple number of windows and balconies, and noise disturbance from vehicle and refuse activities close to neighbouring dwellings. In addition a number of the occupants of the proposed ground floor units would have poor levels of privacy. As such, the proposal would be contrary to Policies H5, H14 and H15 of the Sheffield Unitary Development Plan and would also conflict with Paragraph 130 (f) of the National Planning Policy Framework (NPPF) which, seeks to promote health and well-being with a high standard of amenity for existing and future users.

3. The Local Planning Authority considers that in the absence of an signed and sealed Planning Obligation securing the provision of the agreed contribution of £185,000 towards the provision of Affordable Housing, the proposal fails to comply with the requirements of Policy CS40 of the Sheffield Development Framework Core Strategy, Policies GAH1 and GAH2 of the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document and paragraph 65 of the National Planning Policy Framework.

Following the refusal, pre-application advice was sought for the demolition of the existing building on the site and the erection of a 4 detached dwellings. This concluded that there was no requirement for affordable housing (the third reason for refusal on the previous application), and that it would overcome some of the design and urban grain issues, and amenity issues, that a scheme for 4 large

dwelling would be viewed more favourably than the 20 apartments, but that 3 large houses would sit more comfortably within the site. Any proposal would need to feature high-quality design, incorporating good quality materials, and that the impact on the living conditions of existing and future occupiers needs to be acceptable.

## REPRESENTATIONS

In total 18 representations have been received commenting on the application. 7 individual objections to the application plus Councillor Ross, Dore Village Society and a planning consultant on behalf The Southernwood Development Neighbourhood Group (10 in total), 7 in support of the application, and 1 neutral. These are summarised below:

### Objection

#### Design

- The proposed new houses are unimaginative in layout and squashed/overdeveloped.
- The new houses are 3 storeys in height, resulting in the houses appearing high and out of keeping with the existing properties on Dore Road.
- The 4 houses are identical and are out of character and not sympathetic to the neighbouring properties. They over dominate the plot, are prominent, overbearing and intrusive.
- What is the point of the Aluminium slats for the 3<sup>rd</sup> floor gable? Other than decorative/annoying?
- The plans do not conform to the Dore Neighbourhood Plan, Policy DN5.

#### Living Conditions

- The previous proposal for flats had a gap of 15 metres between the blocks, now the gap is much less that therefore a significant increase in overshadowing.
- The roof of the proposed new dwelling closest to No. 62A will overshadow the habitable windows in No. 62A and reduce the output from solar panels.
- All of the houses have 2<sup>nd</sup> floor balconies overlooking 64 Dore Road.
- The new houses are much closer to the neighbours than the existing property, impacting on privacy with high and large windows to all three floors. This will overlook neighbouring properties including 60, 60B, 60C, 60D and 64 Dore Road gardens lounges and bedrooms.
- The original house at 62 was 21 metres away from 62C, however the new house is to be built only 12.7metres. The side windows are indicated for obscure glazing but not for non-opening.
- There is no mention of obscure glazing or privacy screens.
- The entrance gates for two of the houses and the turning area face directly towards No. 60, 60C, 60D and 62C and 64A with car headlamps causing an issue during darkness and noise disturbance.
- The land adjacent at to the east is at a lower level with No. 60C 1.86 metres lower, and No. 60D 1.4 metres lower than the nearest proposed houses. This will result in the ridge lines of the of the new houses being approximately 5 metres

above 60D and 6.6 metres above 60C which is far too close creating unreasonable overshadowing and over dominance. Vertical sky component (VSC) and annual probable sunlight hours (APSH) studies should be carried out.

- Sheffield's SPG sets out a minimum guideline of 21 metres between main facing windows. This application is for 3 storey buildings and the neighbouring properties are set at a storey lower. This results in overlooking to neighbouring properties especially along the eastern side and their gardens.
- Using the 45° rule, there is insufficient distance between the proposed properties when an allowance is made for the extra storey and land level difference. The proposal is therefore overbearing, dominant and out of scale and out of character in terms of its appearance compared with existing development in the vicinity.
- The rear balconies of the proposed properties face north and west and create overlooking to the properties at 62A and 64 amongst others. The trees T35 and T36 along the eastern boundary are to be removed so that overlooking into the garden at 60 will become more apparent.

### Highways

- Sight lines from the entrance to Dore Road are unchanged (and unacceptable) from the previous proposal. Traffic traveling along Dore exceeds the 30mph limit.
- The entrance visibility splays raise concerns for children walking past the site with vehicles needing to pull too far out on exit.
- Are the two spaces in the garage and parking in front of sufficient size to accommodate a car and is there visitor car parking spaces and space for delivery vehicles?
- Access to No. 62A will be compromised.
- The access driveway is only 4.8 metres wide which is insufficient for vehicles to turn into the new homes. The South Yorkshire Residential Design Guide suggests a 90° sweep angle the required driveway width should be 6 metres.
- Electric gates could hinder emergency vehicle access.
- There is no mention of cleaning of Dore Road and ensuring construction vehicles ingress and egress safely during construction.
- All construction vehicles should be parked on the construction site and not along Dore Road.

### Landscape/Ecology

- There are sightings of bats in the locality every night, and badgers, foxes, owls, and grass snakes regularly visit the locality.
- There is no specific tree planting plan. Any trees planted close to boundary should be sufficient distance to not overhang during and have overshadowing.

### Other Matters

- The Coal Mining Assessment mentions potential for land instability and gases, which could have the potential to expose a risk of toxic methane close to neighbouring properties. Who is responsible for this?
- There is an issue with the CIL charge. The houses will not be self builds, and this is an attempt to avoid CIL levy.
- The design and access statement misleads with the use of the words "at an

affordable price”.

- There needs to be adequate controls on working hours, noise levels, emissions, and dust, including to neighbouring properties.
- There could be an issue of land instability through the basement construction and supporting walls may be required.
- How is the surface of the drive going to drain and is there going to be any lighting.
- The creation of the basements and the dwellings will alter the water flow leading to waterlogging and flooding for properties lower down the hill.
- Smaller less intrusive properties of a design more in keeping with this part of Dore Road, in a position that will not overlook, overshadow, dominate or intrude the privacy of neighbours should be considered.
- If the scheme is approved, an Article 4 Direction should be imposed to stop any further extensions and development.

#### Non-Material Planning Matters

- There is an existing metal fence/posts along the length of the path, which should be retained and left undisturbed.
- Tree T33 is to be removed which is a Beech Tree which straddles the boundary between 60/62. It will not be possible to remove this without entering No. 60s garden.
- The privet hedge on the northern boundary has been maintained at 2.5 metres in height and will be difficult to cut if allowed to be raised to 3.5 metres.

Councillor Colin Ross raises the following comments:

- No objections in principle to houses being established on the plot;
  - However, the proximity of the new houses will be only 14 metres from existing properties (60D Dore Road).
  - The bay window of 60 Dore Road faces the new property and the turning area, with new windows looking directly into neighbouring properties.
  - There is a change of ground level because of the slope, which will accentuate the overbearing and loss of privacy.
  - Is the turning circle adequate and is there sufficient car parking?
  - The solar panels on 62A Dore Road will be compromised.
  - There will be drainage issues owing to the fall of the land and loss of porous surface. Limiting run off should be considered.
  - The proposal contradicts Policy DN5 of the Dore Neighbourhood Plan.
- With the increase in traffic from the site, there needs to be adequate sight lines onto Dore Road.

Dore Village Society have raised the following objections:

- 4 storey houses on this site are inappropriate and being identical and positioned in a straight line they lack imagination. There are no other developments similar along Dore Road and it is out of keeping. This is contrary to Paragraph 127 of the NPPF.
- Overlooking to adjacent properties.
- The proposal does not achieve the objectives of CS31 of the Core Strategy which requires safeguarding and enhancing the character of the south west of Sheffield.

- The Dore Neighbouring Plan Policy DN5 states that new housing in Dore should be supported where it supports local character, with development having regard to local characteristics. The architecture and layout of the proposed development would appear to be contrary to this.
- The end house will impact on the solar panels on 62A Dore Road.
- During construction it will make it impossible to access 62A, and the contractor should provide off drive parking for all construction traffic.
- The Society accepts in principle that the site needs to be redeveloped and not be allowed to fall into dereliction. The issue is the nature of the development.

Crowley Associates have written in on behalf The Southernwood Development Neighbourhood Group objecting to the proposal:

- Residents note the regeneration benefits of the wider site, investment into the local economy, and contribution to housing supply, however they considered that the adverse impact of granting permission would significantly and demonstrably outweigh these benefits.
- The level of detail submitted falls short of what is expected. There are no existing sections, and this is required to judge the relationship with the neighbouring properties, with only one proposed site section being submitted. Proposed site sections relating to all neighbouring properties should be included.
- A garden room is proposed on the plans on the site plan, but no floor plans and elevations are submitted. Therefore, no comparison/assessment can take place relating to the impact on the closest neighbouring properties.
- An accurate overshadowing study should be produced showing the effects on both existing and future occupiers.
- The application should be accompanied by a planting plan/ landscape masterplan/ planting information.
- The Ecology Survey does not contain sufficient information to enable a thorough assessment of any impacts of the proposals on ecology and biodiversity.

#### Support

- The application proposes excellent house design, making use of vacant land for luxury houses which will enhance the city's housing stock, bring investment and new jobs to the city when there is a need for new housing.
- The new homes include a good amenity space and are adequate distance from neighbouring properties.
- The proposal is in line with the character of the homes in this part of Sheffield.
- The new houses do not encroach on the Green Belt.
- There is a need for quality family homes in this area with many houses along Dore Road occupied by older retired residents.

#### Neutral

- The plans show electric gates 15 metres into the site. This raises concerns about delivery vehicles reversing out onto Dore Road.
- Construction hours should be limited with no weekend and early morning hours.
- The developer needs to provide on-site parking facilities for contractors, with a Banksman to marshal traffic.

- No indication of size of the garden structure is shown on the plans.

## PLANNING ASSESSMENT

### Policy Context

The Council's development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework revised in 2021 (NPPF) is a material consideration.

Dore Neighbourhood Plan was adopted on the 6<sup>th</sup> October 2021 and as such the policies within the plan carry full weight when assessing planning application. The relevant policies to this application are discussed under the sub-headings below.

The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

The Council has released its revised 5-Year Housing Land Supply Monitoring Report. This new figure includes the updated Government's standard methodology which includes a 35% uplift to be applied to the 20 largest cities and urban centres, including Sheffield.

The monitoring report released in August 2021 sets out the position as of 1<sup>st</sup> April 2021 – 31<sup>st</sup> March 2026 and concludes that there is evidence of a 4-year supply of deliverable housing land. Therefore, the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites.

Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is therefore triggered, and as such, planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In this instance, the site does not lie within or affect a designated heritage asset identified by footnote 7 to paragraph 11 (such as a Conservation Area or a Listed Building or its setting) so this potential implication for application of the tilted balance does not apply

In this context the following assessment will:

- Consider the degree of consistency that policies have with the NPPF and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Apply 'the tilted balance' test as appropriate, including considering if the adverse impacts of granting planning permission would significantly and demonstrably

outweigh the benefits.

## Key Issues

The main issues to be considered in this application are:

- The acceptability of the development in land use policy terms
- The design of the proposal and its impact on the surrounding street scene and wider area
- The effect on future and existing occupiers living conditions
- Whether suitable highways access and off-street parking is provided
- Impact on Landscaping and Ecology

## Land Use Principle

The application site falls within a Housing Area as identified in Sheffield's Unitary Development Plan (UDP). Redeveloping the site for housing (Use Class C3) is in line with the preferred use identified within UDP policy H10 'Development in Housing Areas'. It is therefore acceptable in principle.

However, it should be noted that whilst the principle is acceptable in terms of policy H10, the policy also states that any proposal would also be subject to the provisions of Policy H14 'Conditions on Development in Housing Areas' and BE5 'Building Design and Siting' being met. Furthermore, the principle of housing on this parcel of land is also subject to the more recent Core Strategy policy CS74.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. Policy CS24 'Maximising the Use of Previously Developed Land for New Housing' prioritises the development of previously developed (brownfield) sites. Housing on greenfield sites should not exceed more than 12% completions and be on small sites within the existing urban areas, where it can be justified on sustainability grounds.

The weight to be given to policies CS23 and CS24 is open to question as they are restrictive policies, however the broad principle is reflected in paragraph 119 of the Framework, which promotes the effective use of land and the need to make use of previously developed or 'brownfield land'.

In this instance, in accordance with the NPPF definition, the area of the existing built form on the site (the footprint of the house) constitutes brownfield land, with the residential garden in this built-up area being greenfield land. Therefore, a proportion of plots 3 and 4 are located on brownfield land, with the rest of the development on greenfield land. The completions on greenfield sites are well below the 12% figure set out in policy CS24, and the NPPF does not require a brownfield first basis. Therefore, the proposal is acceptable in principle.

It is considered that the proposal is consistent with the aims of policies H10, CS23 and CS24.

## Efficient Use of Land

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy encourages making efficient use of land to deliver new homes at a density appropriate to location depending on relative accessibility. The density requirements are a gradation flowing from highest density in the most accessible locations down to lower densities in suburban locations with less accessibility. This is reflected in paragraph 125 of the NPPF and therefore Policy CS26 is considered to carry substantial weight in determination of this application.

Paragraph 124 of the NPPF promotes making efficient use of land taking account of a number of factors including identified housing needs; market conditions and viability; the availability of infrastructure; the desirability of maintaining the prevailing character of the area, or of promoting regeneration; and the importance of securing well designed places.

For a site such as this, CS26 part (d) is relevant and states that a range of 30-50 dwellings per hectare is appropriate where a development is within the remaining urban area.

The application site is approximately 0.41 hectares, and the 4 proposed units would give a density of approximately 10 dwellings per hectare. This figure is significantly below the suggested range in CS26, however any development also needs to reflect the character and urban grain of an area, along with providing acceptable living standards to future and existing occupiers which is assessed further in the report below. In this instance, it should be noted that the prevailing character of the surrounding area is large properties set within large grounds which fall well below the suggested range at part (d). The existing dwelling at No. 62 is at a density of approximately 2 units per hectare. Where infill plots have occurred in the locality, these are at a higher density. For example, immediately adjacent are 4 infill houses as 60a, 60b, 60c and 60d. Together, these sit within an area of approximately 0.32 hectares which would give a density of 12.5 dwellings per hectare, which is slightly higher than proposed in this application.

The previous refusal for the apartment scheme included in the first reason for refusal 'the density of the proposed development fails to respond to local character, including plot ratios and densities'. This new scheme for 4 dwellings is now considered to be at a density and plot ratio which is reflective of the existing local character of the area.

As such the proposal complies with the spirit of policies CS26 of the Core Strategy and paragraph 124 and 125 of the NPPF in relation to densities and efficient use of land.

## Design

The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is also reflected in UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building and Design

Siting' which expect good quality design in keeping with the scale and character of the surrounding area.

Core Strategy Policy CS31 'Housing in the South-West Area' requires that in this part of Sheffield, priority will be given to safeguarding and enhancing its area of character. The scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, and windfall sites.

Chapter 12 of the NPPF requires good design, whereby paragraph 126 states that good design is a key aspect of sustainable development and should contribute positively towards making places better for people. Paragraph 134 requires that development which is not well designed should be refused. It goes on to say that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, taking into account any local design guidance and supplementary planning documents.

DN Policy 5 of the Dore Neighbourhood Plan 'New Infill Housing Development in the Dore Housing Area' expects all development in Dore Neighbourhood Area to be of a high quality and make a positive contribution to place making. New residential development in the Dore Housing Area will be supported where it respects local character, residential amenity and highway safety. Development should have regard to local characteristics, including building lines, plot ratios, materials and boundary features; and should protect mature trees and hedges.

DN Policy 6: The Provision of Smaller Homes in the Dore Housing Area, the development of smaller homes, with no more than two bedrooms, will be supported. In this application, the proposal fails to meet the suggestions in this policy with each of the proposed 4 units containing 5+ bedrooms. However, this policy is an aspiration that would support smaller units rather than providing resistance to larger homes.

These Neighbourhood Plan policies broadly align with NPPF paragraph 130 (part c and part f) in respect of seeking to ensure that new developments are sympathetic to local character and, seek to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

It is considered that the design and conservation policies within the UDP, Core Strategy, and Dore neighbourhood plan reflect and align with the guidance in the NPPF, and therefore are considered consistent with the NPPF and so can be afforded significant weight.

This application proposes the demolition of the existing building on the site. The existing building is not a building of townscape merit and nor does it have any special architectural merit. Therefore, its removal is considered acceptable in principle.

The supporting information for CS31 states that high density developments, including apartments have been a tendency in recent years in the southwest of

Sheffield, however a new development should respect the character of the area and the density.

The application site is located within a suburban neighbourhood, whereby this property and many nearby properties are individually designed large dwellings within substantial grounds. Within a large number of these originally built large properties are more recent developments which are a result of subdivision of plots. This is apparent with the existing house on the site which has an additional dwelling to the front at No. 62c and to the rear at No 62a. To the east, No. 60 Dore Road has 4 additional dwellings to the rear at No. 60a, 60b, 60c and 60d, and beyond this there is 56, 56a, 56b, 56c, 56d and 56e within a small cul-de-sac. To the west, No. 64 has No. 64a to the front.

In this instance, and for this section of Dore Road, the urban grain, density and layout of development has a character which contains many infill 'backland' plots and windfall sites and this forms part of the distinctive character of this particular portion of Dore Road. The previous refusal proposed two large blocks of development containing 20 apartments which was at odds with the surrounding area. This new proposal for 4 detached units is not dissimilar to that which is already evident in the area and therefore the principle of 4 houses on the site is acceptable and respects the urban grain and this aspect meets the requirements of CS31 and DN5.

Each of the dwellings have a basement level which is fully underground, and then a ground floor which extends nearly the width of each of the plots. This has a flat roof above which is to contain a green/vegetated flat roof. The upper floors are then pulled in away from the northern boundary of each plot, with the eaves at approximately 7.75 metres from the finished ground level and a hipped roof leading to a ridge at approximately 10.4 metres in height. The presence of the hipped roofs and the gap to the boundary of the upper floors help to reduce the mass of the each of the units, along with creating views between each of the units.

There is a mixture of house styles, designs and sizes in the immediate area, varying from large traditional villas which have accommodation over three floors, contemporary dwellings, and smaller bungalows.

It is acknowledged that the 4 proposed dwellings are all the same in design, appearance and layout, whereby immediate neighbouring properties have individual architectural approaches. In this instance, the site is not obvious within the street scene, sat behind No. 62c, with the nearest proposed dwelling at a distance of 45m from the highway and as such the four proposed houses will not be read within the main context of Dore Road being inconspicuous in the street scene.

The proposed palette of materials shows coursed stone or brick with smooth stone elements. Aluminium windows and doors are proposed with a metal cladding to the entrance door and metal louvres to the top floor. These are acceptable and details and samples can be controlled through relevant conditions on any approval.

Hedges and trees are to be planted along the boundaries of the new plots,

including to the front boundary of each of the plots facing onto the shared driveway. Full details of the hard and soft landscaping can again be controlled through a relevant condition on any approval.

Overall therefore, the design and layout of the proposal complies with the above mentioned UDP, Core Strategy policies and DN5 of the Dore Neighbourhood Plan, along with the NPPF.

### Living Conditions

Policy H14 'Conditions on Development in Housing Areas' part (c) requires that new development in housing areas should not cause harm to the amenities of existing residents. This is further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice guidelines and principles for new build structures and their relationship to existing houses.

The NPPF at paragraph 130 Part (f) requires a high standard of amenity for existing and future users.

The UDP policy is therefore considered to align with the requirement of paragraph 130 so should be given significant weight.

### Impact on existing occupiers

The closest neighbouring properties to the application site are No. 62a to the north, No's 60d, 60c and 60 to the east, No. 62c to the south and No's 64a and 64 to the west.

The guidelines found in the adopted Supplementary Planning Guidance on Designing House Extensions are not strictly applicable in this instance owing to them relating to house extensions. However, they do suggest a number of detailed guidelines relating to overbearing and overshadowing, privacy and overlooking, and appropriate garden sizes. These guidelines include a requirement for two storey dwellings which face directly towards each other to have a minimum separation of 21 metres. Two storey buildings should not be placed closer than 12 metres from a ground floor main habitable window, and a two-storey extension built along site another dwelling should make an angle of no more than 45° with the nearest point of a neighbour's window to prevent adverse overshadowing and overbearing. These guidelines are reflected in the South Yorkshire Residential Design Guide (SYRDG), which Sheffield considers Best Practice Guidance, but which is not adopted as Supplementary Planning Guidance.

The previous scheme for 20 apartments was refused at reason 2 on the grounds that due to the size, scale and siting of the apartment blocks, in close proximity to neighbouring boundaries, they would create a development that has an overbearing impact on existing neighbouring residents, causing over-shadowing, loss of privacy, and a perception of being overlooked from a multiple number of windows and balconies.

For information, the refused apartment scheme proposed two blocks which measured approximately 22.5 metres x 30.5 metres each, with a height to the top parapet of approximately 11.5 metres. These blocks were positioned approximately 3 metres away from the western boundary of the site, 7.75 metres from the eastern boundary, 11 metres from the northern boundary, and 20 metres from the southern boundary. Terraces and full height windows were present at first and second floor level visible on all elevations.

This application proposes 4 units. These are positioned in a linear form which runs north to south within the site so that the front elevations face towards the east, and the rear elevations face the west. For the purpose of this report, plots are referred to as Plots 1, 2, 3 and 4 with Plot 1 being the northernmost closest to 62a, followed by plots 2 and 3 in the middle and then plot 4 the southernmost closest to 62C.

### Overlooking

The SPG recommends a distance of 10 metres between the rear elevation of a property and its rear boundary, so that if two houses are positioned back to back, they achieve a distance of 20/21 metres between facing windows. This also means that with a distance of 10 metres to the boundary, no adverse overlooking is experienced to the neighbours garden closest to the boundary.

Plot 1 is positioned with its rear elevation approximately 15.4 metres from the rear boundary which is shared with No. 64 Dore Road. There is then a distance of approximately 31.7 metres between the side of 64 Dore Road and the rear of Plot 1.

To the north of Plot 1 is No. 62a Dore Road which contains 2 dormer windows facing east. There are no windows proposed in the side of Plot 1 except for roof lights in the roof space and a condition on any approval can ensure these are positioned at high level. A privacy screen is proposed on the first-floor terrace to prevent overlooking to the north. To the front (east) of Plot 1 is No. 60d, this property stands slightly lower than the application site and contains three windows at first floor in the side which are approximately 3.5 metres from the boundary. Two of these appear to be to bathrooms, with the northern most window serving a bedroom. This bedroom is one of four within the house and does take part of its aspect and light over third-party land within this application site and towards a tree along the boundary. There is not the recommended 21 metres between facing windows to this bedroom window, however there is approximately 15 metres, from a first floor study room window, and louvred second floor bedroom window. There is 11 metres to the boundary from the front of Plot 1. This shortfall in the guidance is considered acceptable in this instance as it affects only one of four bedrooms, and this window is unreasonably reliant on neighbouring land for its light and outlook. Therefore, it is considered that no adverse overlooking will be created from the erection of Plot 1.

Plot 2 has approximately 15.4 metres to the rear boundary with faces towards the outbuilding serving No. 64 and then No. 64 beyond which again is approximately 31.7 metres away. To the front of Plot 2 is No. 60c. This is a bungalow which is set

at a lower level. There is a lounge window in the rear which is approximately 22 metres away from the front elevation of Plot 2 with a stone wall and hedge between the properties. No adverse overlooking will therefore be created from occupiers of the proposed Plot 2.

Plot 3 faces towards the rear garden of No. 64a and part of the outbuilding at 64 with the rear elevation approximately 14 metres away from the boundary. To the front is a distance of approximately 12 metres to the boundary with the garden area and garage serving No. 60C beyond. No adverse overlooking will be created from the erection of Plot 3.

Plot 4 has a distance of approximately 13 metres to the boundary at the rear and looks towards the side elevation of No. 64a. No. 64a has a rear extension running close to the boundary with what appears to be two small windows facing towards Plot 4. These windows are secondary windows and do rely on third part land for some of the aspect, being positioned close to the boundary. No. 62c was designed to have its main aspect to the south looking towards Dore Road and is located to the side of Plot 4 which is approximately 11.5 metres away. There are high level windows in the rear of No. 62c with larger windows within the sides of the bay protections, but these are designed to not have an outlook over the application site. Within the side elevation of Plot 4 at first floor level are obscure glazed windows and the roof lights within the roof space are to be high level. To the front is the rear garden area of No. 60, with the house at No. 60 being at right angles to Plot 4. There is a distance of 11.8 metres to the boundary and then the two houses at a splayed angle are approximately 18 metres away. 11.8m exceeds the 10m minimum separation distance to a boundary advised by Supplementary Planning Guidance, so this arrangement is considered acceptable. It is therefore considered that no adverse overlooking will be created from occupiers of the proposed Plot 4.

Amended plans have been submitted which show a slight reduction in the width of the glazing to the second floor within the roof space to the front elevation of all plots, and the cill height increased which will help reduce the amount of glazing.

In addition, details have been submitted showing a louvre cladding system to the second floor windows, which will limit outward views to neighbouring property. The analysis above concludes that there is sufficient space between the proposed plots and the neighbouring occupiers. However, these louvre panels will break up the light and outlook from these windows.

It is considered in this instance that there is no significant overlooking created from these family homes to occupiers of neighbouring properties, subject to conditions on any approval requiring privacy screens, obscure glazing, and high level windows in the roof space where applicable.

#### Overbearing and overshadowing

The previous application for flats was refused on the impacts on the living conditions of neighbouring occupiers. The design of the buildings shows a hipped roof feature to each side (when viewed from the front) and a single storey flat roofed section to the north of each unit. This allows for gaps to be read between

each of the properties which breaks down the over mass of the proposals.

Each of the plots have been pulled away from western boundary compared to the previous apartment scheme which was only 3 metres away from this boundary in places. There is between 15.4 metres and 13 metres to the western boundary, and therefore this application is not considered to have an overbearing or overshadowing impact on occupiers of No. 64 or 64a, which lie to the west.

There is a distance of approximately 14 metres between the ground floor windows in No. 62a, which lies to the north of the site, and the ground floor element of Plot 1, and then approximately 17.8 metres to the first and second floor elements of Plot 1 which are set in from this boundary. There will inevitably be some element of shadowing to occupiers of 62a owing to the orientation of Plot 1 being to the south, but the distances are considered to be sufficient to prevent any adverse overshadowing or overbearing.

No. 62c is designed to take its main outlook to the front over Dore Road to the south. There are some high level windows facing Plot 4 and windows in the sides of the projecting bays, but with the development to the north, and set away from the boundary, no adverse overbearing or overshadowing is created.

There is a distance of approximately 22 metres to the lounge window serving No. 60c, and 15.5 metres to the bedroom window in the side of No. 60d. No. 60 is set at 90 degrees to Plot 3 and 4, which at their closest is approximately 18 metres away.

Whilst the new properties have three storeys (plus a basement level), and are on land which is elevated above those to the east, it is not considered that there will be an adverse level of overbearing or overshadowing from the proposed development.

#### Other matters

The previous scheme for the apartments referred to the noise and disturbance from vehicles entering and leaving the basement car parking area which served all 20 apartments, along with the noise associated with such as emptying the bins.

The noise associated with the vehicle movements entering/exiting and manoeuvring within the site for the proposed 4 houses in this application will not be at the same level as the previous application for apartments, and there is no longer a sole entrance to a basement car park. The majority of the boundary hedging is to be retained and the car headlights and noise associated with entering and exiting each individual plot or the turning facility is now considered to not give rise to any adverse impacts.

A condition on any approval can control external lighting on the buildings and along the access drive.

#### Amenity for Future Occupiers

The South Yorkshire Residential Design Guidance (SYRDG) and the National Space Standards suggests a number of guidelines for room sizes and floor areas of new dwellings depending on the number of bedrooms and how many floors of accommodation are provided. In this instance, occupiers of each of the proposed units have access to a good sized private garden. There is a suggested requirement of 50 square metres within the SPG and 60 square metres within the SYRDG. Plot 3 has the smallest garden area which measures approximately 265 square metres, with Plot 4 having the largest garden at 500 square metres.

The South Yorkshire Residential Design Guidance (SYRDG) suggests 93 square metres floor area as a minimum for a 4 bedroom plus unit, with the National Space Standards recommending between 116-134 square metres for the 5-bedroom house over three floors. In this application, there is a good outlook from each of the main habitable rooms for future occupiers with all room sizes and floors areas of each unit far exceeding the minimum guidelines. Furthermore, privacy screens have been incorporated into the plans along the northern section of each of the first floor terraces (with the main building projecting along the southern section) to ensure privacy between the 4 new dwellings.

Therefore it is considered that the proposed dwellings provide a good outlook from main habitable rooms, providing good quality living accommodation for future occupants with sufficient amenity space.

#### Living Conditions Conclusion

It is inevitable that there will be a change to the outlook from those properties closest to the application site, which are located on all sides of the site, especially whereby properties have an aspect over the site, relying in part on third party land, and at a lower level.

The proposed development is considered to be sensitive to these adjacent properties and is not considered to create an adverse level of overlooking, overbearing, or overshadowing which would be to a significant level to warrant refusal of the application.

Therefore the application complies with policies H14 of the UDP and paragraph 130 of the NPPF.

#### Highways

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

UDP Policy H14 'Conditions on Developments in Housing Areas' part (d) requires that permission will be granted where there would be appropriate off-street car parking for the needs of the people living there.

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 111 of the NPPF states that 'development should only be prevented or refused on highways

grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Those local policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 107 and 108 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

The site at present is accessed via a shared driveway which runs between No. 62c and No. 60 Dore Road and serves 2 dwellings in the form of the existing host dwelling and No. 62A Dore Road located to the north of the site.

For this section of Dore Road within the vicinity of the site, it is a single carriageway in both directions with good visibility, and the road is subject to a 30mph speed limit. There are no parking restrictions or traffic regulation orders in operation along this section. Representations refer to traffic speed exceeding the speed limit, however this is a police matter and for the purposes of assessment it must be assumed the speed limit is adhered to.

It is proposed to widen the existing driveway to 4.8 metres along its length which will allow for 2 cars to pass one another along the driveway. A set of electric gates are proposed which are located 15 metres into the site. This allows for 2/3 cars, or a refuse vehicle/delivery van to pull off Dore Road and into the site.

For this non-adopted highway, which is gated, a width of 4.8 metres is considered acceptable for cars, pedestrians and cyclists to use the driveway.

The Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53, and for a 4–5-bedroom unit 2-3 spaces are required as a maximum and 1 space per 4 units for visitors. To the front of each of the units is driveway of 6.5 metres x 6.5 metres which would allow for two large cars to park, (a standard parking space is 5 metres x 2.5 metres), with a garage for 2 further cars measuring 6 metres x 6 metres excluding the storage within the garage as shown on the plans. 4 car parking spaces is considered acceptable in this instance to serve these large family homes, which also can include visitor parking.

Several of the objections stated that the previous scheme for apartments was refused on highways grounds. The previous application for 20 apartments which was to be served by 45 car parking spaces was assessed for its impact on highway safety, and it was concluded that subject to the refuse vehicle size, officers were satisfied that the proposal would unlikely lead to any significant highway safety issues, and this was not therefore listed as a reason for refusal. It was the nuisance to neighbouring properties from vehicle movements that was mentioned in the refusal.

Equally therefore, in this instance, it is considered that the proposal for 4 family houses, with parking within the garages and to the drives in front, including the provision of a turning area would not result in a severe impact on the surrounding highway network, or highway safety, complying with UDP, Core Strategy and NPPF policies as listed above.

## Landscaping

UDP Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. Policy BE6 (Landscape Design) expects good quality design in new developments to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation.

CS74 'Design Principles' part (a). requires high-quality development that will respect, take advantage of, and enhance natural features of the City's neighbourhoods.

These policies are considered to align with the NPPF and therefore be relevant to this assessment on the basis that paragraph 130 expects appropriate and effective landscaping, along with sympathetic developments including landscape setting.

The site is not within a conservation area and does not contain any trees with Tree Preservation Orders (TPO's) on them. Several trees have been removed already through some site clearance having taken place.

A tree survey has been carried out which identifies that most of the trees and groups of trees are Category C (low category) with some Category B (medium category) trees. It is proposed to remove all trees and vegetation within the centre of the site to facilitate the proposed 4 new houses. The privet hedge along the north boundary closest to No. 62a is to be retained, as is the majority of the hedging and trees along the eastern boundary. This includes the beech hedging, and 3 category B trees, (2x horse chestnuts and a lime). Three of the trees are to be retained along the southern boundary with No. 62c (cherry laurel, lilac and a wild cherry) and T44 (blue spruce) and laurel hedging to western boundary.

The driveway is to be widened along the eastern boundary of the site. If uncontrolled, it would likely result in harm to some of the adjacent landscaping and trees. However, with appropriate controls the key landscape features can be protected and retained through a relevant condition.

The proposed site plan shows an indicative landscaping proposal which includes hedging and new trees within the site. Full details of the hard and soft landscaping proposal can be controlled through a relevant condition on any approval, including mitigation for the loss of trees.

In conclusion, the site is not within a conservation area nor has any TPO trees, so the trees are not currently protected. The existing trees, hedges and vegetation within the site is not of high quality either individually or cumulatively. The proposal seeks to retain a large number of trees along the boundaries of the site, and

supplement this with a replanting scheme. Consequently, the proposal complies with paragraph 130 of the NPPF and UDP policy.

## Ecology and Biodiversity

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

NPPF paragraph 174 a) and d) identifies that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 180 a) identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 180 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Local policy aligns with the NPPF and is therefore relevant to this assessment.

An ecological survey was submitted accompanying the application which was particularly brief. This has since be supplemented with a further walkover ecology report of the site.

The existing building on the site has potential to support roosting bats, albeit there was no evidence of bats recorded within the loft areas, and there were no apparent gaps or holes noted under the lining of the roof tiles. However, the roof features loose and slipped tiles that could potentially host roosting bats. Subsequently, a bat survey was been carried out in June 2022. The summary of this is that there were no bats emerging from the building, but bats were noted around the site close to the western boundary forging/commuting through the site.

No evidence of badgers was found on the site, however fox tracks were noted, and the site has reptile potential. It is likely that mammals do forage and commute through the site, and therefore a precautionary approach is suggested during site clearance and during construction works, such as ensuring trenches are not left open. These details can be controlled through a landscape/ecological management plan, and will be expected to allow for programming further surveys into the construction timetable.

The NPPF seeks to incorporate bio-diversity improvements in new developments. In this instance a range of potential enhancement measures are suggested which include:

- Native hedges behind the front walls of the new houses
- Native trees to be added to supplement the trees retained
- Hedgehog fencing to be included along boundaries between the new houses to

allow for foraging

- Bird nesting boxes as recommended in the Ecology Report
- Bat roosting boxes as recommended in the Ecology Report
- The sedum roofs over part of the garages are living green roofs consisting of low growing succulents from the sedum, stonecrop family. The main species of insects that survive well on sedum are bees, ladybirds and butterflies. This in turn attracts birds and other wildlife
- Any external lighting will be low level lighting

Therefore, the proposed development is in line with paragraph 174 of the NPPF and UDP policy, having given consideration to bio-diversity net gain, protecting existing and promoting bio-diversity. The details of the above can be controlled and secured through a relevant condition.

### Sustainability

Policy CS63 'Responses to Climate Change' of the Core Strategy sets out the overarching approach to reducing the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

At the heart of the NPPF, there is a presumption in favour of sustainable development (paragraph 11), with paragraph 152 stating that the planning system should support the transition to a low carbon future in a changing climate.

Policy CS64 'Climate Change, Resources and Sustainable Design of Development' sets out a suite of requirements in order for all new development to be designed to reduce emissions. In the past residential developments had to achieve Code for Sustainable Homes Level Three to comply with Policy CS64. This has however been superseded by the introduction of the Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

Policy CS65 'Renewable Energy and Carbon Reduction' of the Core Strategy sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions. This is supported by Paragraph 157 of the NPPF and therefore can therefore be given substantial weight.

New developments of 5 or more houses are expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach where this is deemed to be feasible and viable.

Whilst this site is for 4 houses, the agent has confirmed a fabric first approach is to be implemented in this instance, which seeks to minimise heat loss, with future occupants having the ability to choose between de-carbonised air-source (or

ground sourced) heat pumps, or more conventional systems. Green/vegetated roofs are proposed to each of the units and hardstanding's can be constructed from porous materials.

Overall, it is considered that the proposal meets the local sustainability policy requirements, CS63, CS64 and CS65 and the NPPF.

#### Flood Risk/Drainage

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. It seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding. It also seeks to reduce the extent and impact of flooding through a series of measures including limiting surface water runoff, through the use of Sustainable drainage systems (SUDS), de-culverting watercourses wherever possible, within a general theme of guiding development to areas at the lowest flood risk.

Policy CS67 is considered to align with Section 14 of the NPPF. For example, paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided and development should be directed away from areas at the highest risk. Paragraph 167 states that when determining applications, Local Planning Authority's should ensure that flood risk is not increased elsewhere with relevant applications being supported by a Flood Risk Assessment. Paragraph 169 expects major developments to incorporate sustainable drainage systems unless there is clear evidence to demonstrate otherwise.

The site does not fall within a high or medium risk flood zone that would affect the principle of the development.

Records show that the water table in this location is deep into the ground. There is likely to be some run off at present from the existing site and the access track serving No. 62a. The nearest water course is in the valley to the north and it is not possible to connect to this with third party land in between this site and the water course. Infiltration is unlikely to be acceptable into soakaways owing to the sloping nature of the site. However permeable paving (type C - which is a lined system) can hold water within the site, along with the green roofs and attenuation tanks if required which can store the water and have a flow control to slow discharge into the main sewer along Dore Road.

To mitigate for surface water runoff, a condition on any approval can ensure that calculations are submitted demonstrating a reduction in surface water run-off and allowing for the 1 in 100-year event plus +30% for climate change.

Therefore, the proposal complies with CS67 and paragraph 169 of the NPPF.

#### Coal Authority

The Coal Authority has confirmed that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding

area there are coal mining features and hazards which would need to be considered in relation to the determination of this planning application. The Coal Authority's information indicates a coal seam outcrops across the site, which may have been worked in the past.

The application is accompanied by a Coal Mining Risk Assessment report (October 2020, prepared by Earth Environmental & Geotechnical Ltd), which was previously submitted in support of the previous apartment scheme.

Based on a review of relevant sources of coal mining and geological information, the submitted report concludes that possible unrecorded mine workings associated with the outcropping coal seam and two underlying shallow coal seams pose a potential risk to the proposed development. Accordingly, the report goes on to make appropriate recommendations for the carrying out of intrusive ground investigations in the form of boreholes, in order to establish the presence or otherwise of unrecorded mine workings beneath the site.

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, to ensure the safety and stability of the proposed development which can be controlled through relevant conditions on any approval.

#### Community Infrastructure Levy

Community Infrastructure Levy (CIL) applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 5. Within this zone there is a CIL charge of £80 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010'.

Neighbours have commented about the CIL process and lack of a contribution. The applicant has stated that the 4 properties are to be individually self-built, and has claimed self build exemption on this basis. It is possible to do this for a scheme of multiple houses, with each liable party having to submit the relevant liability declarations before any work, including demolition commences on site. Once the development has commenced, the self-build exemption cannot be transferred, as it can't be applied for retrospectively. The liable parties do then have to evidence that they are self-builders within 6 months of completion.

#### Affordable Housing.

Core Strategy Policy CS40 'Affordable Housing' requires that all new housing developments over and including 15 units to contribute towards the provision of affordable housing where this is practicable and financially viable.

The Council's Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (December 2015) includes guidance on affordable housing and is based on gross internal floor space. The proposed development lies within an area where there is a required level of contribution of 10% identified in Guidelines GAH1 and GAH2 of the Planning Obligations document.

The previous application on the site for the 20 apartments was refused for a lack of affordable housing contribution. This new scheme proposed 4 new houses which sits well below the threshold of 15 or more units and therefore no affordable housing contribution is required for this application.

## RESPONSE TO REPRESENTATIONS

The majority of comments raised in the representations have been covered in the main body of the report. The outstanding comments are referenced below:

- Reference has been made to properties outside of the planning application boundary and unauthorised works/enforcement. This does not relate to this application and is not considered in this assessment.
- Noise and disturbance are an unavoidable consequence of development. A directive can be put on any approval to remind the developer that works need to be carried out at reasonable times as legislated for by the Environmental Protection Act, and there is no requirement for the developer to have a timetable for the period of construction.
- The metal poles/fencing retention requested by the neighbour relates to a small section of metal post and rail fencing. This itself is not worthy of retention in Planning terms.
- Reference has been made to insufficient information and plans. There is no requirement for a development of this nature to submit a vertical sky component (VSC) or an annual probable sunlight hours (APSH) assessment, with the guidelines in the adopted SPG setting out appropriate principles and guidelines for a development of this scale.

## SUMMARY AND RECOMMENDATION

This application seeks planning permission for the demolition of an existing dwelling and the erection of 4 new dwellings on the site.

Sheffield has updated its 5 year housing land supply position to reflect the deliverability of sites as at 1 April 2021 and in relation to the local housing need figure at that date taking account of the 35% urban centres uplift. Using up to date evidence, Sheffield can demonstrate a 4 year deliverable supply of housing land, with details set out in the 5 Year Housing Land Supply Monitoring Report.

Therefore, because the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, the relevant policies for determining applications that include housing should be considered as automatically out-of-date according to paragraph 11(d) of the Framework. The so called 'tilted balance' is triggered, and planning permission for housing should be granted unless any

adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In this instance the site is not within a protected area of a designated assets and therefore footnote 7 is not applicable.

The proposal would deliver a number of benefits, with the NPPF emphasising the importance of delivery of housing. The provision of 3 additional homes will make a small contribution to meeting the current shortfall. There would be economic benefits though expenditure in construction, in the supply chain, and in local spending from residents.

The proposal is not considered to create any significant or severe highway safety issues. The scheme proposes a development at an appropriate scale and mass which sits comfortably within its setting and is a good quality scheme. There are no significant adverse impacts on occupiers of neighbouring properties.

Therefore, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the development. Taking into account the tilted balance set out in paragraph 11(d) of the Framework, the application is recommended for approval subject to conditions.

Case Number	21/04854/FUL (Formerly PP-10386821)
Application Type	Full Planning Application
Proposal	Erection of 4-storey building to create 3 no. apartments with associated landscaping, access and parking accommodation
Location	Land adjacent No. 8 Southbourne Road Sheffield S10 2QN
Date Received	17/11/2021
Team	South
Applicant/Agent	Urbana Town Planning
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:

SRH- FST- PL-001 Location Plan

As published by the Local Planning Authority on 17th November 2021

Graphic

As published by the Local Planning Authority on 4th February 2022

SRH-FST-PL-005 Rev B Proposed Floor Plans sheet 2

As published by the Local Planning Authority on 9th May 2022

SRH-FST-PL-006 Rev A Proposed Elevations

SRH-FST-PL-009 Rev B Proposed Street Elevation 01

SRH-FST-PL-010 Rev B Proposed Street Elevation 02

As published by the Local Planning Authority on 28th June 2022

As published by the Local Planning Authority on 29th June 2022

Reason: In order to define the permission.

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

3. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development 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 equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

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

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

Windows  
Window reveals  
Doors  
Eaves  
Parapets  
Balcony screens  
Entrance Gates  
Bin storage compound

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

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

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

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

6. The proposed green/biodiverse roof (vegetated roof surface) shall be installed on the roof in the location shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works commencing. The green/biodiverse roof shall be installed prior to the use of the building commencing and thereafter retained. The plant sward 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.

7. A comprehensive and detailed hard and soft landscape scheme for the site (including specifications for reinforced grass systems) shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence. Thereafter the landscaped areas shall be implemented in accordance with the approved details and so retained.

Reason: In the interests of the visual amenities of the locality and the amenity of future occupants.

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

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

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.

### **Other Compliance Conditions**

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

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

commenced.

11. All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black.

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

12. No gate or other barrier; shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

13. The apartments shall not be occupied unless the hardstanding areas for vehicles on the site are constructed of permeable/porous materials (including the sub-base). Thereafter the permeable/porous surfacing material shall be retained.

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

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

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

15. There shall be no access to the green roof area at first floor level other than for maintenance purposes.

Reason: In the interests of the amenity of neighbouring properties.

16. Before the first occupation of the building hereby permitted all windows in the north and south elevations (serving en-suites and stair core respectively) shall be fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity and any part of the windows that are less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: In the interests of the amenities of occupiers of adjoining property it is essential for these works to have been carried out before the use commences.

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

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

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

the development works.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

19. Notwithstanding details on the approved plans the main gates to the property shall be of timber construction and shall be painted, not stained.

Reason: In the interests of the visual amenity of the locality and the Broomhill Conservation area.

20. Notwithstanding details shown on the approved plans the stone pillars located on Southbourne Road, flanking the vehicular access to 70 Clarkehouse Road, shall be retained and shall not be removed or altered in any way.

Reason: In the interests of the visual amenity 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. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk)

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

3. 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.

4. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement.

Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6349  
Email: james.burdett@sheffield.gov.uk

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

The notice should be sent to:-

Highway Co-Ordination  
Sheffield City Council  
Town Hall  
Sheffield  
S1 2HH

Telephone: 0114 273 6677  
Email: highways@sheffield.gov.uk

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

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

6. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
7. Green/biodiverse roof specifications must include substrate growing medium type

and depths (minimum 80mm) and plant schedules. It should be designed to detain at least 60% of the annual average rainfall. A minimum of 2 maintenance visits per year will be required to remove unwanted species (as is the case with normal roofs). Assistance in green roof specification can be gained from The Green Roof Organisation ([www.grouk.org](http://www.grouk.org)) or contact Officers in Environmental Planning email: [EnvironmentalPlanning@sheffield.gov.uk](mailto:EnvironmentalPlanning@sheffield.gov.uk). Alternatively see the Local Planning Authorities Green Roof Planning Guidance on the Council web site.

8. Plant and equipment shall be designed to ensure that the total LAr plant noise rating level (i.e. total plant noise LAeq plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA90 background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
9. The developer is advised that, in the event that any unexpected contamination or deep made ground is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority

# Site Location



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## LOCATION AND PROPOSAL

The application relates to a plot of land on Southbourne Road approximately 55 metres from the junction with Clarkehouse Road.

Southbourne Road is almost entirely residential in character and whilst somewhat varied in terms of property type, large detached and semi-detached two/three storey stone fronted properties are most prevalent.

With a few exceptions, most notably the Botanical Gardens, the dominant land use in the wider locality is housing. It is also noted that several of the larger detached buildings in the area have been in office use though a noticeable trend to return these to residential use has occurred over the last decade. Further to the north and east lie the grounds and buildings of the Sheffield High School for Girls.

In terms of topography there is a gentle downward slope from north to south and east to west.

The proposal seeks full planning permission for the erection of a detached building to include three apartments, one at ground floor level, one at first floor level and a further duplex flat occupying the second floor and third floor levels. The ground and first floor units would be 3 bedroom units and the duplex unit would have four bedrooms.

The proposed building would be of a contemporary design with main facing materials of natural stone to the first three floors and zinc cladding to the set-back 3rd floor. 4 car parking spaces are to be provided at the front of the building.

### Planning History

The site which is the subject of this application previously formed part of a larger site which included 68 Clarkehouse Road. The following history covers the extended site as per previous applications.

An application to demolish the existing rear extension and provide alterations to the existing building (No. 68 Clarkehouse) to form 9 apartments with associated parking accommodation, and to erect of 4 dwellinghouses was withdrawn in September 2016. This was considered under planning reference 16/02427/FUL.

An application to demolish the existing rear extension and provide alterations to the existing building (No. 68 Clarkehouse) to form 11 apartments with associated parking accommodation, and to erect of one dwellinghouse (on the site currently under consideration) was granted in 2017 (17/00675/FUL)

### Consultee responses

#### Historic England

Historic England (HE) state that they are supportive of a sensitive redevelopment of the site.

However, HE does not consider the building to be appropriate in this context and feels that the scheme would result in an incongruous addition to the Conservation Area and

impact on views of the Grade II listed Botanical Gardens and listed glasshouses.

HE are supportive of the retention of the front boundary wall.

Whilst the current development obviously differs to a degree from the detached dwelling granted under 17/00675/FUL it should be noted that, with regard to that application HE stated that there would be no objection to the proposed redevelopment of the site and that they considered a contemporary interpretation of the surrounding buildings to be an interesting way of responding to the character and appearance of the conservation area.

The current comments therefore appear to be somewhat contrary to their previous application response.

### Conservation Advisory Group

The Group considered that the proposal would not preserve and enhance the character of the Conservation Area. The Group noted that Southbourne Road was part of the Victoria Park development, a sub-unit within the Broomhill Conservation Area of consistent character that remained largely undamaged. Any building on this site would need to pick up stylistic references from adjoining buildings to be acceptable.  
Representations

There have been 29 representations received in response to the Council's notification process. 27 are objections (with some multiple responses from 3 addresses) and one of the objections is from Cllr Argenzio. Two letters of support have been received.

### Objections

Cllr Argenzio has objected to the scheme on the following grounds:

- Overdevelopment
- Taller and wider than previously approved
- Inadequate garden space
- Insufficient off-street car parking
- Out of character with the street scene
- No detail on rubbish bins
- Unclear where on the site the footprint of the building sits
- No Heritage Report
- Visible from the Botanical Gardens
- Balconies in glass should be green walls/balustrades and fences

### Summary Of Other Objections

#### Design/Environment

- will adversely impact on the setting of the Botanical Gardens and its listed buildings
- untrue that there is no material change in design compared to previous approval
- there is no precedent for terraces/balconies in the locality
- poor communication between the Applicant and Planning has resulted in a poor choice of external materials
- insufficient lateral separation to neighbouring properties

- building is too tall and too wide
- there are no details of the bin store
- roof line doesn't correspond to natural fall in roofs cape on Southbourne Road
- flat roof is inappropriate
- not sympathetic to the Broomhill Conservation Area.
- boxy design is inappropriate
- overdevelopment
- materials are not in keeping with the locality including over use of glass.
- boundary treatment should be retained including pillars
- front area is not in character.
- Mansard roof is inappropriate
- out of character with street scene
- does not mirror the positive design aspects of 45 Rutland Park

### Highways

- Insufficient off-street car parking
- Will add to local congestion
- local bus services are not as frequent as suggested in the supporting statement.
- residents should be excluded from Residents Parking Scheme.
- will result in a reduction in width of the access to No. 70 Clarkehouse Road.

### Residential amenity

- Will overlook neighbouring properties (specifically Nos. 2, 8, 10, 12 Southbourne Road, and apartments on Botanical House
- Will overshadow No. 8 Southbourne Road, houses on Rutland Road (specifically No. 34) and apartments in Botanical House.
- will be overbearing on No. 8 Southbourne Road
- where is the shadow cast analysis.
- insufficient external amenity space
- noise will be generated from terraces/balconies.

### Landscape/Ecology

- will lead to a lack of natural habitat for birds and insects
- proposed trees will result in additional overshadowing of No. 8 Southbourne Road

### General

- Is contrary to BBEST policy
- Existing nearby ugly buildings should not set a precedent

### Non-material Planning Considerations

- Neighbour would not have bought their house if they had known there was a possibility of this development
- this is an approval via the back door
- development is only for short term financial gain
- will result in the loss of a private view
- apartments have low saleability compared to a family dwelling
- construction phase will give rise to disamenity and highways problems

- the site should be turned into a pocket park
- dimensions of the walls shown is inconsistent with minimum standards of insulation
- there is no evidence to support the introduction of flats
- Applicant's claim of poor communication with Planning is no reason to punish residents.
- the absence of a building on site is historically established, there is no need for one.
- a family dwelling is more desirable.

### Support

- The city needs more dwellings
- Flats are a more efficient use of land than houses
- An excellent location in terms of amenities and transport services
- Parking provided is ample.

### Planning Assessment

#### Policy Context

The Council's development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework revised in 2021 (NPPF) is a material consideration.

The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

The Council has released its revised 5-Year Housing Land Supply Monitoring Report. This new figure includes the updated Government's standard methodology which includes a 35% uplift to be applied to the 20 largest cities and urban centres, including Sheffield.

The monitoring report released in August 2021 sets out the position as of 1<sup>st</sup> April 2021 – 31<sup>st</sup> March 2026 and concludes that there is evidence of a 4-year supply of deliverable supply of housing land. Therefore, the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites.

Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is therefore triggered, and as such, planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Hence, in line with footnote 7 to the paragraph, in this case a conclusion that significant harm arose to the heritage asset would negate the requirement to consider the 'tilted balance'.

In this context the following assessment will:

- Assess the proposals compliance against existing local policies as this is the starting

point for the decision-making process. For Sheffield this is the UDP and Core Strategy.

- Consider the degree of consistency these policies have with the NPPF and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Consider whether harm accrues and if necessary apply 'the tilted balance' test, including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

### Key Considerations

The main issues to be considered in this application are:

- The acceptability of the different aspects of the development in land use policy terms,
- The design of the proposals and their impact on the surrounding street scene.
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided.
- Whether the proposal preserves/enhances the Conservation Area.

### Land Use Considerations

The site is in an allocated Housing Area as defined in the adopted UDP. Policy H10 (Conditions on Development in Housing Areas) identifies housing as the preferred use of land in the policy area. As such the principle of the redevelopment of this site for housing purposes is considered to accord with policy H10.

### Housing Supply, Density and Location

Policy CS22 - Scale for the Requirement for New Housing of the Sheffield Development Framework Core Strategy (CS), sets out Sheffield's housing targets until 2026. This development will make a positive contribution towards the Council's housing land supply of deliverable sites and this should be afforded appropriate weight as a material consideration.

Paragraph 68 of the revised NPPF sets out that 'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'.

Policy CS23 and CS24 are restrictive policies, but the broad principle is reflected in paragraph 119 of the NPPF, which promotes the effective use of land and the need to make use of previously-developed or 'brownfield land'.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure.

Policy CS24 'Maximising the Use of Previously Developed Land for New Housing' prioritises the development of previously developed (brownfield) sites.

This development is taking place on previously developed land and therefore is considered acceptable with regard to Policy CS24.

Therefore, it is considered that the proposal is consistent with the aims of policies CS22, CS23 and CS24.

BBEST policy SBC3 Housing Density states:

All new residential development, including that created by conversion and/or change of use should respect the townscape character and be developed at a density which makes efficient use of land for the new homes and is in keeping with and protects the character of the surrounding area unless material considerations indicate otherwise.

Paragraph 124 of the NPPF states:

Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services—both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

Policy CS26 ‘Efficient Use of Housing Land and Accessibility’ requires housing developments to make efficient use of land, but that it should be in keeping with the character of the area. In this location, policy identifies that a density of 40-60 dwellings per hectare would be appropriate.

The site being approximately 0.056 hectares in area this development would represent a housing density of 53 dwellings per hectare. This falls within the suggested range and towards the upper end of the range as is to be expected for a development of apartments.

The proposal is considered satisfactory with regard to Policy CS26. With regard to BBEST Neighbourhood policy SBC3 it is considered that the proposal satisfies the requirement for efficient use of land. The consideration of protection of character is considered in the environmental considerations section of this report.

## Environmental Considerations

Chapter 12 of the NPPF (2021) requires good design, where paragraph 126 states that good design is a key aspect of sustainable development and should contribute positively to making places better for people.

Paragraph 130 requires that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

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

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

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new buildings should be in scale and character with neighbouring buildings.

Policy CS31 (Housing in the South West) states that in South-West Sheffield, priority will be given to safeguarding and enhancing its areas of character. The scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

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

The BBEST Neighbourhood Plan was adopted in June 2021 and has full development plan weight. Within the plan this site is in an area designated as the Residential South West Character Area.

In addition to policy SBC3 within this area the key policy is DDHM1 'Key Design Principles'. This states:

Proposals will be supported which variously:

- a) conserve historic boundary walls, gate piers and paving, including sett thresholds constructed of local stone, or which seek to reinstate these features appropriate to each character area;
- b) deliver planting to enhance tree coverage with deciduous and evergreen trees, shrubs and boundary hedges;
- c) respect established building lines;
- d) deliver public realm enhancements.

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments:-

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

These requirements closely reflect the aims of local policies and so those policies can

be afforded significant weight.

### Contemporary Architectural Approach

It is considered that the principle of contemporary architecture, which includes flat roofed buildings, within a conservation areas is both long established and acceptable in principle.

The quality of design in this case of the new buildings is considered further below.

### Scale and massing

The proposed building will be four storeys in height with a flat roof, compared to the more traditional three storeys (with upper storey accommodation within the gables/roof space) apparent in the more traditional Victorian properties located on Southbourne Road.

However, by utilising lower floor to ceiling heights and a flat roof the proposed building will have an overall height that sits between the existing ridge heights of Nos. 2 and 8 Southbourne Road and therefore would reflect the sloping topography of the land on Southbourne Road. The set back of the upper storey provides some articulation and reduces the massing at the higher level. Ideally this set back would be slightly greater on all elevations but the scheme, as amended, is not considered inappropriate to the degree that supports a robust reason to resist the scheme.

The proposed building would have a wider front elevation than that previously approved. However, this wider stance is considered to be more reflective of the proportions of the flanking houses with the previously approved design having a more vertical emphasis and appearing somewhat more narrow than ideal, though again not so as to provide a robust reason to resist that scheme.

The scale of this proposal is therefore considered appropriate.

The overall footprint of the scheme is not considered to represent any significant departure from that displayed by existing larger detached properties in the locality, including number 8 Southbourne Road, and this is therefore considered acceptable by Officers.

### Design Considerations

Looking at the existing street pattern, the site is located between 2 & 8 Southbourne Road and currently consists of a rather unattractive area of tarmac reflecting its most recent use as a car park for offices. It is noted, from representations, that the site has historically been open rather being the location of a building but the current format nonetheless represents something of an anomaly in the established street scene and development is not considered inappropriate on this 'infill' plot.

Both front and rear elevations align closely with their corresponding features at No. 8 Southbourne Road and in this regard the scheme is considered to respect the existing form of the street.

Representations have stated the proposed building is overly close to the neighbouring

property (8 Southbourne Road) and that this absence of lateral separation is not reflective of the established urban grain.

The position of the taller element of the proposed dwellinghouse is defined by other site constraints, most notably the need to ensure it does not have an unacceptable dominating impact on the garden of 2 Southbourne Road. However, whilst it is accepted that the proposed gap between the properties is smaller than in many cases along Southbourne Road, this is not considered to be out of context to a degree that it is deemed unacceptable for the following reasons:

- there still remains a reasonable gap that would certainly not give the impression of 'terracing'.
- The proposed unit would be set a not dissimilar distance from the common boundary as 8 Southbourne Road.
- The new property would not project beyond the front elevation of this neighbouring dwelling.
  - Within the immediate conservation area there is a mixture of dwelling types, which includes semi-detached and terraced units.

As such, the proposed scale and siting of the new build elements is considered acceptable by Officers.

The use of natural stone as a primary facing material is welcomed.

The use of stone is an appropriate response to the context given that stone is the dominant material across this section of the conservation area. Zinc cladding is an established high quality cladding material that has been used on several other schemes in the city's conservation areas.

The overall proportions of the principal elevation are considered appropriate and, width of elevation apart, deviates only slightly from the design approach approved under 17/00675/FUL.

Large scale details and samples of materials for approval can be secured through an appropriately worded condition.

Overall it is considered that the design of the building would provide for a striking addition to the street scene which, whilst making a strong statement in its own right, would also respond to the context of the built environment and result in an overall form that should contribute positively to the street scene of Southbourne Road.

Given the above it is considered that this element of the proposal satisfies the requirements of local policies DDHM1 and SBC3 (BBEST), UDP policies BE1, BE5, H14 and Core Strategy policies CS31 and CS74 as well as paragraph 130 of the NPPF.

#### Curtilage works

The plans indicate a not untypical layout, with a front garden/parking area and a rear garden.

There is certainly more area given over to vehicular movement areas than properties further to the north on Southbourne Road. However, it should be noted that other

properties on Southbourne Road feature significant areas of hardstanding to their front 'garden' areas as do No. 78 and Rutledge House on Clarkehouse Road but with a balance that is considered acceptable. Hence, what is proposed in this case should not appear entirely out of character in the street scene.

The proposal would be to retain the existing stonewall to the Southbourne Road frontage, although this appears lower in parts than was apparent in 2017 (such lowering has occurred in the interim but has been achieved with a degree of sympathy). A new main gate is proposed which is supported in principle though details are not provided and such details should be sought by condition.

The front 'garden/parking' area would utilise a grass-crete product to soften the amount of hardstanding present. This, combined with the areas of planting to the front boundary wall and along the northern boundary should balance appropriately the requirements of visual amenity and the need for off-street car parking.

The Applicant was offered the opportunity to reduce off-street car parking at the site in order to increase potential planting area and reduce hard standing to the front of the building but this option was declined.

Overall the proposal is considered acceptable with regard to policies BE1, BE5, H14 and CS74 as well as compliant with local policy DDHM1

#### Heritage Asset Considerations

The Council has a statutory duty contained under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving heritage assets and their setting or any features of special architectural or historic interest which they possess.

Policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) states that Buildings and areas of special architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced. Development which would harm the character or appearance of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.

Policy BE16 (Development in Conservation Areas) within the UDP states that new development that affects the setting of a conservation area should preserve or enhance the character of that conservation area.

Paragraphs 199-202 of the NPPF state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 202 also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In this case the relevant heritage assets under consideration are the Broomhill Conservation Area and the nearby Botanical Gardens, of which both gardens and glasshouses are listed.

## The Conservation Area

The principal consideration here relates to the design and impact on the street scene and this has been discussed earlier. It is considered that the proposal responds appropriately to the street scene/context of the built environment and will not have a deleterious impact on the quality of the street scene. The replacement of a rather unattractive expanse of tarmac with a suitably scaled and detailed building and its associated curtilage works will represent an improvement in the street scene and consequently enhance/preserve the character of the Conservation Area.

### The Botanical Gardens/Glasshouses

The site lies approximately 65 metres from the closest boundary of the Botanical Gardens (listed by English Heritage as a Grade II site of special historic and architectural interest) and some 75 metres from the Grade II listed glasshouses.

More importantly the available views in which both the development and these heritage assets can be viewed in juxtaposition are limited.

When approaching the site from the north on Southbourne Road the front elevation of the development would be viewed at a very oblique angle with a small portion of the gardens boundary viewed beyond the junction with Clarkehouse Road. The building would therefore be viewed much more in context with the flanking buildings and those opposite than appearing starkly against a backdrop of the gardens and the glasshouses.

When viewed from Clarkehouse Road (with the Botanical Gardens boundary on one's right hand side) the side and front elevation of the proposal would be largely hidden from view by No. 2 Southbourne Road in the foreground. In the months when trees are in leaf the site would be almost entirely obscured from view.

It is therefore considered that the proposals will be set at such a distance and orientation relative to existing buildings so as to have little, if any impact on the setting of the listed gardens or glasshouses.

Given the design commentary above it is concluded that the proposal will not create substantial harm to the conservation area/heritage assets. However, owing to the scale the proposals would create less than substantial harm. In such circumstances this impact should be weighed against the public benefits.

### Residential Amenity Considerations

UDP policy H14 requires development not to cause residents to suffer from unacceptable living conditions, including air pollution, noise, or other nuisance or risk to health or safety.

NPPF paragraphs 130 and 185 sets out similar aims in terms of ensuring decisions take into account the impact of pollution on health and living conditions and secure high standards of amenity. The local and national policies closely align and significant weight can therefore be given to H14.

### Existing Residents

The closest properties to the proposal are Nos. 2 and 8 Southbourne Road (those flanking the site).

The rear elevation windows will have some capacity to overlook the neighbouring garden of No. 8 Southbourne Road but such overlooking would be at an oblique angle and would be no more onerous to principal private amenity space than existing relationships between other neighbouring properties on Southbourne Road and throughout the city.

The rear garden of No. 2 Southbourne Road is set well forward of the rear elevation of the proposal and therefore there will be no overlooking arising from the rear elevation windows or balconies.

Side facing windows serving en-suite bathrooms and the stair core should be conditioned as obscure glazed and non-opening.

The balconies on the rear elevation have been amended so as to be centrally located (within the elevation) and to be inset effectively creating flanking screen walls. This will have the effect of 'throwing' views towards the north east rather than allowing more lateral views into neighbouring gardens.

A sedum roof is proposed for the area of flat roof beyond the balcony of the first floor apartment and these should be conditioned as only accessible for maintenance purposes.

The apartments at Botanical House to the east can be divided into two groups, those in the original former villa and those in the extension granted under 17/00675/FUL

The former group of apartments feature bedroom windows in the north west elevation. These are at a significantly oblique angle to the rear elevation windows and balconies of the proposed apartments and no inter-overlooking should arise.

The west elevation of the 2017 approved extension also features bedroom windows but these achieve a separation distance to the proposed windows/balconies of approximately 25 metres which is significantly in excess of the 21 metres required by Supplementary Planning Guidance.

The proposed rear elevation windows and balconies achieve a separation to the east boundary of approximately 11 metres and once again this complies with guidance in Supplementary Planning Guidance. In addition, the areas of curtilage immediately beyond this boundary consist entirely of car parking rather than private amenity space.

With regard to the properties on Rutland Park, the closest is No. 40. The proposal would achieve a separation to the boundary of that property of approximately 20 metres and a separation to the rear elevation (main aspect windows) of approximately 25 metres both of these distances once again exceeding the requirements of Supplementary Planning Guidance.

Given the above it is not considered that any significant overlooking of neighbouring curtilages will occur and the proposal is acceptable in this regard.

Overbearing/Overshadowing

The sole property which is close enough to potentially suffer from either of the above is No. 8 Southbourne Road

No. 8 Southbourne Road does exhibit windows in its side elevation facing the site.

At ground floor these serve a utility room and the kitchen in the original house and a large living/dining space in a recently erected single storey rear extension

At first floor the window serves a bathroom.

Case Law very strongly suggests that the same degree of protection cannot generally be afforded to side facing windows as can be for main aspect windows in principal and rear elevations. Underscoring this is the understanding that side facing windows, though sometimes historically established, effectively borrow amenity from neighbouring curtilages. Nonetheless a due consideration of the impacts on such windows must be given.

In this case, whilst sympathetic to the points raised by the occupant the windows to the kitchen and living/dining area are not the only sources of light to these rooms as there is significant glazing facing down the garden (east) providing an adequate alternative light source and the utility and bathrooms are not considered main habitable spaces.

The proposed building does not breach a 45 degree line scribed from other main aspect windows in No. 8 and this complies with Supplementary Planning Guidance. It is therefore not considered that any overbearing presence would occur to the occupants of no.8 Southbourne Road.

As the proposal is located due south of No.8 Southbourne some overshadowing of the curtilage and south elevation of that property is inevitable. However, this is the case in hundreds of houses across the city with a similar orientation to their neighbours. Given the scale and massing of the proposal, its footprint, orientation and proximity to boundary it is not considered that such overshadowing forms a robust reason for refusal.

The building would be located to the north of No.2 Southbourne Road and as such would cast no shadow across this property. The proposal would present a large body of masonry towards the rear garden of No. 2 and would, due to its position on the site, break a 45 degree line scribed from the nearest ground floor window in the rear elevation of that property. However, such a breach of the 45 degree line would occur approximately 8.5 metres from the window and across the vehicular access to No. 70 Clarkehouse Road. As such this is considered to be an acceptable situation.

Other amenity implications (noise)

It is not considered that the introduction of residential accommodation will introduce adverse impacts on neighbouring residential amenity in terms of noise and disturbance. This is a residential use in a largely residential area and the apartments are no more likely to introduce noise than existing properties.

Future Occupants

All of the proposed apartments and dwellings will enjoy an acceptable level of natural lighting and outlook.

In terms of external amenity space the provision varies for the apartments. However, the upper storey duplex unit features two balconies and there are garden areas proposed to the other two units which amount to approximately 30-40 square metres per apartment.

Whilst the provision for the duplex unit is not entirely generous it is considered that the provision for the scheme is acceptable particularly given the very close proximity of the Botanical Gardens and to a lesser extent Endcliffe Park.

In view of the above, the proposals are considered to comply with Policies H5(b), H14(c) and supporting Supplementary Guidance with regard to residential amenity

### Highways Considerations

The NPPF seeks to promote sustainable transport and locations, emphasising pedestrian and cycle movements followed by public transport in Paragraphs 110 and 112. Paragraph 110 states that safe and suitable access to the site should be achieved by all users. Paragraph 111 goes on to detail that new development 'should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

The site is located in a highly sustainable location within close proximity to a wide range of amenities, services, jobs, places of employment and excellent public transport links.

The scheme would provide for 4 off-street car parking spaces which equates to 1 per apartment and 1 space for visitors. UDP parking guidelines suggest that provision should be 1 space each for the two bedroom flats and two spaces for the 4 bedroom unit as well as a space for visitors.

The provision therefore represents a marginal shortfall when compared to UDP guidelines. However, the site lies in a sustainable location with nearby public transport links on Clarkehouse Road and Glossop Road. Southbourne Road also lies within an area covered by a residents parking scheme.

Given the marginal shortfall and the other factors mentioned it is not considered that the shortfall represents a robust reason for refusal.

A permit parking scheme exists in the area and in the event of future requests being made for a permit to Parking Services this would be considered by them in the light of capacity at that time.

It is not considered that the likely number of vehicle movements associated with the proposal will adversely impact on highway safety or the free flow of traffic in the locality. There is a limited amount of space available within the building curtilage for dedicated covered and secure cycle parking. However, the units being proposed are spacious and there would be room for cycles to be stored in hallways for example. In addition, any external storage facility within the front garden area would likely restrict either manoeuvrability of vehicles and/or areas available for vegetation, the latter raising the

potential for a cluttered appearance within the Conservation Area. Internal storage is therefore considered acceptable in this case.

An appropriate bin storage area can be provided in the forecourt/front garden area and details of any enclosure should be secured through condition on any permission granted. Whilst 'front garden' enclosures are generally to be avoided in conservation areas for similar reasons to that above (cycle store) a visually appropriate enclosure for bins should be achievable at this location as the enclosure will be screened to a degree by the boundary wall to the site, and read against this backdrop.

Overall therefore the scheme is considered to be in acceptable in highways terms.

#### Sustainability considerations

In terms of the sustainability benefits it is considered that:

- the site is in a sustainable urban location.
- The development includes for the redevelopment of previously developed land within the main urban area of the city.
- The development will provide for a positive economic impact in terms of job generation both during construction and thereafter in the commercial operation at ground floor.
- The provision of new (and mixed form) housing will contribute to the city's housing supply, at a time when the city cannot demonstrate a 5 year housing supply.
- The introduction of green roofs (albeit limited in scope) will contribute to biodiversity as will the areas of soft planting and trees where currently the site is tarmacadam

Policy CS63 (Responses to Climate Change) within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

In relation to the requirements of CS63, the site is in a sustainable location in respect of access to local amenities and public transport. For example, the site is within a reasonable walking distance of amenities available along Ecclesall Road and within Broomhill District Shopping Centre.

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

Previously residential developments had to achieve Code for Sustainable Homes Level Three to comply with CS64. This section of CS64 has however been superseded by recently introduced Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach.

There are no detailed specifications describing how such requirements will be met but the details can be secured through condition. and the Applicant has agreed to such a commitment.

#### Biodiversity

The introduction of green roof and garden elements should provide some degree of enhancement in terms of biodiversity on the site and whilst these areas are not expansive they are nonetheless welcome.

In light of the above, it is considered that, subject to conditions, the proposal accords with the local and national policies in relation to sustainability.

#### Flood Risk/Drainage Considerations

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

- Requiring the new development to limit surface water run-off.

The site is currently entirely covered in hardstanding and so any reduction in this is a positive step in terms of surface water run-off. The introduction of rear garden areas and the use of permeable/porous materials to the front parking areas should contribute substantially to a reduction in run-off

Such permeable surfacing can be secured through condition.

#### Landscape considerations

BE6 Landscape Design states:

Good quality landscape design will be expected in new developments. Applications for planning permission for such schemes should, where appropriate, include a suitable landscape scheme which:

- provides relevant information relating to new planting and/or hard landscaping, and of existing vegetation to be removed or retained; and
- provides an interesting and attractive environment; and

The development would not result in the loss of any trees of public amenity value.

There is some scope for planting at ground level and some elements of green roof are included in the proposals and these are welcomed. Further details regarding the landscape details, and specification and maintenance of the green roofs will be sought through condition.

Subject to these conditions it is considered that the proposal satisfies Policy BE6

#### Affordable Housing Considerations

Policy CS40 (Affordable Housing) within the CS states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

This scheme is for 3 dwellings but stands to be considered in conjunction with the previous application 17/00675/FUL in terms of affordable housing.

However, as the combined number of units of that scheme and this totals 14 units Policy CS40 does not apply and the scheme is not required to provide an affordable housing contribution.

#### Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 3. Within this zone there is a CIL charge of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010'.

#### Summary And Recommendation

The proposal seeks permission to erect a building containing three apartments within a site in an allocated Housing Area and within Broomhill Conservation Area.

The proposal would replace a rather unsightly area of hardstanding with a bespoke building of an appropriate scale and design. The introduction of the building should not adversely impact on the street scene, the character of the wider locality or the nearby listed buildings/gardens.

The amenity offer for the future occupants is considered satisfactory with any marginal shortfalls in the provision of private amenity space compensated for by the proximity of high quality public open spaces.

It is acknowledged that the scheme may have some limited overshadowing impact on a neighbouring property (8 Southbourne Road) but this is not considered a robust reason to refuse the scheme overall.

There is a minor shortfall in dedicated off-street car parking within the scheme but it is considered that the provision is acceptable owing to the highly sustainable location and the presence of a residents parking scheme in operation in the locality.

The proposal will make a small but valuable contribution to the city's housing supply and this is a significant consideration when considering the scheme overall.

It is considered that the amenity offer for future residents is acceptable.

This planning assessment overall identifies that the scheme would regenerate a prominent vacant brownfield site, represents investment and employment for the city, and helps toward the shortfall in respect to Sheffield's housing land supply. The site is also within a sustainable location, being within reasonable walking distance to Broomhill District Shopping Centre for example.

Whilst representing an acceptable form of development, appropriate to the street scene, the impact on the Broomhill Conservation Area is judged to represent less than substantial harm. The associated benefits of the scheme ensure it is not in itself so harmful as to warrant the refusal of the application on design and conservation grounds.

Taking all of the above and taking into consideration it is therefore felt that, the scheme meets the relevant requirements of the NPPF and UDP policies BE1, BE5, BE16, BE17, H5, and H14, Core Strategy policies CS23, CS24, CS26, CS67 and CS74, and policies SBC3 and DDHM1 of the BBEST Neighbourhood Plan.

Accordingly, it is recommended that the application be granted conditionally



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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

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**Date:** 12 July 2022

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

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**Author of Report:** Abby Hartley

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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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## 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

Nothing to report.

## 3.0 APPEALS DECISIONS – DISMISSED

<p>(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 1no. double-sided freestanding internally illuminated 48-sheet digital LED advertising unit at Martin Lee Car Sales, The Steelworks, 2 Livesey Street, Sheffield, S6 2DB (Case No: 21/05258/HOARD) has been dismissed.</p>
<p>Officer Comment:-</p> <p>The Inspector identified the main issue to be the effect of the proposed advertisement on the amenity of the area.</p> <p>He noted that whilst the advertisement would be located in a busy commercial area, however its size and siting, and being mounted on legs, would lead to it being a dominant and obtrusive feature. Due to its scale, it would appear imposing in the street scene. While the prominent and isolated position would result in it appearing incongruous in the street scene.</p> <p>The Inspector concluded that the proposal would be contrary to Paragraph 136 of the NPPF.</p>
<p>(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the partial demolition of existing side extensions to create detached dwellinghouse at 1 Whirlowdale Crescent, Sheffield, S7 2NA (Case No:- 21/03943/FUL) has been dismissed.</p>
<p>Officer Comment:-</p> <p>The Inspector identified the key issue as the effect of the development on the character and appearance of the area.</p>

He noted the area had a regular layout of two storey semi-detached dwellings set back from the highway with regular spacing and a cohesive character. The Inspector agreed with officers that the proposed dwelling had a contrived, tapered form that would not reflect this character as it would be sat too close to the host dwelling and effectively read as a terrace.

He therefore found conflict with policies BE5, H14 and GE4 of the UDP, Policy CS74 of the Core Strategy, and paras 127 and 130 of the NPPF.

The Inspector recognised the tilted balance was in play but felt that the benefit of one additional house were limited (and noted an alternative approval for subdivision of the existing house that provides this) and did not outweigh the harm to the character of the area.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of existing outbuilding and erection of 2x 4 bed detached dwellings, detached garages, associated amenity space, parking and access (Re-submission of 20/00569/FUL) at Land and buildings adjacent The Old Barn 29 South Street, Mosborough, Sheffield, S20 5DE (Case No: 20/03765/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues were:-

- a) The living conditions of the occupiers of neighbouring properties with particular regard to outlook and sunlight;
- b) Highway safety with regard to access and visitor parking; and
- c) Biodiversity.

In terms of a) she felt that the height of the proposed dwellings, their large 'T' form would result in an overly oppressive, dominant feature on the boundary with 46 Kelgate, and would create an overbearing effect on the outlook from the rear garden and rear facing habitable rooms of that property, and would be larger and more permanent than existing vegetation. She therefore agreed with officers that there was conflict with policy H14 (UDP) and para 130(f) of the NPPF.

In respect of b) the Inspector noted that South Street was reduced to a single carriageway by parked cars, She noted the access already served 3 dwellings and that it was single width with limited visibility. She also noted the proposed parking layout was significantly compromised and would not function well, resulting in likely additional parking and congestion on South Street to the detriment of highway safety. She therefore agreed with officers there was conflict with policy H14 of the UDP.

With regards to c) she noted the barn on site to be demolished had potential for bat roosts and evidence of nesting birds. No landscape proposals were submitted and the Inspector found the proposal failed to comply with the aims of UDP policy GE11 in that it provided insufficient evidence that the design,

siting and landscaping of the development would respect and promote nature conservation.

The Inspector noted the titled balance was in play owing to the lack of 5 year housing supply within the city but considered the benefits of two additional dwellings did not outweigh the significant harm resulting to neighbours living conditions, highway safety and biodiversity and dismissed the appeal.

#### 4.0 APPEALS DECISIONS – ALLOWED

Nothing to report.

#### 5.0 CIL APPEALS DECISIONS

Nothing to report.

#### 6.0 NEW ENFORCEMENT APPEALS

Nothing to report.

#### 7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report.

#### 8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report.

#### 9.0 RECOMMENDATIONS

That the report be noted.

*Michael Johnson*  
Head of Planning

*12 July 2022*