

Planning and Highways Committee

Tuesday 14 February 2023 at 2.00 pm

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

The Press and Public are Welcome to Attend

Membership

Councillors Alan Woodcock (Joint Chair), Nighat Basharat, Mike Chaplin, Tony Damms, Roger Davison, Brian Holmshaw, Dianne Hurst, 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.

PUBLIC ACCESS TO THE MEETING

The Planning and Highways Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues. A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk You 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.

Attending Meetings

Meetings of the Council have to be held as physical meetings and are open to the public. If you would like to make a representation to the Planning and Highways Committee, please email committee@sheffield.gov.uk by 9am 2 working days before the meeting and state which application you wish to speak on. If you would like to attend the meeting, please report to an Attendant in the Foyer at the Town Hall where you will be directed to the meeting room. However, it would be appreciated if you could register to attend, in advance of the meeting, by emailing committee@sheffield.gov.uk as this will assist with the management of attendance at the meeting.

PLEASE NOTE: The meeting rooms in the Town Hall have a limited capacity. We are unable to guarantee entrance to the meeting room for observers, as priority will be given to registered speakers and those that have registered to attend. Alternatively, you can observe the meeting remotely by clicking on the 'view the webcast' link provided on the meeting page of the website and then click on the 'Click for more details about Planning and Highways Committee' header which will enable you to see the presentations made. Further information on this or any of the agenda items can be obtained by speaking to Abby Hodgetts on telephone no. 0114 273 5033 or by emailing abby.hodgetts@sheffield.gov.uk

FACILITIES

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

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

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
14 FEBRUARY 2023**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 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
- 6. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Proposed Closure of Footpath Linking Cobden View Road and Northfield Road, Crookes, Sheffield, S10** (Pages 15 - 32)
Report of the Director of Streetscene and Regulation
- 8. Tree Preservation Order No. 461 - 3 Westbourne Road, Sheffield, S10 2QQ** (Pages 33 - 74)
Report of the Head of Planning.
- 9. Applications Under Various Acts/Regulations** (Pages 75 - 76)
Report of the Head of Planning.
- 9a. Planning Application No. 22/01978/REM - Land At Junction With Carr Road, Hollin Busk Lane, Sheffield, S36 2NR** (Pages 77 - 98)
- 9b. Planning Application No. 22/01020/FUL - Building Between Cotton Street And 24 Alma Street, Sheffield, S3 8SA** (Pages 99 - 130)
- 9c. Planning Application No. 20/02550/FUL - Land Part Of Outokumpu Site, Fife Street And Blackburn Road And Storage Land At Grange Mill Lane, Sheffield, S9** (Pages 131 - 190)
- 10. Record of Planning Appeal Submissions and Decisions** (Pages 191 - 198)
Report of the Head of Planning.

11. Date of Next Meeting

The next meeting of the Committee will be held on Tuesday 14th March 2023 at 2pm in the Town Hall.

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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 David Hollis, Interim Director of Legal and Governance by emailing david.hollis@sheffield.gov.uk.

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Planning and Highways Committee

Meeting held 10 January 2023

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

1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

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 personal interests in Agenda Item No's 7b and 7c, Application No's 22/2302/OUT - Land between Hollin Busk Road, Carr Road and Broomfield Lane Sheffield, S36 2AQ and 22/2303/OUT - Land between Hollin Busk Road, Broomfield Grove and Broomfield Lane Sheffield, S36 2AQ as the local Ward Members were known to him and he was also an elected Member of the Peak District National Park. Councillor Chaplin declared that he had not given an opinion or made up his mind on the application prior to the meeting, and confirmed he had an open mind, therefore would take part in the discussion and voting thereon.

3.2 Councillor Mike Chaplin declared a personal interest in Agenda Item No. 7d, Application No. 22/01910/FUL - 4 Lees Hall Road, Sheffield, S8 9JH as the applicant was known to him. Councillor Chaplin 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 **RESOLVED UNANIMOUSLY:-** that the minutes of the meeting of the Committee held on 6th December 2022 were approved as a correct record.

5. SITE VISIT

- 5.1 **RESOLVED UNANIMOUSLY:-** 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. 22/02924/RG3 - BOLE HILL VIEW, 2 EASTFIELD ROAD, SHEFFIELD, S10 1QL

- 6a.1 A housing land supply update, revised conditions, additional conditions and directives and an additional representation, along with the officer response, 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 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted.
- 6a.4 **RESOLVED:** That an application submitted by the Council be GRANTED, conditionally, for the reasons set out in the report and supplementary report, now submitted, for the demolition of former care home and erection of 36 proposed flats in two blocks with associated communal facilities including car parking and landscaping at Bole Hill View, 2 Eastfield Road, Sheffield, S10 1QL (Application No. 22/02924/RG3).

6b. APPLICATION NO. 22/02302/OUT - LAND BETWEEN HOLLIN BUSK ROAD, CARR ROAD AND BROOMFIELD LANE, SHEFFIELD, S36 2AQ

- 6b.1 A housing land supply update, revised conditions, the removal of a condition and an additional representation, along with the officer response 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 Peter Simpson, Councillor Lewis Chinchen, Councillor Janet Ridler and Joe Staniforth, Mayor of Stocksbridge attended the meeting and spoke against the application.
- 6b.4 Megan Wilson attended the meeting and spoke in support of the application.
- 6b.5 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made at the meeting.
- 6b.6 Following on from the representations made, Councillor Brian Holmshaw moved that '(30 years)' be added to Condition 17 (ecological condition) after the words 'long-term'. Councillor Garry Weatherall seconded the motion. On being put to the vote, the amended condition was approved.
- 6b.7 **RESOLVED:-** That an application for planning permission be GRANTED, conditionally subject to legal agreement as set out in the Heads of Terms in the Officer Report, for the reasons set out in the report and supplementary report, including the amended condition, now submitted, for outline permission for the erection of up to 75 dwellinghouses and associated vehicular and pedestrian access (All matters reserved except Access) at Land between Hollin Busk Road, Carr Road and Broomfield Lane, Sheffield, S36 2AQ (Application No. 22/02302/OUT)
- 6c. APPLICATION NO. 22/02303/OUT - LAND BETWEEN HOLLIN BUSK ROAD, BROOMFIELD GROVE AND BROOMFIELD LANE, SHEFFIELD, S36 2AQ**
- 6c.1 A housing land supply update, revised conditions, the removal of a condition and an additional representation, along with the officer response 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 Peter Simpson, Councillor Lewis Chinchen, Councillor Janet Ridler and Joe Staniforth, Mayor of Stocksbridge attended the meeting and spoke against the application.
- 6c.4 Megan Wilson attended the meeting and spoke in support of the application.
- 6c.5 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made at the meeting.

6c.6 On being put to the vote, the officer recommendation was lost. Councillor Barbara Masters moved that the application be refused on the grounds of the harmful impact on the character and visual amenity of the area. Councillor Tony Damms seconded the motion.

6c.7 **RESOLVED:-** That an application for outline planning permission for the erection of up to 92 dwellinghouses and associated vehicular and pedestrian access (all matters reserved except Access) at Land between Hollin Busk Road, Broomfield Grove and Broomfield Lane Sheffield, S36 2AQ (Application No. 22/02303/OUT) be REFUSED on the grounds of the harmful impact on the character and visual amenity of the area. The final wording to be agreed by the Co-Chairs and the Planning Officers.

6d. APPLICATION NO. 22/01910/FUL - 4 LEES HALL ROAD, SHEFFIELD, S8 9JH

6d.1 A revised condition was 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 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted.

6d.4 **RESOLVED:-** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, now submitted, for alterations and extension to roof including raising of ridge height, and 2-storey rear extension to dwellinghouse at 4 Lees Hall Road, Sheffield, S8 9JH (Application No. 22/01910/FUL).

6e. APPLICATION NO. 22/00865/FUL - LAND ADJACENT 137 MAIN ROAD, WHARNCLIFFE SIDE, SHEFFIELD, S35 0DP

6e.1 The application was withdrawn by the applicant.

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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

8. DATE OF NEXT MEETING

- 8.1 The next meeting of the Planning and Highways Committee would be held on Tuesday 14th February 2023 at 2pm in the Town Hall.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Streetscene and Regulation

Date: 14th February 2023

Subject:

PROPOSED CLOSURE OF FOOTPATH LINKING COBDEN VIEW ROAD AND NORTHFIELD ROAD, CROOKES, SHEFFIELD 10.

Author of Report: Mark Reeder 0114 474 2509

Summary:

To seek authority to refer the City of Sheffield (footpath linking Cobden View Road and Northfield Road) Public Path Closure Order 2022 to the Secretary of State for Environment, Food and Rural Affairs for confirmation in the light of an objection received.

Reasons for Recommendations

It is considered necessary that the Director of Legal Services be authorised to refer the City of Sheffield (footpath linking Cobden View Road and Northfield Road) Footpath Closure Order 2022 to the Secretary of State for confirmation.

Background Papers:

Category of Report: OPEN

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PROPOSED CLOSURE OF FOOTPATH LINKING COBDEN VIEW ROAD AND
NORTHFIELD ROAD, CROOKES, SHEFFIELD 10.

1. PURPOSE

- 1.1 To seek authority to refer the City of Sheffield (footpath linking Cobden View Road and Northfield Road) Public Path Closure Order 2022 to the Secretary of State for Environment, Food and Rural Affairs for confirmation in the light of an objection received.

2. BACKGROUND

- 2.1 Following authority obtained at this Committee on 13th September 2022, the City Council made an Order on 20th October, under Section 257 of the Town and Country Planning Act 1990 ('the 1990 Act'), for the closure of a footpath linking Cobden View Road and Northfield Road in the Crookes area of Sheffield. A copy of the Order and plan are attached as Appendix A.
- 2.2 Following publication of the Order, including the posting of relevant Notices and Plans at the site, the Director of Legal Services received one objection.
- 2.3 Redacted copies of the objection and detailed officer response are included as Appendix C and D respectively. Officers believe that, despite the objection, the Council will still be able to achieve the closure of the path on the basis that it is necessary to facilitate development.

3. LEGAL IMPLICATIONS

- 3.1 The officer response to the objector (Appendix D) sets out the basis for the closure of a footpath pursuant to section 257 of the 1990 Act. The Council may authorise the stopping up (closure) of any footpath by legal order if it is satisfied that it would be necessary in order to enable development to be carried out. The relevant planning application (ref: 22/00723/FUL) was granted by the Council on 17th June 2022. It is clear from the details of that proposal that the footpath which is the subject of the legal order must be stopped up so as to enable development to be carried out.
- 3.2 The officer response also refers to the status of the footpath; while the footpath which is intended to be stopped up by the legal order has not been added to the

Council's Definitive Map and Statement (and is therefore not formally recorded as a public right of way), the Council may consider the implications of it having that status where there is a reasonable basis for doing so. This enabled the matter of whether the footpath is a public right of way, and the implications of the proposed development upon that footpath, to be considered as part of the determination of the planning application. As noted above, the Council resolved to grant permission for the development after having taken these matters into consideration.

- 3.3 Any member of the public has the right to make representations or objections in respect of an order in accordance with the procedure set out in Schedule 14 of the 1990 Act. The objection received in respect of this order does not provide a basis on which to conclude that the footpath would not need to be stopped up so as to enable development to be carried out. This is (as mentioned above) the basis for an order under section 257 of the 1990 Act. The matter of whether planning permission ought to have been granted has already been considered by this committee at its meeting on 14th June 2022 – while the committee is advised to give the objection due consideration when deciding whether to approve the recommendations in this report, it should also do so with regard to the aforementioned test under section 257 of the 1990 Act.
- 3.4 If objections are made to an order made under section 257 of the 1990 Act, and those objections are not withdrawn, the order cannot be confirmed without it being referred to the relevant Secretary of State. An order does not come into effect until it is confirmed. If the recommendations in this report are approved, the Council will make its own representations in favour of confirmation such that the Secretary of State can consider those against the objection when determining whether to confirm the order.
- 3.5 The Council is entitled to decide in light of opposition to an order (as in the present case) not to refer it to the Secretary of State but rather withdraw it instead. If an authority feels it can no longer support the proposal then a formal resolution by that authority not to proceed is required to bring about the withdrawal of the order. The City Council has resolved to take similar action to this in the past, and this order will be withdrawn if Committee chooses not to approve the recommendation contained in this Report.

4 HIGHWAY IMPLICATIONS

- 4.1 The highway implications of the proposed Footpath Closure Order were described in the Report approved by this Committee on the 13th September 2022. The proposal has not altered since that date; nor is it considered that the receipt of the objection has altered those implications for the purposes of the decision now before the committee. It is therefore still recommended that the footpath should be closed.

5 CONSULTATIONS

- 5.1 Officers have written to the objector, to try to ensure that they have a full understanding of the proposal (including the legal basis for the order) and to see if a negotiated solution could be reached in order to resolve the objection. Despite initial correspondence from the objector, no further response has been received at the time of writing this report.

6 EQUAL OPPORTUNITY IMPLICATIONS

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

8 ENVIRONMENTAL IMPLICATIONS

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

8 FINANCIAL IMPLICATIONS

- 8.1 There are no costs accruing to the Council in association with this proposal.
- 8.2 All fees associated with the application have been met by the applicant.
- 8.3 Therefore, there will be no increase in liability on the Highway Maintenance revenue budget.

9 CONCLUSION

- 9.1 Officers' view is that the closure of the footpath is necessary to facilitate a development for which planning permission has been granted under reference 22/00723/FUL and that the objection does not provides a basis on which to conclude otherwise.
- 9.2 In considering whether to proceed further with the proposed Footpath Closure, it is necessary to balance the objection received against the justifications for supporting the proposal in the first place. Therefore, as this Committee has previously approved the closure, and no material changes have been made to the proposed development, it is proposed that the Order be submitted to the Secretary of State for confirmation.

11 RECOMMENDATION

- 11.1 Instruct the Director of Legal Services to refer the City of Sheffield (footpath linking Cobden View Road and Northfield Road) Footpath Closure Order 2022 to the Secretary of State for confirmation.

Gillian Charters

Gillian Charters

2nd February 2023

PUBLIC PATHS STOPPING UP ORDER**TOWN AND COUNTRY PLANNING ACT 1990 –
SECTION 257 AND PARAGRAPH 1 OF
SCHEDULE 14****CITY OF SHEFFIELD
(FOOTPATH LINKING COBDEN VIEW ROAD AND NORTHFIELD
ROAD, CROOKES, SHEFFIELD S10) PUBLIC PATHS STOPPING UP
ORDER 2022**

The above Order was made on 20th October 2022. The effect of the Order will be to stop up the lengths of footpath described in the Schedule to this Notice.

A copy of the Order and the Order Map has been placed and may be seen free of charge at the **Moorfoot Building, Sheffield, S1 4PL**, from 8.45 a.m. to 4.45 p.m. on Mondays to Fridays. Copies of the Order and Map may be bought there at the price of £12.00. Telephone enquiries can be made by ringing 0114 2734034 (Ref: LS/RC/3950160).

Any representations about or objections to the Order may be sent in writing to the Director of Legal Services, Sheffield City Council, Town Hall, Sheffield, S1 2HH and quoting the above reference not later than **28th November 2022**. Please state the grounds on which they are made. In submitting an objection it should be noted that the personal data and correspondence relating to any objection will enable Sheffield City Council to contact you directly to address the issues raised. If any person does not wish personal data to be used in this way, they should state why when submitting the objection. If there is to be a local Public Inquiry, the representations will be seen by the Inspector who may give them less weight as a result.

If no such representations or objections are duly made, or if any so made are withdrawn, the Sheffield City Council may itself confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for Environment, Food and Rural Affairs for confirmation any representations or objections which have not been withdrawn will be sent with the Order.

SCHEDULE

A footpath linking Cobden View Road and Northfield Road in the Crookes area of Sheffield, with a width of 2.8 metres and shown as a solid black line between points A to B on the Order Map. Commencing at a point marked A on the Order Map (grid ref: 432909:387952) located at the western boundary of the footway of Cobden View Road and approximately 10m north of the northern boundary of 189 Cobden View Road, then heading in a south western direction for 28m to a point marked B on the Order Map (grid ref: 432887:387933) where it meets the northern boundary of 187 Northfield Road and the eastern boundary of the footway of Northfield Road.

DATED this 20th October 2022

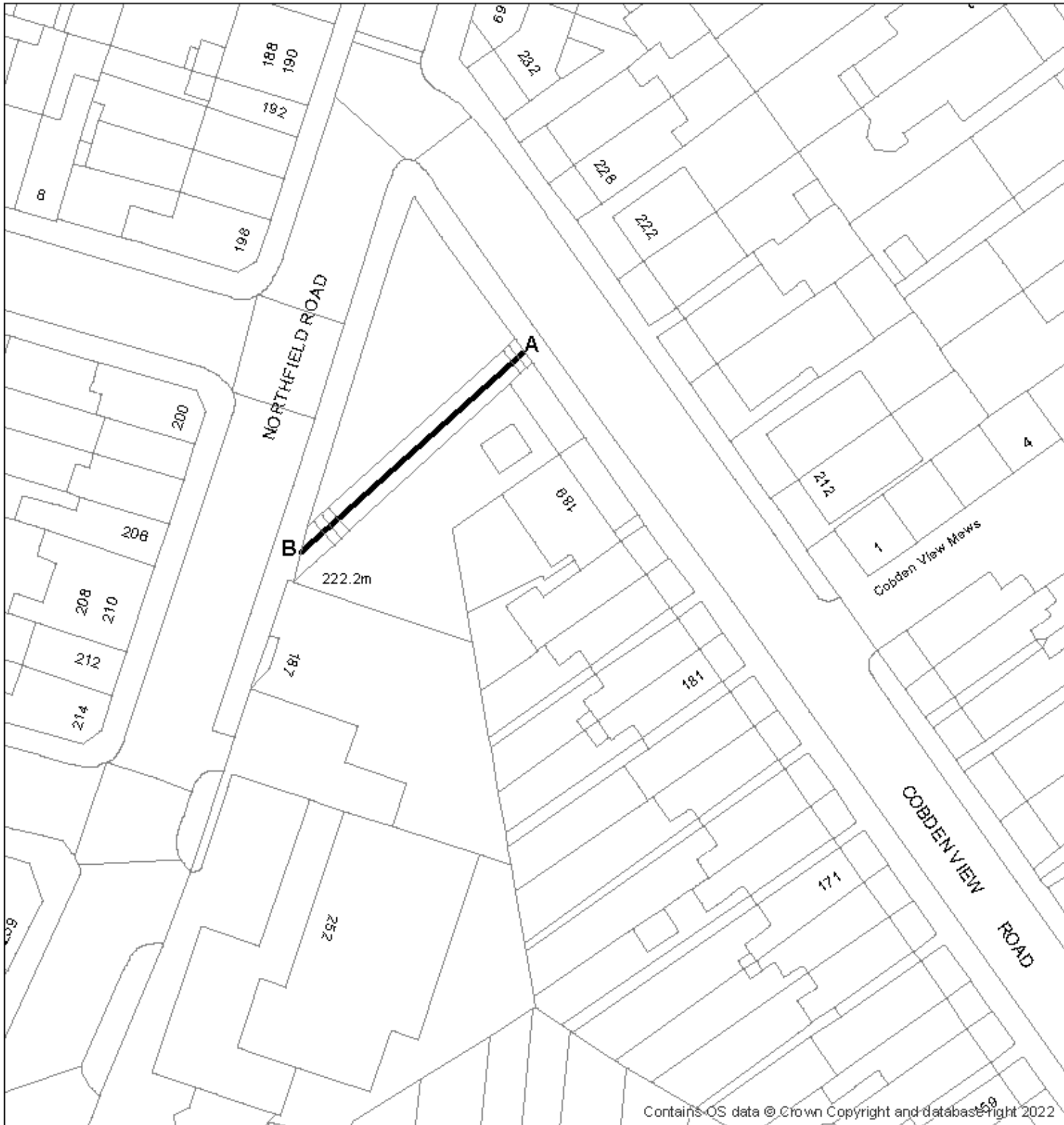
David Hollis
Interim Director of Legal and Governance
Sheffield City Council. Town Hall • Sheffield • S1 2HH

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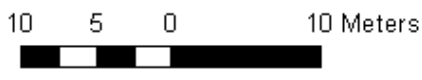



Highway Records
Operational Services
Howden House
Union Street
Sheffield
S1 2SH

CITY OF SHEFFIELD
(FOOTPATH LINKING COBDEN VIEW ROAD AND
NORTHFIELD ROAD, CROOKES, SHEFFIELD S10) PUBLIC
PATHS STOPPING UP ORDER 2022

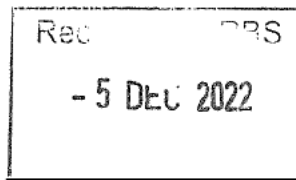


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 **Footpath to be closed**

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The Director of Legal Services
Sheffield City Council
Town Hall
Sheffield
S1 2HH

Sunday 27th November 2022

Dear Sir/Madam,

Proposed Closure of the Public Right of Way Linking Cobden View Road and Northfield Road, Crookes (ref. LS/RC/3950160)

I am writing to **object** to the proposed Stopping Up Order regarding the public right of way linking Cobden View Road and Northfield Road, Crookes.

This case concerns a footpath across a small plot of land bordering the main road through Crookes, to which the local community has had open access throughout living memory. The plot was used for the display of advertisements and was mowed and maintained by the local authority (we believe) and cultivated by local volunteers for around ten years as a community garden, until February 2020 when it was sold to the current owner. Without warning or consultation, the trees on the plot were felled, the community garden was destroyed, a boundary fence was erected and the plot has since been allowed to become overgrown and derelict. There is significant local public concern about the fate of the footpath.

I wish to object to the proposed closure on two grounds, firstly, that the order of events was irregular and may have resulted in the wrong planning decision and, secondly, that the footpath is a valuable local asset, both functionally and aesthetically.

In June 2022, permission was granted to the landowner to construct thirteen flats and three shops (ref. 22/00723/FUL) on the green space while our application for the footpath to be recognised as a public right of way was still under consideration (ref. Sheff/Sch14/011). I only learned that the footpath had been recognised as a public right of way when the Council wrote to inform me, as a footpath-user and author of the Schedule 14 application, that the landowner had submitted an application to have it stopped up.

The City Council is proposing to close the footpath under the Town and Country Planning Act 1990, c. 8, Part X, Section 257 which states that "a competent authority may authorise the stopping up or diversion of any footpath if they are satisfied that it is **necessary to do so in order to enable development to be carried out...** in accordance with planning permission granted under Part III." It seems to me that the only grounds in which a person could object to the proposed footpath closure under this Act would be if he or she could prove it was unnecessary to do so in the process of developing the site. In our case, the landowner's scheme covers the whole plot, therefore, the closure of the footpath would be necessary in order for the development to be built.

I find this unfair because, if it is the case that a public right of way will be extinguished by the granting of planning permission, then the impact of the closure of the footpath must be taken into consideration when deciding whether or not to grant planning permission. But the Planning

Committee could not have taken this into consideration, because the landowner's application stated that there was no public right of way across the site at that time, although a Schedule 14 application had been made. Had the footpath been formally recognised as a public right of way at the time when the planning application was being considered, this might have led the planning committee to make a different decision. As it is, either the committee had formed a view about our public right of way application before it had been submitted, or the existence of a public right of way across a proposed site of development does not need to be considered when granting planning permission. Either way, it seems we have no way of making representations to defend our acquired rights.

The second part of my objection concerns the aesthetic, heritage, environmental and health value to the local community of the public right of way. Had the landowner wished to close the footpath before he applied for planning permission, I believe he would have needed to rely on the Highways Act 1980 (c. 66, Part VIII, Paragraph 118 on Stopping Up of Footpaths or Paragraph 119 on Diversion of Footpaths) to do so. I believe the Act provides a useful framework for the consideration of the value of a footpath. In summary, the Highways Act 1980 requires that the relevant authority is obliged to consider the extent to which the footpath is **needed for public use**, the **degree of inconvenience** occasioned to the public by using the proposed alternative route and the impact of the path diversion on **public enjoyment of the path** or way as a whole. In the following paragraphs, I will describe the popularity, utility and public benefit of the footpath.

In July 2020, 673 people signed an e-petition entitled "Save Cobden View Community Garden" (see www.sheffield.gov.uk, *e-petitions*) calling on the City Council to preserve the green space, including the footpath across it, because it was used regularly by local residents for recreation and amenity, it was an attractive feature on the high street, it provided a habitat for wildlife and it is located in an area of high-density housing with a documented deficit of green space. Clearly, many people gain enjoyment from using the facilities of the green space and path.

Following the e-petition, three residents of Cobden View Road, including myself, gathered written and photographic evidence of regular usage and submitted an application on behalf of 91 local residents for the plot to be registered as a Village Green. To our dismay, the application was deemed invalid by the local authority because, according to the current Sheffield Local Plan, the plot lies within the Crookes Shopping District and is therefore automatically identified for development (an argument with which we disagreed) and cannot be registered as a Village Green.

Whilst applying for the green space to be recognised as a Village Green, I also sought to have the footpath recognised as public right of way. I gathered evidence from local residents regarding their use of the footpath, wrote the application and submitted it to the City Council on behalf of the local community. As the evidence (which has been submitted to the local authority) shows, the footpath had been in daily use for more than 60 years up until May 2020. It is now fenced off, even though it is acknowledged to be a public right of way. I used the footpath myself on a daily basis between August 2015 and May 2020, to walk from the house in which I live to the shops.

The alternative route is via the pavement on Cobden View Road and Northfield Road which adds only a few metres to the journey, but the steepness of Cobden View Road at the junction makes it treacherous, especially in wet or icy weather. The public right of way provides a safer route from Cobden View Road onto Northfield Road, with sturdy concrete steps at both ends and a flat path in between. It is clear from the construction of the concrete steps, brick pillars, flat path and wooden seat, that the footpath, despite its length, was considered to be of sufficient usefulness and value to the local community to merit the installation of street furniture and use of permanent construction materials.

The green space and the footpath have been used for generations of local residents for relaxation and recreation. Several people stated that they used to exercise their dog on the footpath. Older residents recounted to me how they were taken there as schoolchildren to survey the flora and fauna and how as young people they sat on the low wall at the side of the footpath to eat fish and chips. Parents walking with their children to Western Road Primary School described in their written evidence to me that they preferred to walk on the footpath rather than the pavement because it was set back from the main road and felt safer.

In an attempt to uncover why the green space had never been developed or when the footpath had been created, I obtained a copy of the title deeds from the Land Registry. The title deeds show that the green space, or some part of it, was transferred to the 'Lord Mayor, Alderman and Citizens of Sheffield' in 1959. I contacted the local authority to ask if there was any record of the local authority owning the land. They did not have any record of the 1959 transaction. I was informed that a small triangle of grass in the north-west corner of the plot had belonged to the Council in the past, but it was adversely possessed in August 2017. I remain puzzled as to the circumstances of the adverse possession. The title deeds are sparse on detail and do not contain any documents relating to the transfer of ownership from one owner to another. Ordnance Survey maps of Sheffield in the 1940s show a Police Call Box situated on the site.

Another reference to public ownership of the plot can be found in a planning application dated November 2016 (ref. 16/04123/ADVRG3) in which the Streets Ahead project (part of the Council) applied for planning permission to erect a sign on the green space (which was later withdrawn on the advice that it would have too negative an impact on the aesthetic value of the green space). My purpose in relating these facts is to show that the green space and the footpath running across it have been local features of significant importance to the people of Crookes for years.

Although the site cannot be registered as a Village Green, I humbly request that you uphold our right of access via the footpath across the plot so that we can continue to enjoy this convenient and enjoyable public facility.



View looking north along the public right of way towards Cobden View Road.
Photograph taken in February 2020 by the auction website *BidX1*.

Yours sincerely,



The Director of Legal Services

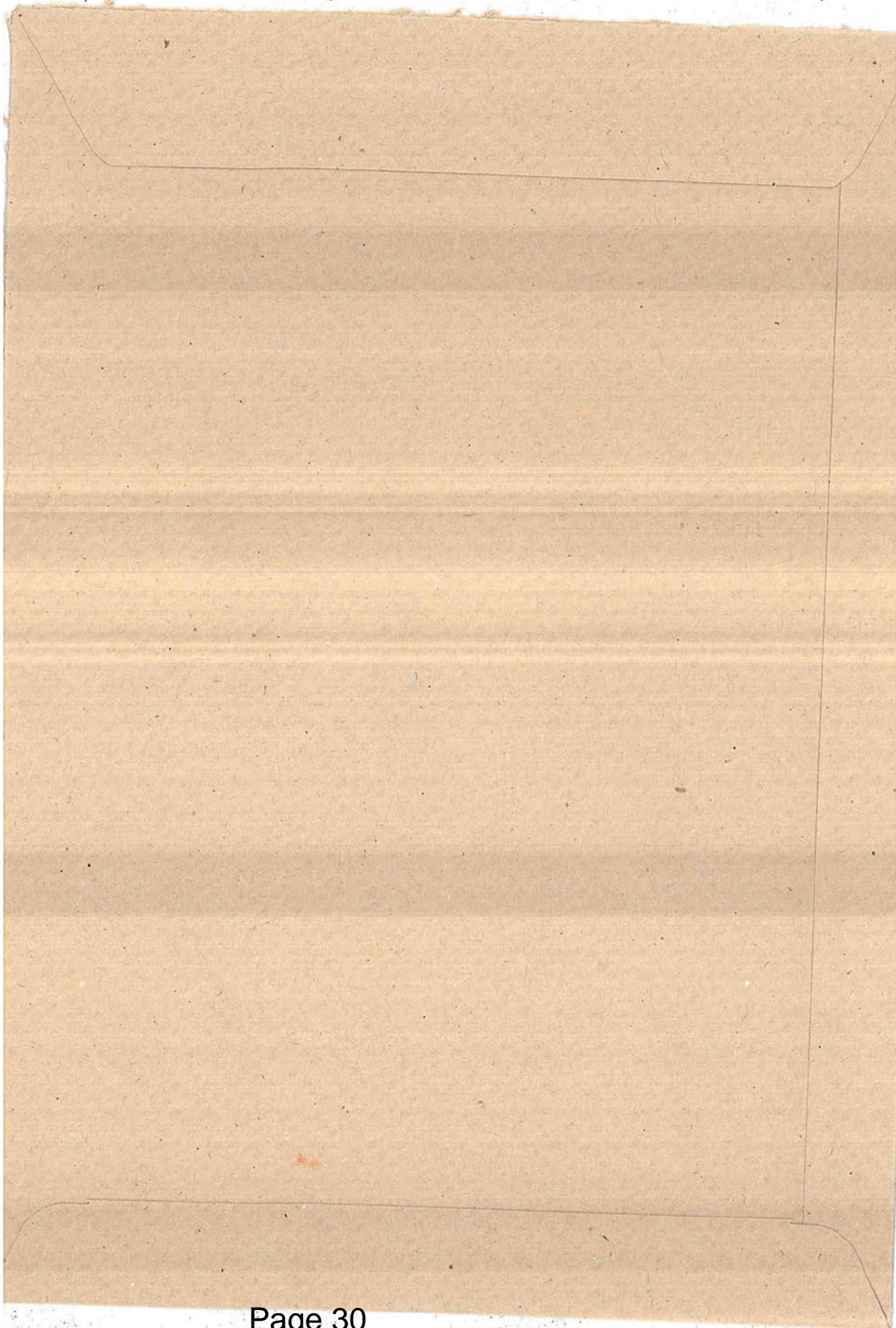
Sheffield City Council

Town Hall

Sheffield

SI 2HH

By hand





Highway Records

Operational Services

Howden House • 1 Union Street • Sheffield • S1 2SH

e-mail: mark.reeder@sheffield.gov.uk

Director: Richard Eyre

Officer: Mark Reeder

Tel: (0114) 474 2509

Ref: HM/HR4089 /MNR

Date: 25 January 2023

[Redacted]

Dear [Redacted]

Proposed Closure of the Public Right of Way Linking Cobden View Road and Northfield Road. Ref. LS/RC/3950160

Thank you for your letter of objection to the proposal to close the “public” path linking Cobden View Road and Northfield Road. I would like to take this opportunity to address the points that you have raised.

For the purpose of the planning application, and the subsequent footpath Order we have considered the path to be public. However, it should be noted that until the path is added to the Definitive Map and Statement no public rights will formally exist. We are aware of the claim (which is not yet finalised) that has been submitted under Schedule 14 of the Wildlife and Countryside Act 1981 and it is due to the strength of that claim that we are treating the path as though it were public. This was acknowledged in the Planning Officer’s report (submitted to the Planning and Highways Committee for the meeting held on the 14th June 2022, and included at pages 41-75 of the agenda) that states at page 70:

“Lastly, a path crosses the site that currently has no public status. It can’t be used due to the placement of hoardings around the site. It has clearly been well used down the years, with at least 30 years usage. As such, it could easily be claimed as a public footpath. Indeed, the Council is currently dealing with a claim that the footpath is public. For the purposes of this planning application, the path will be treated as a public footpath. If planning permission is granted, the path would need to be formally closed under Section 257 of the Town & Country Planning Act. This process invites objections, which if they remain unresolved, a decision on the path’s closure would be taken by a Planning Inspector. Development can’t take place until the path has been formally closed. The Highway Authority, when consulted, is unlikely to object to the closure as the feeling is that the alternative route is a reasonable one and not excessively longer.”

Therefore, I hope that you will agree that it was not the case that the Planning and Highways Committee were unaware of the existence of the path and were able to

consider this as part of their decision made at that meeting. An extract of the report is enclosed as Appendix A.

It is correct that where an objection is made it is only likely to be upheld where it is considered that closure of a footpath is unnecessary to facilitate development. Though I note that your objections do not refer to this. In a situation where objections are raised (regardless of the reason) and are not withdrawn, the making of the Order must be referred to the Secretary of State (SoS). The SoS will appoint an Inspector to look at the objections and decide how best to deal with the matter, either by written representation or by a public inquiry. Where multiple objections are received it is likely to be the latter. Though there appears to have been very strong public objection to the planning application, only one objection has been received in relation to the proposed footpath closure.

The applicant did not declare the footpath in their application as it was not considered public at that time, and as far as they were aware it was private.

On the 13th of September 2022 a further report was submitted to the Planning and Highways Committee seeking approval to make the Order closing the footpath under Section 257 of the Town and Country Planning Act and that report can be seen in the extract included as Appendix B.

The powers to close a public path are limited to Section 118 of the Highways Act 1980 and Section 247 (where all-purpose highway is included within an application) and 257 of the Town and Country Planning Act 1990. Though the processes are similar the test is quite different. In the case of this application the test applied to Section 118 of the Highways Act, that it is unnecessary for public use, does not apply, and the public use of the path has been considered during the planning decision process.

This application has been made on the grounds that it is necessary to facilitate a development for which planning permission has been granted. There can be no argument that this is not the case as the approved development cannot go ahead without the removal of the path. Consequently, unless objections are removed, we have no option other than to refer the making of the Order to the Secretary of State, subject to approval being granted by the Planning and Highways Committee.

I hope that you will agree that, given the above, no part of the process has been irregular. I hope that you will consider my response and give some consideration to removing your objection. If you wish to discuss this further, please do not hesitate to contact me.

Yours sincerely

Mark Reeder

Acting Principal Engineer

Highway Records and Address Management



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Head of Planning

Date: 14th February 2023

Subject: Tree Preservation Order No. 461
3 Westbourne Road, Sheffield, S10 2QQ

Author of Report: Vanessa Lyons, Community Tree Officer (Planning).

Summary: To seek confirmation of Tree Preservation Order No. 461

Reasons for Recommendation

To protect a tree of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 461 should be confirmed unmodified.

Background Papers:

- A) Tree Preservation Order No. 461 and map attached.
- B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached
- C) Images of the tree
- D) Appraisal of the Broomhill Conservation Area

Category of Report: OPEN

CITY GROWTH SERVICE

REPORT TO PLANNING & HIGHWAYS COMMITTEE

14th November 2023

3 Westbourne Road, Sheffield, S10 2QQ

TREE PRESERVATION ORDER NO. 461

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.461

2.0 BACKGROUND

- 2.1 Tree Preservation Order No.461 ('the Order') was made on 13th October 2022 to protect a lime tree which stands within the rear garden of 3 Westbourne Road. A copy of the Order, with its accompanying map, is attached as Appendix A.
- 2.2 T1 (as described in the Order) is positioned to the east of 3 Westbourne Road, in a disused portion of garden. The tree stands directly adjacent to a retaining wall which separates the garden of 3 Westbourne Road from 461 Glossop Road, and the upper canopy of the tree overhangs this address. The tree is partially visible from the vantage point of Glossop Road and visible to houses which surround the tree, namely those on Westbourne Road and Melbourne Avenue. Images of the tree can be seen at Appendix C. The tree is located within the Broomhill Conservation Area, so is already protected to a limited extent by Section 211 of the Town and Country Planning Act 1990.
- 2.3 The tree was the subject of a section 211 notice (reference 22/03158/TCA) received on 25 August 2022. The notice was submitted by a tree surgeon, acting as the agent for the owner of the tree, and stated the intention to remove the tree following complaints from the owner of 461 Glossop Road that the tree was "too large and oppressive" - the tree was therefore deemed to be at risk of being removed.
- 2.4 In response to the section 211 notice, the tree was inspected on the 27th of September 2022, with a view to determining whether the removal of the tree was appropriate. The tree was found to be a large diameter specimen, in good health, with no visible outward defects barring a torn-out limb to the south of the tree. While the tree does overhang the property at 461 Glossop Road, it does so at height, and does not touch the fabric of the building, nor obstruct access to the garden.
- 2.5 The tree was assessed on 28th September 2022 using a Tree Evaluation Method for Preservation Orders (TEMPO) assessment. The tree scored 15 points producing a clear recommendation for protection. A summary of the TEMPO can be found in Appendix B. As the tree is visually prominent and contributes to the character of the conservation area, its retention was

assessed as being desirable. It was therefore deemed expedient in the interest of amenity to make the tree subject to a Tree Preservation Order. The Order was subsequently made on 13th October 2022.

2.6 On 21st October 2022 the tree was subject to an application (reference 22/03863/TPO) for the Council's consent to carry out works to the now protected tree. The application sought to pollard or remove all the canopy from the tree. This application was refused on the grounds that the level of pruning was considered excessive with regards to the reasons put forward in support of it (to alleviate shade) and that the proposed work, going beyond recommendations for canopy reductions as stated within British Standards guidelines, would be detrimental the health and amenity of the tree.

2.7 Objections.

No duly made objections have been received.

3.0 VISUAL AMENITY ASSESSMENT

Visibility: The tree has reasonable public visibility, standing in the eastern most portion of the garden at 3 Westbourne Road, where the tree can be seen from surrounding properties on Westbourne Road, Glossop Road and Melbourne Avenue. The tree is partially visible from the public vantage point of Glossop Road. Images of the tree can be found at Appendix C.

Condition: The tree is a large diameter specimen which, judging from the appearance of its canopy has previously undergone heavy pruning, but since re-grown a large, predominantly upright canopy. The stem of the tree leans towards the retaining wall to its north, but rights itself higher up, and it is likely that this growth pattern is a result of the tree growing away from the shade created by an adjacent horse chestnut to the south of the tree. The stem of the tree is ivy covered, which prevented a visual inspection of the upper stem and main branch unions. Barring a torn-out limb in the southern portion of the canopy, the tree had no visible, outward defects at the time of inspection, and appeared of good health and vitality.

Longevity: A local resident remarked that the tree was small when she moved to the area 40 years ago, indicating the tree has possibly reached maturity within that time. As a species noted for its longevity, reaching ages of between 200 to 300 years when growing in suitable conditions, the tree likely has decades of life ahead of it, particularly considering that the portion of garden in which it sits is disused, meaning the tree has adequate space to grow, unimpeded by intervention. Although the tree has been assessed on TEMPO as having a 20-to-40-year life span, this is a very conservative estimate and it likely has a retention span exceeding this.

Contribution to the conservation area: Local authorities must pay attention to the desirability of preserving or enhancing the appearance of the conservation area. In an appraisal of the Broomhill conservation area, included in Appendix D, trees are noted as being a vital part of the conservation area's identity,

enhancing the setting of the buildings, softening the suburban landscape and giving the conservation area a distinctive sylvan character.

Expediency: The tree is subject to a section 211 notice signalling the intention of the homeowner to remove the tree.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no environmental and property implications based on the information provided.

5.2 Protection of the trees detailed in Tree Preservation Order No.461 will benefit the visual amenity of the local environment.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7.0 LEGAL IMPLICATIONS

7.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (Section 198, Town and Country Planning Act 1990).

7.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the Order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.

7.3 The local authority may choose to confirm a TPO it has made. If an Order is confirmed, it will continue to have legal effect until such point as it is revoked. If an Order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.

7.4 A local authority may only confirm an Order after considering any representations made in respect of that order. No objections have been received in respect of the Order.

8.0 RECOMMENDATION

8.1 Recommend Provisional Tree Preservation Order No.461 be confirmed.

Michael Johnson, Head of Planning,

3rd February 2023

Appendix A. Tree Preservation Order No.461 and map

Tree Preservation Order
Town and Country Planning Act 1990
The Tree Preservation Order No 461 (2022)
3 Westbourne Road, Sheffield, S10 2QQ

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No 461 (2022) – 3 Westbourne Road, Sheffield, S10 2QQ.

Interpretation

2. (1) In this Order "the authority" means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect


3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.


Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated 13TH OCTOBER 2022

EXECUTED AS A DEED)
By Sheffield City Council)
whose common seal was)
hereunto affixed in the presence of)


David Sellars
DUTY AUTHORISED SIGNATORY



SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Common lime (<i>Tilia x europaea</i>)	SK 33427 86719

Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

Groups of trees

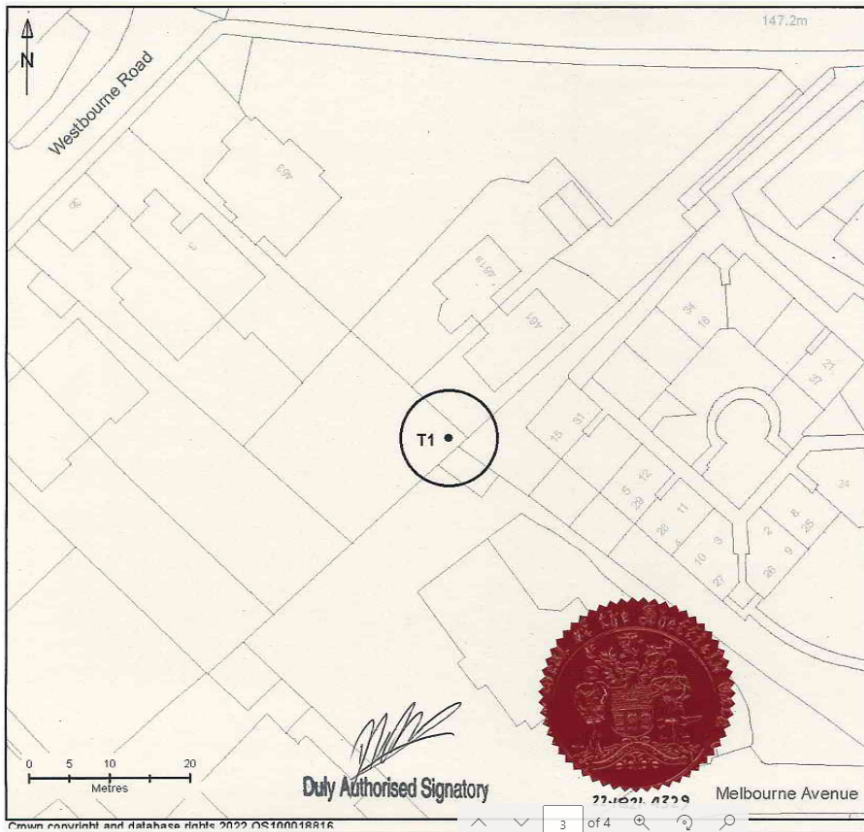
(within a solid red line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
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Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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Sheffield City Council Parks & Countryside Service		
TREE PRESERVATION ORDER No. 461		
Drawing No. A4/808/461		
Site address 3 Westbourne Road Sheffield S10 2QQ		
Scale: 1:500 @ A4		
Drawn by MB	Date: 30/09/2022	
Trees specified individually (circled in black on the plan)		
T1: Common lime (<i>Tilia x europaea</i>)		
Trees specified by reference to an area – None		
Trees specified by reference to a group – None		
Trees specified by reference to a woodland – None		
SK 33427 86719		
Measurements shown approximately		

Appendix B. Tree Evaluation Method for Preservation Orders (TEMPO) assessment

**TREE EVALUATION METHOD FOR PRESERVATION
ORDERS - TEMPO**

SURVEY DATA SHEET & DECISION GUIDE

Date: 28.09.22	Surveyor: Vanessa Lyons
----------------	----------------------------

Tree details	Tree/Group T1	Species: Tilia x europaea- Common lime
TPO Ref 461	Location: 3 Westbourne Road, S10 2QQ	
Owner (if known): Mr Downing		

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

** Relates to existing context and is intended to apply to severe irremediable defects only*

Score & Notes 4.

Previously pruned, torn-out branch to south when viewed from 461 Glossop Road. Ivy precluded inspection of main union. Slight lean to the lower trunk which rights at a higher level, and asymmetric crown, both due to location next to a horse chestnut. Good vitality.

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

**Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality*

Score & Notes

2. A local resident remarked that the tree was small when she moved to the area 40 years ago, indicating the tree has possibly reached maturity within that time and, as a long-lived species growing in suitable ground, likely has several decades of life ahead of it.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|--|-----------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
|--|-----------------|

Score & Notes

3. Limited view from Glossop Road. Tree overlooked by numerous private residences and businesses

- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

Score & Notes 1
--

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

Score & Notes 5
--

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total: 15

Decision: TPO defensible
--

Appendix C. Images of the tree



Images of the tree, which is shown here behind 461 Glossop Road. Pictures taken from the entrance of the drive where it connects with Glossop Road, and from halfway along the drive leading to the property.



View of the tree from the entrance to West Mount, Glossop Road

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Broomhill

CONSERVATION AREA APPRAISAL

December 2007



A P P R A I S A L

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1.0 Introduction

Purpose of the appraisal
Summary of special interest

2.0 The Planning Policy Context

Local planning policy

3.0 Location and Setting

Location and context
The effect of historical development on plan form;
settlement pattern

4.0 Landscape Setting

Topography and relationship to surroundings

5.0 Historic Development and Archaeology

Archaeological significance
Origins and historic development

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Key views and vistas
The character of spaces within the area

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Activities/uses
Urban structure and movement
Architectural and historic character
Buildings of Townscape Merit
Public realm: Floorscape, street lighting and street furniture
Green spaces, trees and other natural elements
Local details and features

Character areas:

Area 1- Residential north-west quadrant formed within Taptonville, Fulwood and Hallamgate Roads;

Area 2 - Commercial core of Broomhill in Fulwood Road, Witham Road and Glossop Road;

Area 3 - Terraced streets and houses in the north-east quadrant north and south of Witham Road;

Area 4 - South-east quadrant east and west of Glossop Road including Beech Hill Road and Watson Road;

Area 5 - Residential south-western quadrant between Fulwood Road, Glossop Road and Clarkehouse Road.

8.0 Issues

Strengths
Weaknesses
Broomhill Conservation Area boundary review

Bibliography

List of Photographs

Useful Contacts and Addresses

Townscape Appraisal Map

Character Area Map

After a period of public consultation Sheffield City Council adopted this conservation area appraisal and the accompanying management proposals for Broomhill on 17th December 2007, which means they are now a material consideration in the determination of planning applications in the area.

BROOMHILL CONSERVATION AREA APPRAISAL

1.0 Introduction

Purpose of the appraisal

1.1 This appraisal seeks to record and analyse the various features which give the Broomhill Conservation Area its special architectural and historic interest. The area's buildings and spaces are noted and described, and marked on the Townscape Appraisal map along with listed buildings, buildings of townscape merit, significant trees and spaces, and important views into and out of the conservation area. There is a presumption that all of these features should be "preserved or enhanced", as required by the legislation.

1.2 This appraisal builds upon national policy, as set out in PPG15, and local policy (2.4 - 2.7). It provides a firm basis on which applications for development within the Broomhill Conservation Area can be assessed.



Nos. 50 and 52 Westbourne Road

1.3 To be concise and readable, the appraisal does not record all features. The omission of any feature from the text or accompanying maps does not, therefore, mean that it is not of interest or value.

Summary of special interest

1.4 The Broomhill Conservation Area was designated on 2nd March 1977.

1.5 The special interest that justifies designation of the Broomhill Conservation Area derives from the following features:

- The architectural and historic interest of the area's 19th century buildings, at least 20 of which are listed buildings;
- Good examples of 19th century middle-class villas in Gothic and Classical style;
- Good examples of a variety of 19th century terraced houses;
- Planned development in 'Victoria Park' i.e. Westbourne Road and Southbourne Road, and Rutland Park;
- Former homes of some of the prominent figures in 19th century Sheffield;
- Work by many prominent local architects, e.g. Flockton & Abbott;
- Cohesive architectural harmony of Taptonville Road and Taptonville Crescent, including iron railings, old lamp columns, stone floorscape and grassy crescent;
- Planned architectural composition of The Mount and King Edward VII School, which together with the General Cemetery (across the valley), forms what the Pevsner Architectural Guide to Sheffield calls "the one monumental Neo-classical composition in Sheffield."
- The prevalent use of local stone for buildings, boundary walls, gate piers and floorscape;

- Widespread tree coverage with mature deciduous and evergreen trees, shrubs and green boundary hedges
- St Mark's Church and Crescent;
- Historic ensemble of Etruria House and Pisgah House, off Crookes Road;
- Summerfield, a good example of a formal arrangement of houses and open space, with nos. 6-20 Ashgate Road;
- Views out of the conservation area over Porter Valley (southwards) and views into the conservation area (northwards);
- Remnants of a historic floorscape including stone setts in rear access lanes, long lengths of natural stone kerbs, stone paving in Watson Road and stone setted entrances to large villas;

1.6 Local details that collectively and individually help to give Broomhill a distinctive identity, e.g. stone boundary walls, gate piers, old lighting columns, cast iron sewer gas lamp, Queen Victoria red pillar box and street name signs;



Nos. 7-11 Summerfield



Railings beside St Mark's Church, Beech Hill Road

2.0 The planning policy context

2.1 Conservation areas are designated under the provisions of Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. A conservation area is defined as “*an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*”. It is the quality and interest of an *area*, rather than that of individual buildings, which is the prime consideration in identifying a conservation area.

2.2 Section 71 of the same Act requires local planning authorities to formulate and publish proposals for the preservation and enhancement of any parts of their area, which are designated as conservation areas. Section 72 specifies that, in making a decision on an application for development in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

2.3 This document should be read in conjunction with national planning policy guidance, particularly Planning Policy Guidance Note 15 (PPG 15) – Planning and the Historic Environment. The layout and content follows guidance produced by English Heritage, the Heritage Lottery Fund and the English Historic Towns Forum.

Local planning policy

2.4 This appraisal provides a firm basis on which applications for development within Sheffield City can be assessed. It should be read in conjunction with the wider development plan policy framework produced by Sheffield City Council. That framework is set out in a number of documents, notably:

2.5 The *Unitary Development Plan (UDP)* which is the statutory development plan for Sheffield, adopted in March 1998.

2.6 The *Sheffield Development Framework (SDF)* will be the City's portfolio of local development documents, collectively delivering the spatial planning strategy for the whole of the Sheffield District except for the area in the Peak Park. Once adopted, the SDF will replace the Unitary Development Plan (UDP).

2.7 The *Sheffield Urban Design Compendium*, a design guide primarily for the City Centre, although much of the design guidance is relevant throughout the rest of the city. The compendium provides information for designers, and sets out strategic information at a city wide level. It provides guidance relating to the specific parts of the city, for both the built form and public realm.



Entrance to Ashdell

3.0 Location and setting

Location and context

3.1 The Broomhill Conservation Area is located in the suburbs of Sheffield about 2km west of the city centre. It lies in a wholly urban setting just north of a public park, the Botanical Gardens.



Ordnance Survey map showing location of Broomhill Conservation Area in Sheffield

The effect of historical development on plan form; settlement pattern

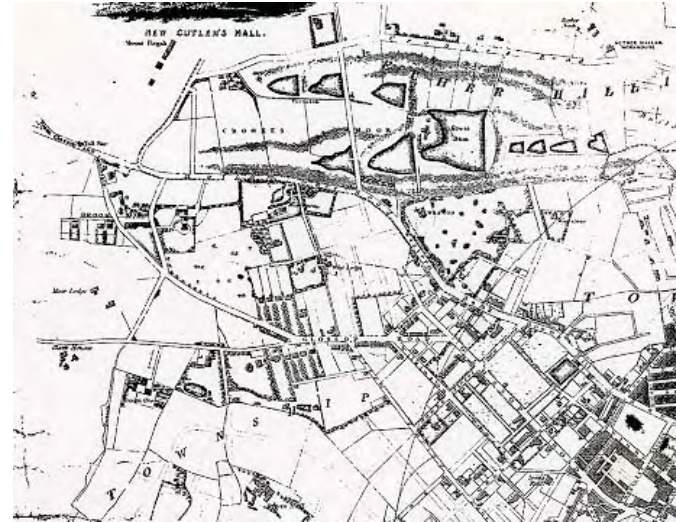
3.2 The conservation area's haphazard street network derives from the sloping topography of the landscape and the piecemeal imposition of new residential roads on an earlier pattern of country lanes and the toll road to Glossop, completed in 1821.

3.3 Today's Clarkehouse Road and Fulwood Road follow the course of two old western routes into Sheffield. Clarkehouse Road rose from a crossing over Porter Brook; Fulwood Road followed a contour along the hillside from Fulwood.

3.4 Fairbanks' map of 1795 shows these roads connected by a north-south road, today's Newbould Road. Broom Hill, standing in open countryside, is marked on the east side of this forerunner of Newbould Lane. It was the only significant property in Crooks Moor. Broom Hill was a large house built c.1790 by William Newbould who owned an adjoining estate of some 30 acres, much of it part of today's conservation area. The 1795 map also shows a country lane proceeding northwards, today's Crookes Road.



Extract from Fairbanks map of 1795



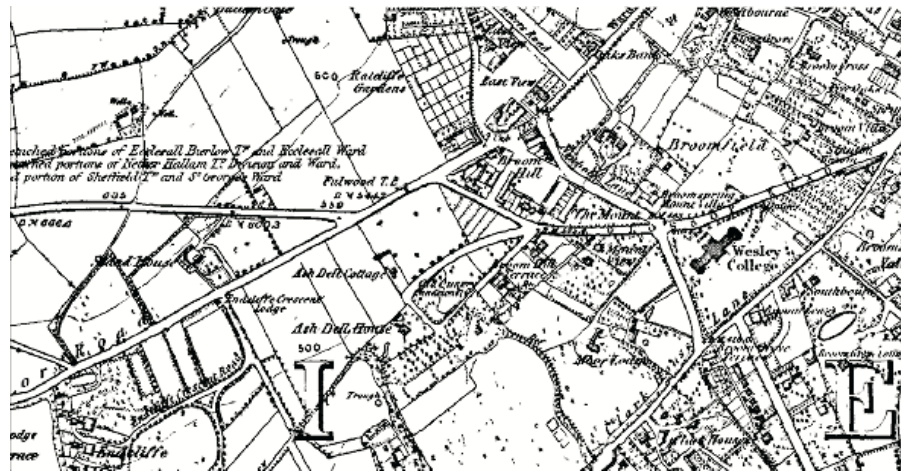
Extract from Taylor's map of 1832



No. 109 Ashdell Road

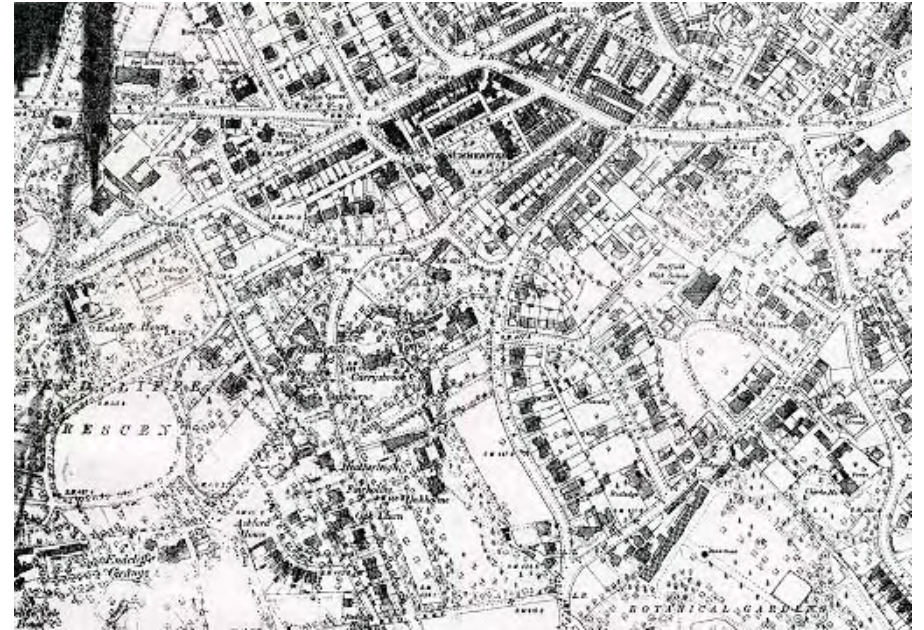
3.5 The catalyst for change in the Broomhill area was the opening of the toll road to Glossop in 1821. This road, built after an act of parliament passed in 1818, had been promoted by leading businessmen who wanted a better road to Manchester. It followed a north-westerly course across the land between Fulwood Road and Clarkehouse Road intersecting Newbould Lane at about its mid-point just below (south of) Broom Hill House. The new layout is marked on Taylor's 1832 map which also shows the beginnings of house building at the eastern end of today's Westbourne Road. The stage was now set for the development of the area into what we now know as Broomhill.

3.6 Map evidence from 1855 illustrates the rapid growth of the area. Parkers Road, Broomfield Road, Peel Road and the eastern ends of Westbourne Road and Ashdell Road had been laid out. Wesley College (King Edward VII School), The Mount, and Mount View (No. 1 Melbourne Avenue) had been built as well as other less prestigious developments. The map also shows the nearby planned developments of Endcliffe Crescent c.1828 and Broomhall Park c. 1851 but there are still wide open spaces between Fulwood Road and Clarkehouse Road.



Extract from Ordnance Survey map of 1855

3.7 Growth continued as land-owners sold off land for development. Nearly ten years later, W. White's map of 1863 shows the addition of Ashgate Road, Ashdell Road and the 'Victoria Park' development of Westbourne Road and Southbourne Road. Watson Road had been laid out and, north of Fulwood Road, the three parallel streets of Taptonville Road, Lawson Road and Sale Road are almost built out. The conservation area's street network was complete by 1890 and has only been affected by recent highway arrangements to prevent the modern practice of 'rat-running'.



Extract from Ordnance Survey map of 1892

4.0 Landscape setting

Topography and relationship to surroundings

4.1 The conservation area lies on the south-facing slope of a hill that descends to Porter Brook. The general direction of the fall of the land is to the east and south-east. Within the conservation area, Fulwood Road/Witham Road and Clarkehouse Road follow roughly level courses along the contours in a south-west to north-east direction. There is therefore a marked difference between the sloping streets in the conservation area (e.g. Taptonville Road, Crookes Road and Newbould Road) and those that remain on the level (e.g. Melbourne Avenue and Broomfield Road). Some longer streets begin on the level, then rise or fall to join with one or other of the three major routes through the area

(e.g. Westbourne Road and Ashdell Road, the former linking Clarkehouse Road to Glossop Road, the latter linking Fulwood Road and Glossop Road). The changes of level serve to provide an interesting and ever-changing townscape throughout the conservation area. One characteristic of the conservation area is a small number of buildings that have apparently turned their backs to the thoroughfare but are simply oriented to gain a south-facing aspect, for example nos. 329/331 Fulwood Road.

4.2 The conservation area is a Victorian suburb that is embedded in the western expansion of Sheffield. Directly to the south-west, with a contiguous boundary, lies the Endcliffe Conservation Area. Directly to the south-east lie the Broomhall and Hanover Conservation Areas. These four conservation areas (Hanover, Broomhall, Endcliffe and Broomhill), and Ranmoor to the east and Northumberland Road to the west, are notable 19th century middle-class suburbs with similarities of architectural character but with distinctive local identities.



Westbourne Road (north side)

4.3 The north-west boundary of the Broomhill Conservation Area is formed by Hallamgate Road beyond which development has a markedly 20th century character and appearance. To the north-east, modern hospital buildings define a strong edge to Broomhill's overall 19th century character and appearance.

5.0 Historic development and archaeology

Archaeological significance

5.1 Although the Sites and Monuments Record and the South Yorkshire Archaeology Service's Historic Environment Characterisation Study cannot be regarded as definitive or comprehensive, data from both sources indicates possible Roman activity in the area.

5.2 The whole of the conservation area therefore has archaeological potential above and below the ground, and it is likely that further consideration will need to be given to the effect of applications for substantial new development.

Origins and historic development

General

5.3 At the beginning of the 18th century the town of Sheffield consisted of thirty five streets, lanes and passages and the population was less than 10,000. Sheffield did not begin to expand beyond its ancient limits until after 1780 when the town's population rapidly increased to keep pace with industrial expansion based on the production of engineering and tool steel and Old Sheffield Plate (a fusion of silver and copper).

5.4 The fast growth in population resulted in the building of a wide expanse of back-to-back working class houses mingled with industrial yards, mainly built on the colder, northern slopes of Sheffield's hills. Sanitation was poor and disease was commonplace.

5.5 In contrast, the higher, south-facing slopes west of the town centre proved attractive to the successful middle class business community who chose to build their large dwellings in Broomhall, Broomhill, Endcliffe and Ranmoor.

5.6 By 1841 Sheffield's population had grown to nearly 110,000 and in 1843 the town was incorporated as a Borough. As the 19th century progressed, civic and commercial buildings, hospitals, schools, parks and churches were

opened. In 1893 Sheffield was made a city. By 1914 Sheffield had become the largest city in Yorkshire, with a university and a cathedral and a population of over 455,000.



Nos. 13 and 15 Taptonville Road



Etruria, No. 91 Crookes Road

Broomhill

5.7 The Broomhill Local History Group has carried out much research into the area and the following short history relies heavily on their work and publications.

5.8 Most of what is now Broomhill was used as the Crookesmoor Racecourse from 1711-1781, the races only being discontinued when the common lands were enclosed between 1778 and 1789. Part of Fulwood Road was used for the Crookesmoor race course.

5.9 Broomhill lay in Nether Hallam, the common land of which was enclosed in 1791. The suburb takes its name from the house built by William Newbould on land to the east of Newbould Lane in the 1790s.

5.10 A few more large houses were built during the next 30 years, but the key to the development of the area was the opening of the turnpike to Glossop in 1821. Terraces as well as bigger houses followed the road and the first back-to-back houses were built in Peel Street in 1827. Houses also crept down from Crookes as far as Hoole Road.

5.11 By the early 1830s Broomhill had five public houses and a few shops. Whilst growth was steady, the 1840s were years of depression and growth only really resumed in the 1850s when the land above and along Fulwood Road was developed.

5.12 Most of the former household names in the steel and cutlery industry lived or passed through Broomhill, as did many of the founders of the stores in town, brewers, solicitors and medical practitioners. There was always a fairly substantial population of artisans and small shopkeepers, to service the bigger houses.

5.13 The shopping centre was the best suburban one and probably reached its peak during the Second World War when several stores and shops that had been bombed out in the city came to Broomhill, the foremost being John Walsh, which moved into the Mount.

5.14 During the last fifty years Broomhill has seen many changes associated with the general economy of the city, growth of car ownership and altered patterns of shopping. The most significant change has been the growth of Sheffield University and other educational establishments.

5.15 At the time of writing, a major 'Student Residences Strategy' has been developed by the University which, according to its website, will "provide a range of accommodation which suits student requirements and expectations, whilst also returning houses of multiple occupancy back into residential use to enhance the unique character of our City. With planning permission granted by Sheffield City Council in May 2005, and the final plans approved by the University's own Governing Council in November 2005, construction begins in early 2006 with the target for completion of the 2008/9 academic year."

6.0 Spatial analysis

Key views and vistas

6.1 The haphazard road network and the overall south-eastern fall in the land resulted in ever-changing views as one passes through the conservation area. There are no designed vistas but many of the area's key buildings have a spacious setting enabling a good appreciation of their façade, for example King Edward VII School, nos. 6-20 Ashgate Road and No. 1 Melbourne Avenue can be readily appreciated from a public viewpoint. Similarly, the buildings around the planned crescents of Summerfield, Taptonville Crescent and St Mark's Crescent have an open, well tree'd setting. Unfortunately, mention must be made of The Mount, an impressive Classical building whose façade is spoiled by modern split level car park directly in front.

6.2 The spire of St Mark's is a key landmark in the eastern half of the conservation area but so too is the multi-storey Royal Hallamshire Hospital, often both seen in the same view. Other focal buildings are the former York Hotel and the new Baptist Chapel in Fulwood Road, King Edward VII School and The Mount.



No. 1 Melbourne Avenue

6.3 As the conservation area has a pronounced slope to the south east, from the 'upper' part of the area (e.g. Lawson Road and Sale Road) there are views across the Porter Brook valley to Brincliffe. Conversely, from the 'lower' part of the conservation area there are occasional upward views of Broomhill's buildings spilling down the slope.

6.4 The Mount and King Edward VII School were designed to be seen from across the Porter Valley. King Edward VII School was built in the same year as the General Cemetery and from the steps in front of the cemetery's Nonconformist chapel that is a framed view of the School and Botanical Gardens. It has been suggested that the cemetery chapel, The Mount, King Edward VII School and the glasshouses of the Botanical Gardens, all built within three years of each other, were intended to form elements in a classical landscape, carefully designed to relate visually to one another.

The character of spaces within the area

6.5 The Broomhill Conservation Area is characterised by large houses, detached and semi-detached, in large plots of land. Short rows and terraces are also common.

6.6 Within this large, diverse conservation area there is a mix of densities and a mix of housing types. Generally speaking, the highest density is found in the north-east corner of the conservation area which contains a tight pattern of mostly terraced houses with small gardens. Being the commercial core of the area, density along Fulwood Road remains high but as one progresses westward and southward there is a greater proportion of detached and semi-detached properties, many with large gardens and a considerable set-back from the road.



Open space within St Mark's Crescent

6.7 The spacious quality of the south and west quarters of the conservation area is increased by school playing fields and the university's open space south of Stephenson Hall. Trees and other greenery often obscure views through the wide gaps between many buildings.

6.8 The area is crossed by many roads. Characteristically, the rear gardens of roadside development back up closely against the rear gardens of adjoining development and consequently there is little opportunity for backland development. The only notable instances are Taptan Mount Close and Chesterwood Drive, both modern. Modern infill is limited and consists mainly of late 20th century university building.

7.0 Definition of the special interest of the conservation area

Activities/uses

7.1 Broomhill evolved as a middle-class residential suburb from c.1830 onwards. As the population grew, so too did the need for commercial, educational and religious buildings. By the end of the 19th century when Broomhill was effectively built out, it contained, amongst others, a commercial and shopping core along Fulwood Road, King Edward VII School (1836), Girls High School (1884), St Mark's Church (1868-71) and Broompark Congregational Church (1864). Sheffield University received its charter in 1904.

7.2 Today, the conservation area contains a similar suburban mix of residential, commercial, educational and religious uses but with a greater emphasis on educational uses. The growth in educational uses has arisen from the expansion of Sheffield University and expansion of primary and secondary schools such as King Edward VII School, Westbourne School, Birkdale School and the Girls High School. They have re-used former dwellings such as Oakholme (university) and all have also built new buildings such as additional classrooms at Westbourne Preparatory School. New and re-used buildings and increased student numbers have had a significant effect on the Broomhill Conservation Area. The student population of Broomhill (an area larger than the Broomhill Conservation Area) was apparently 40% in 2001.



Nos. 483-497 Glossop Road

7.3 The characteristic large Victorian villas are not ideally suited to modern living and, in addition to educational uses, many have been converted to offices, mainly professional services, or have become houses in multiple occupation, many for students, some as 'luxury residential apartments'.

7.4 The conservation area contains five pubs and a nightclub, all located within the commercial core. There are also at least six places of worship located within the boundary. A small car workshop off Turner's Lane is the only industrial activity. The commercial core is also home to a large number of shops, many of which are independent retailers, and is home to the areas largest concentration of office accommodation.

7.5 The main routes through the area busy with traffic, especially during the rush hour, and pedestrians may find Fulwood Road noisy and difficult to cross. However, away from the main roads there is a generally quiet atmosphere. Birdsong enhances the tranquillity of the leafier areas. There is a steady hum from the Royal Hallamshire Hospital that can be heard in the vicinity of Beech Hill Road.

Urban structure and movement

7.6 The conservation area contains a complex network of roads most of which were laid out in a piece-meal fashion beside ancient lanes. By car, at least, the area is difficult to read, especially now that certain roads have been made one-way or have become cul-de-sacs.

7.7 The three main routes through the area are Fulwood Road, Clarkehouse Road and Glossop Road. They are well served by public transport. The most significant nodal point is below The Mount where, in effect, six roads meet at a noisy, controlled crossroad.

7.8 Away from the main routes, traffic is light and almost all the roads have parked cars on either or both sides. Pedestrian permeability through the area is almost entirely dependent on roads but there are a small number of pedestrian alleys. There are a number of traffic calming measures in place, e.g. 20 mph zone, raised entrance plateaux and speed bumps, which aim to

restrict traffic speed and discourage 'rat-running'. Whilst these may achieve their aims, the visual effect on the conservation area is not always attractive.

Architectural and historic character

7.9 Whilst there are some large 20th century buildings in the Broomhill Conservation Area, it is the 19th century developments which give the area its special character. There are several individual buildings of note including St Mark's Church, Girls High School, The Mount and King Edward School, but it is stone Victorian villas, semi-detached houses and terraces that best characterise the area.

7.10 The Mount (1830-2) and King Edward VII School (1837-40) were both designed by William Flockton. The former has a seventeen bay façade with an Ionic giant portico of six columns carrying a pediment; the latter is twenty-five bays wide with a pedimented centre of seven bays with eight giant Corinthian columns.



Nos 266 and 268 Fulwood Road

7.11 Villa development in the 19th century tended to adopt a Gothic or Classical style. Gothic style is richly detailed with a solid appearance, often asymmetrical in form and commonly embellished with gables, decorated bargeboards, dormers and bay windows. The Classical influence is more restrained with simpler, more symmetrical elevations and shallow pitched roofs. For example No. 11 Broomfield Road c.1875 is an ornate Neo-Gothic villa with tower, two storey canted bay and elaborately decorated bargeboards whilst Nos. 9-19 Taptonville Road are six semi-detached villas c.1851 without a trace of such embellishment.

7.12 In addition to fine detached and semi-detached houses, the conservation area is notable for a range of large and small terraces or short rows. Ash Mount, Nos. 6-20 Ashgate Road c. 1860 is a grand eight-house brick terrace of three storeys. Opposite, Summerfield is a similarly scaled development of two large terraces of 1869-70. More modest terraces can be seen in Whitham Road and Nile Street.



Nos. 6-20 Ashgate Road

7.13 Buildings from the last quarter of the 19th century begin to show the influence of the Arts and Crafts Movement and streets such as Rutland Park are a good illustration of this trend. Sheffield High School for Girls, 1884 by Tanner & Smith, has three big half-timbered gables with four chimneys flanking them, a significant change in style from King Edward VII School.

7.14 With the exception of St Mark's Church, rebuilt in 1958-63 following bomb damage in 1940, the conservation area's 20th century architecture is unremarkable. The Pevsner Architectural Guide to Sheffield says that the church "brilliantly succeeds in balancing a sympathy for Gothic form with the smooth, hard, mechanical forms of Modernism, drawing a logical progression from the work of Lethaby, Randall Wells and Prior".

Key unlisted buildings - Buildings of Townscape Merit

7.15 Marked on the Townscape Appraisal map for the Broomhill Conservation Area are a number of *unlisted* buildings which have been judged as making a positive contribution to the character and appearance of the conservation area. This follows advice provided in English Heritage guidance on conservation area character appraisals, and within Planning Policy Guidance Note 15 (PPG15), both of which stress the importance of identifying and protecting such buildings.



Nos. 456-466 Glossop Road



Nos. 116-126 Whitham Road
(Dalkeith Terrace)

7.16 The buildings are considered to be good, relatively unaltered examples of their type, where original materials and details, and the basic, historic form of the building, has survived. Where a building has been adversely affected by modern changes and restoration is either impractical or indeed, not possible, they are excluded. There is a general presumption in favour of retaining all Buildings of Townscape Merit, as set out in PPG15.

Public realm: Floorscape, boundaries, street lighting and street furniture

7.17 The public realm is generally modern. The three main roads through the area (Fulwood, Clarkehouse and Glossop Road) are filled with the signs, road-markings, traffic lights etc required to ensure traffic flow and highway safety. Many of the carriageways in the conservation area retain historic stone kerbs but pavements are mostly black tarmac occasionally interrupted by stone setts marking the entrance, through stone gate piers, to private property. Chandos Street and rear access streets like Ashdell Lane, Ashgate Lane and Hoole Lane retain a historic floorscape of stone setts. Watson Road has a pavement (south side) of stone slabs, the only instance of stone paving in the conservation area.

7.18 Lighting is provided by modern lighting columns but there are a few surviving examples of old cast iron lighting columns, notably in Taptonville Crescent and Ashdell Road. There is a grade II listed gas sewer lamp at the junction of Ashdell and Westbourne Road. On the other side of the junction stands a Queen Victoria red pillar box, a rare remnant of 19th century street furniture.



Stone gate piers and stone setts at entrance to St. Mark's Vicarage

7.19 Boundary walls are almost exclusively constructed of stone. There are a few isolated lengths of old iron railings but most railings have been removed leaving a row of metal stubs in the stonework.

Green spaces, trees and other natural elements

7.20 There is no significant public park in the conservation area although the eighteen acre Botanical Gardens lie immediately to the south. The spaciousness of the conservation area derives from large private gardens and the open spaces of school and university grounds.

7.21 Two small areas, one off Parker's Lane, the other in the angle of the Fulwood Road/Manchester Road junction, are public but, more significantly, there are three semi-private spaces that make an important contribution to the green ambience and of the conservation area. These are the lands enclosed by Taptonville Crescent, St Marks Crescent and Summerfield.



North entrance to Taptonville Crescent

7.22 Trees are a vital part of the conservation area's identity. They enhance the setting of buildings, soften the suburban landscape and give the conservation area a distinctive sylvan character, shady in summer, strewn with leaves in winter. There is a mix of species, deciduous and evergreen, including yew, beech, chestnut and Victorian favourites such as specimen monkey puzzle trees.

Local details and features

7.23 The distinctive local identity of the Broomhill Conservation Area is enhanced by a number of features and historic elements that cumulatively help to give the conservation area a sense of place. These small items should be preserved. They include old lamp posts, the sewer gas lamps, VR pillar box, railings and street name signs.



*Ornate gate pier at
No. 21 Southbourne Road*



No. 21 Taptonville Road

Character areas

7.24 Broomhill's townscape varies according to age, topographical location and activities. The Broomhill Conservation Area can be roughly divided into at least five separate character areas each with its own characteristics defined by date of historic form and layout, and current and past uses and activities. They can be considered as four quadrants encircling a central hub i.e. the shopping area in Fulwood Road. These five character areas are:

- 1 Residential north-west quadrant formed within Taptonville Road, Fulwood Road and Hallamgate Road;
- 2 Commercial core of Broomhill in Fulwood Road, Witham Road and Glossop Road;
- 2 Terraced streets and houses in the north-east quadrant north and south of Whitham Road;
- 3 South-east quadrant east and west of Glossop Road including Beech Hill Road and Watson Road;
- 5 Residential south-western quadrant between Fulwood Road, Glossop Road and Clarkehouse Road.
(Refer to Character Areas Map)

- 1 Residential north-west quadrant formed within Taptonville Road, Fulwood Road and Hallamgate Road:

7.25 Compared to the haphazard layout and curving roads of the rest of the conservation area, Taptonville Road, Lawson Road and Sale Road are uncharacteristically straight and parallel. From the sloping streets there are views southwards over the tops of buildings in Fulwood Road and across the Porter Valley. Starting with Taptonville Road, this area was developed from the 1850s onwards. A lodge at the top of Taptonville Road is dated 1852. Most of the houses on Sale Hill were built between 1868 and 1871. This

character area is primarily residential but Sheffield University has a notable presence at the northern end of Taptonville Road. Manchester Road is a busy thoroughfare containing two impressive Victorian buildings.



House in Taptonville Crescent

7.26 Taptonville Road and Crescent is one of the highlights of the conservation area. It prompted John Betjeman's description of Broomhill as the prettiest suburb in England. He wrote 1961, "I thought of the leafy district of Broomhill on the western heights of Sheffield, where gabled black stone houses rise above the ponticums and holly, and private cast-iron lamp-posts light the gravelled drives. Greek, Italian, Gothic, they stand in winding tree-shaded roads, these handsome mansions of the Victorian industrialists who made their pile from steel and cutlery in the crowded mills below. They lived in what is still the prettiest suburb in England."

Key characteristics of Character Area 1

- Cohesive mid 19th century architecture and planned rectilinear layout of in Taptonville Road, Lawson Road and Sale Road;
- Many good examples of Victorian villas;
- Kersal Mount (1869 by Hill & Swan) and former School for Blind (1879 by Flockton & Gibbs);

- Primarily residential with significant university presence;
- Outstanding historic ambience of Taptonville Road and Taptonville Crescent;
- Views across Porter Brook valley;
- Trees and well stocked leafy gardens;
- Grassy open space, historic floorscape and old lamps and railings in Taptonville Crescent;
- Small park between junction of Fulwood Road and Manchester Road;
- Stone gate piers, boundary walls and setted entrances.

Negatives:

- Southward view along Taptonville Road terminates in garish shopfronts on Fulwood Road;
- Ugly 'wheelie bins';
- Obtrusive rooflights in the front roofslope of some historic buildings;
- Adverse effects of the pressure for car parking; Modern university buildings at the north end of Taptonville Road;
- Insensitive extension of historic buildings, e.g. No. 16 Lawson Road;
- Replacement of front gardens by parking spaces;
- Loss of original building materials and details.

2 Commercial core of Broomhill in Fulwood Road, Whitham Road and Glossop Road

7.27 This character area encompasses those parts of Fulwood Road, Whitham Road and Glossop Road which contain the commercial core of Broomhill. Broomhill's shopping and commercial centre has been here since the mid 19th century but its historic character and appearance has been diluted by a substantial amount of 20th century infill and replacement building and by unmistakably modern shopfronts, advertising and traffic management measures.

7.28 Nos. 210-222 Fulwood Road (north side) were built in 1836 but this block has been replaced by a nondescript, but presumably more convenient, 1970s shopping parade. To the east, on the same side of the road, Palestine Place (184-198 Whitham Road) and Broomhill Place (200-208 Whitham Road) were built in 1837. The row of shops between The Mount and the Broomhill Tavern (nos.456-480) were built in 1878.



Looking eastwards up Watson Road

7.29 Fulwood Road, between the Manchester Road junction and the Nile Street junction is level and wide. The new shopping parade on the north side

is set well back, enabling 'herring-bone' car parking in front. The 19th century development opposite is three storeys in height, built in a mix of stone and brick, typical of its type and period. A few buildings on the south side of the road stand out. These are the HSBC bank (No. 249 Fulwood Road) which dates from 1911 ("a most original façade with Neo-Mannerist detailing" – Pevsner Architectural Guide), The Fox and Duck which was refronted c.1930 and The York which smoothly turns the corner at the Glossop Road junction.

7.30 Three storey development with shops at ground floor continues down Glossop Road. Nos. 456-480 is a uniform terrace with first floor canted bay windows and a rhythmic row of brick chimney stacks. Eaves and shop fascias step down the hill. On the other side of the road is Pegasus House, a modern multi-storey office block. Peel Street is now devoid of historic interest.

7.31 Whitham Road begins after Fulwood Road's junction with Nile Street junction, at which point the scale of development drops abruptly from three to two storeys. On the corner with Crookes Road there is a curved mid 19th century two-storey terrace. As Whitham Road progresses there are a few more shops on its north side and it then becomes residential.

Key characteristics of Character Area 2

- Key historic buildings in Fulwood Road: The York (no. 247), Fox and Duck (no. 227), HSBC Bank (no. 249), NatWest Bank (no. 244);
- Good examples of three storey Victorian terrace with residential above shops, e.g. nos. 261-283 Fulwood Road and nos. 456-480 Glossop Road;
- New Methodist Chapel, a local landmark;
- Busy shopping centre with high footfall;
- Wide, straight and level course of Fulwood Road;
- Location of four of the conservation area's five pubs.

Negatives:

- Modern shopping parade (nos. 212-226 Fulwood Road) is out of keeping with predominantly Victorian appearance;
- Noise and pollution of traffic;
- Plethora of signs for traffic and pedestrian management;
- Negative buildings:
 - Pegasus House and nos. 486/488 Glossop Road;
 - Insensitive infill at top of Glossop Road (Vittels café);
- Garish shopfronts, some of which are insensitive to the host building;
- Graffiti noticeable on buildings (particularly to rear elevation of nos. 212-226 Fulwood Road looking from Crookes Road).

3 Terraced streets and houses in the north-east quadrant north and south of Whitham Road

7.32 The boundary of this character area has been drawn to enclose the web of terraces in the north-east corner of the conservation area. Whilst the area contains some notable large houses (e.g. Pisgah House and Etruria House), this character area exemplifies the houses of those at the lower end of the social scale of 19th century Sheffield. It includes Whitham Road (west), Parkers Road, Parkers Lane, Turners Lane, Chandos Street, Newbould Road (top), Nile Street, Hoole Road, Spooner Road, Pisgah House Road, Crookes Road (bottom), Beaufort Road, Severn Road and Hawthorn, Bank and Top Terraces. In relation to the rest of the conservation area this is an area of high density. Compare, for instance, this area with the similarly sized adjacent streets of Taptonville Road, Lawson Road and Sale Road.



Stone paving in Ashdell Lane

7.33 The terraces mainly date from the last quarter of the 19th century. Severn Road and Beaufort Road are the latest roads to be built c. 1893 at the break-up of the Westbourne estate.

7.34 The area is primarily residential with several houses in multiple occupation by university students. Scattered through the area are a pub, architects' office, garage workshop, three places of worship, a hotel (Etruria) and a few shops on the north side of Whitham Road.

7.35 Whitham Road is a busy route into Sheffield. Gardens are small and there are only a few areas of open space, notably the recreation area beside Parkers Road car park. However, the garden of Pisgah House, open space west of the chapel in Whitham Road and large gardens of nos. 33-45 Parkers Road are 'breathing spaces' within this dense, close-knit 19th century development.

Key characteristics of Character Area 3

- Tightly-knit haphazard layout of streets;
- Good examples 19th century rows and terraces;

- Variety in scale and design of terraces from, for example, the humble Top Row to Dalkeith Terrace (nos. 106-128 Whitham Road);
- Sloping topography with rise and fall at the top of Watson Road;
- Green open space beside car park in Parker's Lane;
- Grouping of Etruria House (a grade II listed building dated 1876 together with listed lodge, gates, boundary wall, steps and gas lamp) and Pisgah House (an early 19th century grade II listed building);
- Early 19th century rows north-east of Etruria at nos. 91-127 Crookes Road;
- Meersbrook Spiritualist Church in Whitham Road;
- Broomhill Infant School;
- Trees and small front gardens;
- Primarily residential;
- Nottingham House pub and a few secondary shops;
- Historic floorscape in Chandos Street and Hoole Lane;
- Short length of stone paving at top of Watson Road;
- Stone gate piers, steps and paths.

Negatives:

- Noise and pollution from traffic;
- Obliteration of front gardens;
- Numerous signs advertising student accommodation;

- Ugly 'wheelie bins';
- Obtrusive rooflights in the front roofslope of some historic buildings;
- Adverse effects of the pressure for car parking;
- Insensitive extensions;
- Replacement of front gardens by parking spaces;
- Loss of original building materials and details;

4 South-east quadrant east and west of Glossop Road including Beech Hill Road and Watson Road

7.36 Glossop Road was opened in 1821 and the streets immediately north and south were developed from the 1820s with substantial brick-built houses on land owned by members of the Newbould family. The Mount and King Edward VII School were built in the 1830s. Though primarily conceived as a residential area, there are now only a few dwellings (mostly in Beech Hill Road, Watson Road and College Street). Many other former houses are in use by the hospital, university or other office use. The Rutland Hotel is a major presence in the area, highly prominent at the junction of Glossop Road and Broomfield Road having amalgamated several Victorian villas.



Sheffield High School, Rutland Park

7.37 Four large buildings dominate the townscape. These are St Mark's Church, The Mount, King Edward VII School and, unfortunately, the Royal Hallamshire Hospital which lies outside the conservation area but whose height and bulk cannot be ignored.

7.38 School grounds, the grassed area of St Mark's Crescent and numerous mature roadside trees add to the spaciousness of this character area but Glossop Road, Newbould Road and Clarkehouse Road are dominated by traffic and have a noisy urban atmosphere. Watson Road, Broomfield Road and Beech Hill Road form a quiet enclave on the hillside. Each contains a mix of old and new development.

7.39 Mount View, No. 1 Melbourne Avenue is a focal feature on the left as one ascends Glossop Road. It dates from c.1840 has a classical frontage of three bays, the central one brought slightly forward and given a pediment.

Page 65 Key characteristics of Character Area 4

- Buildings of considerable mass and presence in the townscape;
- High proportion of open space;
- Ensemble of The Mount and King Edward VII School;
- Broompark Congregational Church, Newbould Lane, 1864 by Innocent & Brown;
- Open space of school playing fields;
- Quiet residential streets (Beech Hill Road and Watson Road) contrasting with busy thoroughfare of Glossop Road and Clarkehouse Road;
- Grassed space and trees in St Mark's Crescent and in front of No. 1 Melbourne Avenue;
- Intersection of Glossop and Newbould Roads.

- St Mark's Church and St Mark's Crescent;
- Historic stone paving in Watson Road;
- Good examples of detached stone villas, notably no. 463 and 440 Glossop Road;
- Good examples of terraced houses, notably nos 4-20 Clarkehouse Road (listed grade II) nos. 425-447 Glossop Road;
- Trees, avenues and well tended front gardens;
- Stone gate piers, boundary walls and stone setted entrances.

Negatives:

- Modern highway signage and the accretions of traffic management;
 - Overbearing visual impact of the Royal Hallamshire Hospital;
 - Parking platform obscures the façade of The Mount;
 - Noise and pollution along Glossop Road, Clarkehouse Road and Newbould Lane;
 - Hospital accommodation in Beech Hill Road/Broomfield Road is out of keeping with the area's 19th century character;
 - Obtrusive rooflights in the front roofslope of some historic buildings;
 - Adverse effects of the pressure for car parking;
 - Replacement of front gardens by parking spaces;
 - Loss of original building materials and details.
-

5 Residential south-western quadrant between Fulwood Road, Glossop Road and Clarkehouse Road

7.40 This character area contains a mix of residential and educational uses. It has a generally tranquil atmosphere and a delightful sylvan quality arising from numerous trees and large well stocked gardens. It is essentially an area of middle-class Victorian detached and semi-detached houses in large plots but, at the eastern ends of Ashdell Road and Westbourne Road, there are more modest houses, more densely laid out.

7.41 Summerfield, between Ashgate and Ashdell Roads is a formal arrangement of communal gardens flanked by two opposing large terraces of 1869-70. A third side of this pretty 'square' is formed by Nos 6-20 Ashgate Road, c.1860, a classical style three-storey terrace, listed grade II.

7.42 Southbourne Road with the lower end of Westbourne Road was known as Victoria Park, developed by William Fowler from 1854 with a great variety of villas including work by many prominent local architects, e.g. Flockton & Abbott at Nos. 28-30 Southbourne Road.



No. 5 Broomfield Road

7.43 Nos. 88-98 Ashdell Road form an attractive group with long sloping front gardens. No. 88/90 closes the view at the top of Oakholme Road. Land between Oakholme Road and Westbourne Road is occupied by Sheffield University. Oakholme, a grade II listed house c. 1850, has been engulfed with 20th century university buildings (Crewe Hall and Stephenson Hall) but a lodge, tree lined drive and listed stone-built stable block remain.

7.44 Rutland Park is one of the latecomers to Broomhill. The terrace of houses was built by Henry Brunby in 1893 but the Girls High School dates from 1884. No. 8 (formerly Moor Lodge) c.1870 is the second rebuilding of a much earlier house. The loop of Rutland Park is enhanced by an avenue of roadside trees.

Key characteristics of Character Area 5

- Good examples of Victorian villas and modest detached and terraced houses;
- Planned development of Victoria Park (Westbourne and Southbourne Roads) and Rutland Park;
- Formal composition of terraces and open space at Summerfield;
- Key buildings: Girls High School (1884), Ashdell House (1840), no. 60 Westbourne Road (1857);
- Trees contribute to a sense of enclosure in most streets;
- Secluded nature of Melbourne Avenue;
- Historic floorscape e.g. Ashdell Lane and Ashgate Lane;
- Open space in front of Crewe Hall;
- Spacious green atmosphere and quiet residential suburban character;

- Changing townscape arising from sloping topography and curving roads;
- Trees, avenues and well tended front gardens;
- High proportion of school and university uses;
- Stone gate piers, boundary walls and stone setted entrances;
- Ornamental chimney in grounds of Girls High School.

Negatives:

- Traffic noise along Clarkehouse Road;
- Numerous bollards and featureless space at junction of Ashdell Road and Oakholme Road;
- Diminution of historic character and appearance at junction of Ashdell Road and Ashdell (i.e. modern school building and housing association flats);
- Obtrusive rooflights in the front roofslope of some historic buildings;
- Adverse effects of the pressure for car parking;
- Replacement of front gardens by parking spaces;
- Loss of original building materials and details;
- External fire-escapes and alterations to terraces in Summerfield;

8.0 Issues

8.1 This section contains a brief summary of the strengths and weaknesses of the Broomhill Conservation Area together with recommendation, if any, for changes to the current conservation area boundary. Strengths and weaknesses,

together with other more specific 'positives' and 'negatives' that were identified during the appraisal process, form the basis of a separate document, known as the *Broomhill Conservation Area Management Proposals*.

8.2 The *Management Proposals* set objectives for addressing the issues arising from this appraisal and make recommendations for possible improvements and the avoidance of harmful change.

Strengths

- Special historic character and appearance (see introductory summary);
- Shops and services on Fulwood Road, Whitham Road and Glossop Road;
- An unusually high proportion of architecturally and historically interesting buildings, few of which have been listed but some of which are more than commonplace examples of late Victorian architecture;
- Spacious, low density suburb adjacent to Botanical Gardens;



Rutland Park (west side)

Weaknesses

- Loss of original architectural details such as doors, windows and roof material. (Many of the unlisted, and some of the listed, buildings in the conservation area have been adversely affected by the use of inappropriate modern materials or details such as the replacement of original timber sash windows with uPVC or aluminium, the loss of original timber front doors and the replacement of Welsh slate roofs with concrete tiles);
- Design of some modern development, for example Pegasus House and nos. 486/488 Glossop Road is out of keeping with the conservation area;
- On-street parking and obtrusive traffic calming measures often dominate the streetscene;
- Inappropriate and potentially damaging ‘strap’ pointing of stone walls;
- Some buildings and structures in the conservation area have fallen victim to graffiti.

Broomhill Conservation Area boundary review

8.3 It is recommended that the boundary of the Broomhill conservation area is extended in three places. The first extension includes buildings bounded by Manchester Road, Shore Lane and Fulwood Road. The second would include buildings on the northern side of Manchester Road, Tapton House Road and Hallamgate Road. The third extension includes buildings to the north east of the current conservation area in an area that is locally known as the “Moor Oaks Triangle”. The “Moor Oaks Triangle” also includes no. 45 Marlborough Road, the former home of Adela Pankhurst, youngest daughter of the famous Suffragette leader, Mrs. Emmeline Pankhurst.

8.4 All the recommended boundary changes are shown on the enclosed Townscape Appraisal Map at the back of this document. The extensions include Tapton Court on Shore Lane, a grade II listed former Victorian house now standing empty, and many buildings of Townscape Merit that enhance the special architectural and historical character of the Broomhill conservation area.

Proposed Shore Lane Extension

8.5 This area is situated to the north west of the current conservation area boundary. It encompasses three large Victorian villas, one of which, Tapton Court, is listed. Unfortunately, this area has been subject to further infill development of varying quality over the last 50 years, all within the grounds of the original Victorian villas. Also, large extensions to Victoria House (no. 117 Manchester Road) and Tapton Court detract from the original architectural quality of these buildings.

8.6 However, the area is still characterised by large buildings set within mature grounds, and on Manchester Road, largely hidden behind large stone boundary walls. Trees often dominate the street scene in this area, particularly along both Shore Lane and Manchester Road and it is this that ties the area in with the special character of the existing conservation area.

Key Characteristics

- Victorian villas set in large mature gardens.
- Mid-late 20th Century infill development and extensions in the grounds of Tapton Court, 117 Manchester Road and West Royd.
- A mixture of private and rented accommodation with a significant amount of student accommodation in and around Tapton Court.

-
- A large number of mature trees that provide a green backdrop and street scene on both Manchester Road and Shore Lane.

Proposed Tapton House/Hallamgate Roads Extension

8.7 This recommended extension covers houses and gardens to the north of Manchester, Tapton House and Hallamgate Roads. Currently, the conservation area boundary runs down the centre of these roads, including one side of the street but not the other. The area proposed to be included in the conservation area contains a number of large Victorian villas, along Manchester and Tapton House Roads, which give the area a character similar to the existing conservation area adjacent.

8.8 The northern side of Hallamgate Road is also recommended to be included in the conservation area but for different reasons. The buildings originate almost entirely from the Edwardian period and the early 20th Century and include some good examples of buildings touched by influences from the Arts and Crafts style that became popular at the time (e.g. nos.22-24). Almost all are brick built, which give this small area a different character to the rest of the conservation area and the buildings are of a later date to others in the existing conservation area. However, the buildings provide good examples of later development in Broomhill as the area continued to expand and develop during the early part of the 20th Century. For this reason, and the good architectural quality of many buildings, this area has a special architectural and historical character of its own worthy of inclusion in the Broomhill Conservation area.

Key Characteristics

- Large Victorian villas on Tapton House Road complement the buildings on the other side that are already within the conservation area boundary.
- All buildings to be included are residential properties.
- Later buildings on Hallamgate Road add a different architectural and historic character to the area but are important, as examples of how development progressed in the area during the early part of the 20th Century.

Proposed Moor Oaks Triangle Extension

8.9 This recommended extension includes Moor Oaks, Elmore, Marlborough and Highnam Crescent Roads. This area of streets and buildings has its own special character, which is largely due to the similar style, age and type of buildings constructed here. Almost all the original mid to late Victorian housing still stands and there are many examples of buildings still retaining their original features such as sash windows, timber doors and decorative bargeboards.

8.10 Almost all of the buildings in the area can be classed as being of Townscape Merit but particularly good examples would include no.1 Highnam Crescent Road, nos. 38 and 40 Elmore Road and nos. 28-32 Elmore Road. Although part of Broomhill, this area has a special character all of its own and the general uniformity of the buildings bring a sense of cohesion to the area.

Key Characteristics

- Most buildings of similar age and style bringing a harmony to the overall character of the area and gives it a strong character of its own.
- The triangular layout of streets gives the area an enclosed feel.
- Although many buildings have had original features such as timber sash windows replaced with modern alternatives, there are still a number of properties that still have traditional features present.
- Primarily residential with some university presence.

Bibliography

Pevsner Architectural Guide – Sheffield, Ruth Harman and John Minns, Yale University Press 2004.

Streetnames of Sheffield, Peter Harvey, Sheaf Publishing 2001.

The Making of Sheffield, Melvyn Jones, Wharnclyff Books 2004.

Old Sheffield Town, J Edward Vickers, Hallamshire Press, 2001.

Broomhill Street Names, E.Wilkinson, Broomhill Local History Group 1995

List of Dates, E.Wilkinson, Broomhill Local History Group 1999

Maps: Gosling (1736), Fairbanks (1771, 1795, 1797, 1808), J. Tayler (1832), Ordnance Survey (1855), W.White (1863), Ordnance Survey (1893, 1894, 1903).

www.picturesheffield.com

List of photographs

- Photograph 1 Nos. 50 and 52 Westbourne Road
Photograph 2 Nos. 7-11 Summerfield
Photograph 3 Railings beside St Mark's Church, Beech Hill Road
Photograph 4 Entrance to Ashdell
Photograph 5 No. 109 Ashdell Road
Photograph 6 Westbourne Road (north side)
Photograph 7 Nos. 13 and 15 Taptonville Road
Photograph 8 Etruria, No. 91 Crookes Road
Photograph 9 No. 1 Melbourne Avenue
Photograph 10 Open space within St Mark's Crescent
Photograph 11 Nos. 483-497 Glossop Road
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Photograph 14 Nos. 456-466 Glossop Road
Photograph 15 Nos. 116-126 Whitham Road (Dalkeith Terrace)
Photograph 16 Stone gates and stone setts at entrance to St Mark's Vicarage
Photograph 17 North entrance to Taptonville Crescent
Photograph 18 Ornate gate pier at No. 21 Southbourne Road
Photograph 19 No. 21 Taptonville Road
Photograph 20 House in Taptonville Crescent
Photograph 21 Looking eastwards up Watson Road
Photograph 22 Stone paving in Ashdell Lane
Photograph 23 Sheffield High School, Rutland Park
Photograph 24 No. 5 Broomfield Road
Photograph 25 Rutland Park (west side)

Useful contacts and addresses

For information on listed buildings and conservation areas:

Urban Design and Conservation Team
Sheffield City Council,
Howden House,
1 Union Street,
Sheffield S1 2SH.
Tel: 0114 273 5804

www.sheffield.gov.uk/in-your-area/planning-and-city-development/urban-design--conservation

For information on the status and interpretation of the statutory Development Plan and supplementary planning guidance:

Forward and Area Planning Team
Sheffield City Council,
Howden House,
1 Union Street,
Sheffield S1 2SH.
Tel: 0114 273 4157

For further information relating to listed buildings and conservation areas:

English Heritage
37 Tanner Row
York
YO1 6WP
Tel: 01904 601901

For an excellent range of technical advice leaflets:

The Society for the Protection of Ancient Buildings (SPAB),
37 Spital Square, LONDON E1 6DY Tel: 020 7377 1644

The Georgian Group,
6 Fitzroy Square, LONDON W1T 5DX Tel: 0207529 8920

The Victorian Society,
1 Priory Gardens, Bedford Park, LONDON W4 1TT Tel: 0208994 1019

The Twentieth Century Society,
70 Cowcross Street, LONDON EC1M 6EJ Tel: 020 7250 3857

Summary of Consultation Undertaken

A consultation draft of this document was subject to a period of consultation between 2nd July and 21st September 2007. All local residents in the conservation area were sent details of where they could view the document with a survey form asking for their comments. The public were also invited to a half-day roadshow held at Broomhill Methodist Church on 11th September where they could discuss the Appraisal or Management Proposals with officers from the Council's Urban Design and Conservation Team. Local members and local community groups were also consulted as part of the process. 195 comments were received on the draft appraisal and after being revised in light of the comments received, it was adopted by Sheffield City Council on 17th December 2007.

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Head of Planning

Date: 14/02/2023

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond and Sarah Hull

Summary:

Reasons for Recommendations

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

Recommendations:

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	22/01978/REM (Formerly PP-11252435)
Application Type	Approval of Reserved Matters
Proposal	Residential development for 69 dwellings including open space and associated landscaping and car parking spaces (Application to approve appearance, landscaping, layout and scale as reserved under planning permission no. 17/04673/OUT) (amended plans)
Location	Land At Junction With Carr Road Hollin Busk Lane Sheffield S36 2NR
Date Received	23/05/2022
Team	North
Applicant/Agent	Stonebridge Homes Ltd
Recommendation	Reserved Matters Approved Conditionally

Time Limit for Commencement of Development

1. The development shall be begun not later than two years from this reserved matters approval, in line with the time limit condition imposed on outline approval 17/04673/OUT.

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

Approved/Refused Plan(s)

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

Drawing PA-DC-LP 01 Location Plan (showing redline boundary) published 29/11/22

Drawing 21-5534-01 Rev J Site Layout published 3/2/23

Drawing 21-5534-05 Rev C Proposed Street Scenes published 3/2/23

Drawing P21-3112.001 Rev F Landscape Master Plan published 3/2/23

House Type Planning Drawings PA-DC-HT-01A published 3/2/23

Boundary Treatment Drawings PA-DC-BT-01 published 29/11/22

Reason: In order to define the permission.

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

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

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

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

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

- Windows including reveal depths
- Doors
- Storm porches
- Cycle storage

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

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

5. The development shall not be used unless the car parking accommodation for the dwellings 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.

Other Compliance Conditions

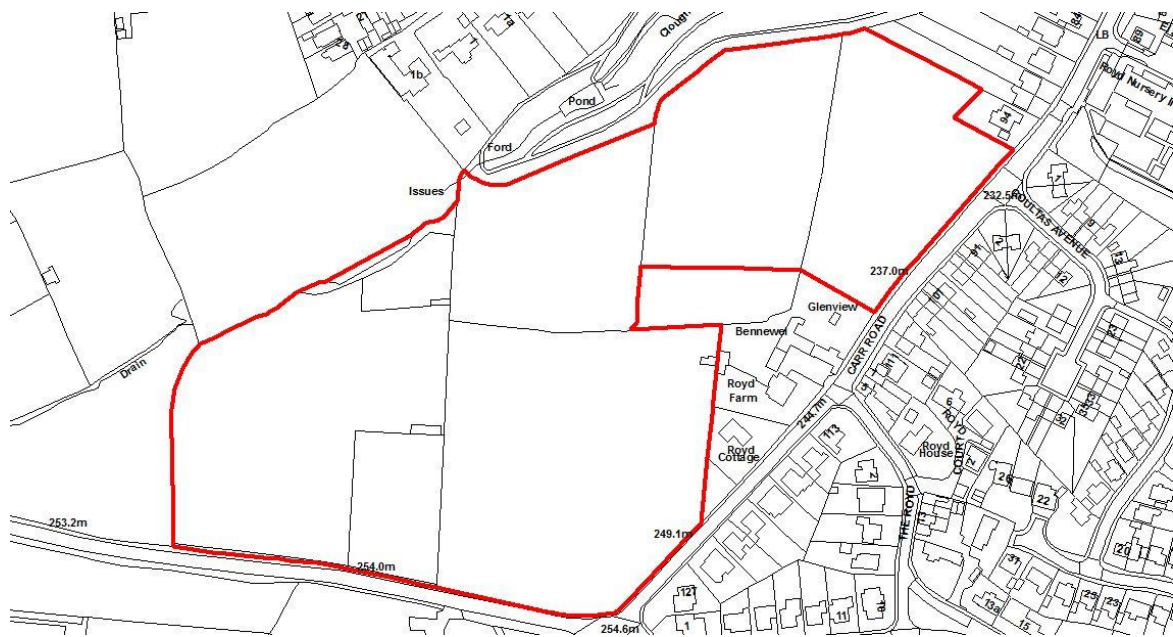
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings,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

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage of some of the plots and to ensure that the architectural character of the development is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.

Attention is Drawn to the Following Directives:

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

Site Location



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LOCATION

The application relates to a series of fields which extend to 6.5ha, located on the southern fringe of Deepcar. The site is to the north of the junction of Carr Road and Hollin Busk Lane and falls away from the highway towards Fox Glen Wood to the north. The fields are separated by low dry stone walls and have been used for grazing. To the south east of the site, accessed from Carr Road is a cluster of properties. Some of these properties are Grade II Listed (Royd Farmhouse and a barn and farm buildings).

The site is allocated as an Open Space Area (OSA) on the Sheffield Unitary Development Plan Proposals Map and forms the eastern part of a larger OSA allocation which extends to the west and north west. The existing properties on Carr Road are within a Housing Area and Fox Glen Wood to the north is an Area of Natural History Interest (ANHI) and a Local Wildlife Site (LWS).

Outline planning permission has been granted (at appeal) for the erection of up to 85 houses with associated landscaping, car parking and open space on the site under application reference 17/04673/OUT. The application gained approval for the means of access, to be taken from Carr Road, but all other matters were reserved for subsequent approval. The principle of development has therefore already been established.

PROPOSAL

The current application seeks approval for the remaining reserved matters (appearance, landscape, layout and scale). Detailed plans have been submitted which show the site to be developed with 69 dwellings. These are a mixture of detached and semi-detached dwellings ranging in size from one bedroomed to five bedroomed properties. Each is shown to have off street parking and private garden areas. The properties are accessed via a single estate road (with spurs off it), with the sole vehicular access point for the development being taken from Carr Road (as has already been approved by the outline permission). Two further pedestrian accesses into the development from Carr Road are also proposed.

Within the development, in the north eastern corner a surface water attenuation basin is proposed. Along the northern boundary with Fox Glen Wood further areas of open space are proposed to act as a buffer with enhanced landscaping to provide separation between the development and the woodland.

Along the western boundary of the site is an area that will be managed as predominantly undisturbed wildlife habitat with no pedestrian access. This area equates to around 2.2ha of the site. Adjacent to this, again acting as a buffer between the development and the area designated for wildlife, runs an area of public open space with landscaping, seating and a children's play area. A further area of open space is also proposed within the development to the rear of the listed buildings at Royd Farm. This provides some separation between the development and the listed buildings with further seating and informal planting. Drystone walls within the site are to be maintained wherever possible as are existing trees. Additional hedge and tree planting is also proposed throughout the

development.

RELEVANT PLANNING HISTORY

As previously set out, planning permission was granted at appeal in August 2021 for the development of up to 85 dwellings on the site by application reference 17/04673/OUT. The application was in outline with all matters except for the access reserved for subsequent approval. (The appeal reference is APP/J4423/W/21/3267168).

Prior to that in 1990, outline planning permission was refused for residential development and construction of new roads and sewers on 17.4 hectares of land (which included the current planning application site) at Carr Road, Hollin Busk Lane.

Alongside the current application several applications have been submitted to discharge the planning conditions attached to the outline consent. The following applications have been determined.

17/04673/COND1 - Application to approve details in relation to condition number(s): 11 (Written Scheme of Investigation (WSI)) imposed by planning permission 17/04673/OUT. This was found to be acceptable and the condition part approved.

17/04673/COND2 Application to approve details in relation to condition number(s): 10. (Intrusive Site Investigation Report) & 16. (Phase II Intrusive Site Investigation report) imposed by planning permission 17/04673/OUT. Condition 10 has been discharged. The details provided for Condition 16 were found to be acceptable; however the condition remains in force.

17/04673/COND3 Application to approve details in relation to condition number(s): 11 (Written Scheme of Investigation (WSI)) imposed by planning permission. The detail provided were considered to be acceptable. The WSI satisfies the first part of Condition 11 and so enabled a reserved matters application to be made without being in breach of this condition. The condition however remains in force to ensure that the WSI is complied with.

The second part of the condition requires the submission of details confirming that the requirements of the WSI have been fulfilled. This part of the condition remains outstanding.

The following conditions applications are still being considered:

17/04673/COND4 Application to approve details in relation to condition number 8. Landscape and Ecological Management Plan, 18. Details of Species Rich Grassland, 21. Details of Open Space, and 28. Hard/Soft Landscape Scheme; Relating to planning permission 17/04673/OUT

17/04673/COND5 Application to approve details in relation to condition nos. 14 (CEMP), 15 (Construction Method Statement) and 17 (remediation works) imposed by planning permission 17/04673/OUT

17/04673/COND6 Application to approve details in relation to condition nos. 7 (Levels), 9 (Arboricultural Method Statement) and 12 (Surface Water Drainage) as imposed by planning permission 17/04673/OUT

17/04673/COND7 Application to approve details in relation to condition nos. 13 (Energy Report) and 20 (Broadband) imposed by planning permission 17/04673/OUT

17/04673/COND8 Application to approve details in relation to condition no. 19. Inclusive Employment and Development Plan V1.0; relating to planning permission 17/04673/OUT

17/04673/COND9 Application to approve details in relation to condition numbers: 23 & 24 (Highway Improvements) relating to planning permission 17/04673/OUT

SUMMARY OF REPRESENTATIONS

The application has been publicised by newspaper advert, display of site notices and by letters of notification to nearby occupiers. As a result of the initial round of consultation 16 representations were received from members of the public as well as a representation from Stocksbridge Town Council.

Taking on board some of the comments received from neighbours as well as comments from other consultee, amended plans were received and further consultation letters were sent. As a result 7 representations were received. 4 of the representations were from people that had written in previously and the remaining 3 were from new contributors (in total representations from 20 contributors, including Stocksbridge Town Council have been received).

Stocksbridge Town Council raise concerns regarding changes to the site layout along Carr Road and behind Royd Farm which will interfere with the heritage of the area and impact upon the Grade II listed building. The layout reduces the width of the green space [within the centre of the development], restricting visibility and bringing one of the larger houses closer to the listed building. The layout prevents access from an existing gate to the green space and there are concerns about boundary planting and the effect this could have upon the residents of the Royd Farm properties.

Representations from members of the public raise the following issues:

Is the housing going to be sustainable and affordable? How does the development fit with the Greener Sheffield initiative?

Are there going to be single storey homes/ bungalows for older and disabled people as required in Sheffield councils own plans?

Are the local school and GP services going to be expanded?

Question whether the junction at the bottom of Carr Road is going to be able to cope with the extra traffic

Access to the area is generally via Carr Road. This is a narrow road given the number of cars that habitually park there and, at busy times, this will cause traffic issues and pollution.

The access is close to the school which will cause issues. The pavement along Hollin Busk is not wide enough given existing traffic levels and will be worsened by the development.

The area is used by cyclists which will be in conflict with the additional traffic generated by the development.

The current open grassland is good for the environment and is frequented by many species of birds and bats. Covering it in houses will have a detrimental effect on the area. The inclusion of nesting boxes does not compensate for the loss of habitat for ground nesting birds.

The development will lead to increased surface water run off, exacerbating existing drainage issues.

Why build on the top of the hill and on green belt when there is a massive area of land already with planning approval that has not yet been built on.

The development restricts visibility across the green space in contradiction with what was discussed at the Planning Inquiry.

It brings one of the larger houses closer to the listed buildings.

There is an existing field gate in the back wall of the garden of Royd Farm that would be now closed off by the new layout preventing access to the rear of Royd Farm buildings for maintenance. It would also prevent access from this gate onto the proposed green space that is presumably intended for public access.

Tall boundary planting could obscure the setting sun.

The public consultation exercise carried out by the developer did not provide adequate information.

Development of this site and the wider area has previously been refused planning permission and there are now further plans to develop more of the open space area (applications 22/02302/OUT and 22/02303/OUT).

The limited access into Deepcar, poor public transport links, the pressure on schools, doctors and dentists must be considered.

The development will lead to a loss of light and overshadowing and will result in overlooking/loss of privacy.

The development will result in noise and disturbance.

Devaluation of property due to loss of view

STATUTORY PLANNING POLICY CONTEXT AND OTHER MATERIAL CONSIDERATIONS

The Statutory Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise. The statutory Development Plan for the area comprises the Sheffield Core Strategy (2009) and the saved policies of the Sheffield Unitary Development Plan (UDP) (1998). The Proposals Map forms part of the Sheffield UDP. The National Planning Policy Framework (NPPF or the Framework) is also a material consideration. The most recent version of the NPPF is dated July 2021 and therefore post-dates the preparation and adoption of both the Sheffield UDP and Core Strategy.

Paragraph 12 of the Framework makes it clear that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted.

The Framework (paragraph 219) also identifies that existing development plan policies should not simply be considered out-of-date because they were adopted or made prior to its publication. Weight should be given to relevant policies, according to their degree of consistency with the Framework. The closer a policy in the development plan is to the policies in the Framework, the greater the weight it may be given.

The assessment of this development also needs to be considered in light of paragraph 11 of the Framework, which states that for the purposes of decision making:

(d) where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or
- ii) Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

This is referred to as the “tilted balance”. In addition to the potential for a policy to be out of date by virtue of inconsistency with the Framework, paragraph 11 makes specific reference to applications involving housing. It states that where a Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer the policies which are most important for determining the application will automatically be considered to be out of date.

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 published in December 2022 sets out the position as of 1st April 2022 –31st March 2027 and concludes that there is evidence of a 3.63 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.

The principle of developing the site has been established through the approval of outline planning permission. However, for completeness, the relevant policies of the statutory Development Plan are set out below.

Sheffield Unitary Development Plan - UDP (1998)

The site forms the north and western part of a wider Open Space Area (OSA) allocation on the Sheffield UDP Proposals Map (1998).

The relevant policy is saved policy LR5 'Development in Open Space Areas' of the UDP.

Policy LR5 states: Development in Open Space Areas will not be permitted where: (a) it would cause damage to nature conservation sites, Scheduled Ancient Monuments or other archaeological sites; or (b) it would cause damage to mature or ancient woodland or result in a significant loss of mature trees; or (c) it would significantly detract from the green and open character of the Green Network; or (d) it would make an open space ineffective as an environmental buffer; or (e) it would harm open space which forms the setting for a Listed Building or other historic building, or is needed to maintain an important view or vista; or (f) it would damage the character of a Historic Park or Garden; or (g) it would harm the character or appearance of a Public Space; or (h) it would result in the loss of open space which is of such quality that it is of City-wide importance; or (i) it would result in over-development or harm the character of an area; or (j) it would harm the rural character of a wedge of open countryside; or (k) the proposed use would be incompatible with surrounding land uses.

Open space is defined within the UDP as 'a wide range of public and private areas'. This includes parks, public and private sports grounds, school playing fields, children's playgrounds, woodland, allotments, golf courses, cemeteries and crematoria, nature conservation sites, other informal areas of green space and recreational open space outside the confines of the urban area.

The application site is part of a privately owned area of open countryside. This is used as grazing land and is not accessible to the public. The site's value to the local community is the visual amenity afforded by its open character and appearance from public vantage points located outside the site (including road frontages and users of PROWs) along with views from private residential properties, providing a feeling of being in the rural countryside due to the site's openness which allows views across it.

At the public inquiry held to determine the outline planning permission it was agreed that the site does not comprise open space as defined in Annex 2 of the Framework.

Notwithstanding the fact that the site is not open space within the context of the Framework, parts (i) and (j) of the policy are essentially countryside protection policies and seek to resist any harm to rural character.

Paragraphs 130(c) and 174(b) of the Framework require development proposals to recognise the intrinsic value of the countryside and be sympathetic to local character.

The Inspector recognised that the consideration of harm to the character of the countryside retains some degree of alignment with the Framework and attached moderate weight to these parts of policy LR5. However in determining the application the harm caused to the rural character from developing the site for housing was far outweighed by the public benefits of the development, through the provision of much needed housing.

The outline application was granted planning permission at appeal and so the principle of residential development, as well as the access into the site has been established and cannot be debated further in the context of this planning application. What the current application seeks to establish is whether the proposed layout, scale, appearance and landscaping are acceptable (these are the reserved matters). As such the relevant UDP policies used to assess the application are as follows:

Policies BE5 (Building design and siting), GE10 (Green Network), GE11 (Nature Conservation and Development), GE13 (Areas of natural history interest and local nature sites), GE15 (Trees and woodland), and H16 (Open space in new housing developments). These policies generally conform to the requirements of the NPPF so can be given weight in the determination of the application. These policies are addressed within the planning assessment below where relevant.

Sheffield Core Strategy (2009)

Key policy considerations relating to the principle of development the site are contained with Core Strategy Policies CS72 (Protecting Countryside not in the Green Belt), CS23 (Locations for New Housing), CS24 (Maximising the Use of Previously Developed Land for New Housing) and CS33 (Jobs and Housing in Stocksbridge/Deepcar). As these policies all relate to the general principle of developing the site for housing and outline planning permission has been allowed at appeal, it is not considered necessary to assess the current reserved matters application against these policies.

The following policies are relevant to the determination of this reserved matters application: Policies CS26 (Efficient use of housing land and accessibility), CS40 (Affordable housing), CS51 (Transport priorities), CS53 (Management of demand for travel), CS64 (Climate change, resources and sustainable design of developments), CS65 (Renewable energy and carbon reduction), CS67 (Flood risk management), CS73 (The strategic green network) and CS74 (Design principles). These policies generally conform to the requirements of the NPPF. These policies can be given weight in the determination of the application and are addressed within the planning assessment below where relevant.

National Planning Policy Framework (2021)

The National Planning Policy Framework (NPPF) contains the Government's planning policies for England; it promotes sustainable growth and gives significant weight to supporting housing delivery through the planning system. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 explains that achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the three different objectives).

Paragraph 10 explains that at the heart of the NPPF is a presumption in favour of sustainable development to ensure that sustainable development is pursued in a positive way. This presumption in favour of sustainable development is set out in NPPF paragraph 11 and has already been touched upon above.

The sections of the NPPF that are relevant to the assessment of this application include: - Section 2: Achieving Sustainable Development, Section 5: Delivering a sufficient supply of homes, Section 8: Promoting healthy and safe communities, Section 9: Promoting sustainable transport, Section 11: Making effective use of land, Section 12: Achieving well-designed places, Section 14: Meeting the challenge of climate change, flooding and coastal change and Section 15: Conserving and enhancing the natural environment.

Relevant paragraphs from the NPPF are referred to within the planning assessment below.

Neighbourhood Plan

A Stocksbridge Neighbourhood Area has been designated under the Government's National Planning (General) Regulations 2012 as amended, however Stocksbridge Town Council have advised that work on the preparation of the Stocksbridge Neighbourhood Plan is not being progressed and as such carries no weight in the assessment of this planning application.

Other Material Considerations

Guideline GOS1 of the Council's Supplementary Planning Document (SPD) on Community Infrastructure Levy and Planning Obligations (2015) states that for residential developments over four hectares, a relevant proportion (a minimum of 10%) of the site should be laid out as open space, except where provision of recreation space in the local area would continue to exceed the minimum guideline after the development has taken place or it would be more appropriate to provide or enhance recreation space off-site within the local area. The SPD also provides guidance on affordable housing. The proposed development exceeds the 15 or more dwellings threshold and 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.

PLANNING ASSESSMENT

In determining the outline application the Planning Inspector imposed conditions. Condition 6 set out that any reserved matters application shall be designed in general accordance with the following plans and documents:

Parameter Plan 01 rev B - Uses
Parameter Plan 02 rev B – Movement
Parameter Plan 03 rev B – Storey Heights
Parameter Plan 04 rev B – Density
Parameter Plan 05 rev B – Landscape and Open Character
Parameter Plan 06 rev C – Character Areas

These documents impose restrictions on how the site should be developed and will be taken into consideration in the assessment below.

Design (Reserved Matters: Layout, Scale and Appearance

Policy

UDP Policy BE5 and Core Strategy Policy CS74 seek good quality design. NPPF, paragraph 126, states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development. Paragraph 130 states that, amongst other things, planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Layout

The development will be served by a single access road (the access point having been previously agreed) which curves around the existing residential properties on Carr Road at Royd Farm. Areas of green space are to be retained along the northern and western boundaries with wildlife corridors cutting through the site in both a north south and east west direction, following the line of the existing dry stone walls which are to be retained. This will provide views through the site and enhance the

attractiveness of the development.

Emanating from the main access road through the development are a number of smaller spurs providing access and turning points to the dwellings. These will be surfaced using different materials, helping to define the main route through the site.

Two separate pedestrian accesses onto Carr Road are also proposed at the northern and southern ends of the site as well as a children's play area at the southern end of the development.

The properties, which are to be a mixture of detached and semi-detached two and two and a half storey dwellings are arranged so that in many cases each has a small area of open space to the front with a larger private garden area to the rear. Where possible parking is located to the side of the properties, so the layout is not overly car dominated. Bin stores are to the rear or side of the properties which will further enhance the street scene.

Different materials are proposed for different areas of the site enabling a sense of place and distinctiveness to be created.

In terms of distance between properties within the development as well as the distance from existing dwellings on Carr Road at Royd Farm, the layout shows that adequate separation can be provided to prevent unacceptable levels of overlooking, overshadowing or loss of light from occurring.

The layout provides a degree of separation between the development and the listed buildings at Royd Farm and so does not impinge upon their setting.

Affordable housing is to be provided on site and this is to be spread through the development.

It is considered that the general layout of the development conforms with the parameter plans submitted with the original outline application.

The layout is in accordance with UDP Policy BE5 and Core Strategy Policy CS74 and the relevant paragraphs of the NPPF.

Scale

The scale of development will see 69 dwellings erected on the site. The majority of the dwellings are to be two-storeys in height with a smaller number being two and a half storeys, i.e. having residential accommodation within the roof space. These properties are spread through the development.

Core Strategy Policy CS26 states that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and support the development of sustainable balanced communities, and gives a density range of 30 to 50 dwellings per hectare for developments in 'remaining parts of the urban area'. The policy states that densities outside these ranges will be allowed where they achieve good design and reflect the character of an area.

The density of development will equate to around 26 dwellings per hectare which is below the range set out in Core Strategy Policy CS26. The scheme being for 69 dwellings rather than the 85 that could be provided under the outline permission, is less dense than it could have been; however it is felt that the density of development reflects the local character which predominantly comprises of detached and semi-detached dwellings. Furthermore the scheme retains a large amount of green and open space which reduces the density but is viewed positively from a design and character perspective.

The surrounding dwellings are also largely two-storeys in height and it is considered that the development would sit comfortably in the context of the existing scale of built form. On balance the scale of development is appropriate and complies with the aims of UDP Policy BE5, Core Strategy Policy CS74 as well as paragraph 126 and 130 of the NPPF.

Appearance

The development will utilise a variety of house types and building materials to add interest and distinctiveness. The predominant building material is to be brick with a small number of the dwellings closest to the neighbouring Royd Farm having a natural stone finish. Windows and doors are to have contrasting heads and cills. Amended plans have been received altering some of the proposed dwellings that were to have a rendered finish to be brick instead.

Some of the properties have gable features on the front elevation and some have bay windows, there are also a variety of porches to the front elevations.

Low hedges are proposed to define many of the front gardens along the main street through the development and the inclusion of trees and areas of open space throughout the scheme all add in a positive way to the appearance of the development.

Between rear gardens timber fencing is proposed; however other boundaries are to comprise of brick walls, some with piers and timber infill panels, timber knee rails and planting. Existing dry-stone walls will also be retained.

In terms of appearance it is considered that the proposal would comply with UDP Policy BE5, Core Strategy Policy CS74 as well as paragraph 126 and 130 of the NPPF.

Landscape

It is acknowledged that overall the development will have an impact upon the wider landscape, placing dwellings on an area of land which is currently open; however, as was established through the granting of the outline planning application, the overall effect upon the landscape would be moderate – minor adverse. Over time as the landscaping matures some of the adverse effects will be mitigated and the development itself will make its own contribution to the landscape.

When weighed in the balance the overall harm that development would have upon the landscape character was far outweighed by the provision of a significant number of new dwellings, including affordable housing to meet a demonstrable housing need. As has been set out previously the principle of development has been established and so what needs to be considered here is whether the development complies with the principles outlined through the parameter plans in terms of landscape.

The development will incorporate large areas of landscaping and open space both around the periphery of the development as well as running through the site itself.

Along the western boundary of the site a sizeable area of land (approximately 2.2ha) will be set aside as an area to be managed predominantly as undisturbed wildlife habitat with no pedestrian or dog access. This area follows existing field boundaries and will effectively be managed and maintained in a similar manner to the existing site, providing habitat for ground nesting birds.

Beyond this, providing a buffer between the dwellings and the wildlife area is to be swathe of public open space which will incorporate seating areas, landscaping and a formal children's play area. This is the primary area of open space within the development.

At the northern end of the site another large landscaped area is proposed which will also incorporate a SUDS drainage basin. This again will provide areas of seating as well as interpretation boards.

Along the northern fringe further hedge planting and landscaping is proposed to provide both separation as well as a transition from the developed area to Fox Glen Wood to the north. It is acknowledged that in places this is somewhat narrow; however on balance, the current proposed layout with a private driveway with low-level bollard lighting along this northern edge is preferable to having back gardens facing the woodland edge.

The layout of the driveway does respect root protection areas of trees and so the development will not impact upon Fox Glen Wood.

Within the development two landscaped areas are proposed running in a north south direction following the line of the existing dry stone walls. These will enhance the character of the site, providing a nod to the previous landscape character as well as providing wildlife corridors.

Fairly centrally within the site is a further landscaped area and wildlife corridor, this time running in an east west direction connecting the field to the rear of Royd Farm to the wildlife area to the west. Part of this area is to have pockets of ornamental planting alongside seating and a possible community book exchange, with the remainder being informal planting.

As well as these areas of open space, throughout the development tree and hedge planting are proposed all of which will contribute to the landscaping of the development.

In terms of landscape the development is considered to comply with UDP Policy BE5, Core Strategy Policy CS74 as well as paragraphs 130 and 174 of the NPPF.

OTHER CONSIDERATIONS

Residential Amenity

UDP Policy H14 requires that sites are not over developed or deprive residents of light, privacy or security. Paragraph 130 (f) of the NPPF is also relevant and states that development should 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.

The submitted plans indicate that the development will be set away from all nearby residential dwellings including the closest properties at Royd Farm by sufficient distances to ensure there is no unacceptable impact to the amenities of existing residents.

All dwellings within the new development will benefit from main habitable rooms with windows ensuring adequate light and outlook to dwellings. Separation distances and relationships between dwellings comply with relevant guidelines, ensuring that dwellings benefit from adequate living conditions and unacceptable overlooking will not occur between dwellings. Furthermore, all dwellings will benefit from private outdoor amenity space.

It is concluded that the layout will ensure that adequate residential amenity is achieved in accordance with UDP Policy H14 and Paragraph 130 of the NPPF.

Ecology

The site is crossed in part by a Green Corridor and Green Link as identified in the UDP (Map 4 The Green Network). Although the map is, diagrammatic in form, it does show that the land is important for linking together areas of open space.

UDP Policy GE10 states that a network of Green Corridors and Green Links will be (a) protected from development which would detract from their mainly green and open character or which would cause serious ecological damage, and (b) enhanced by encouraging development which increases their value for wildlife and recreation.

Core Strategy Policy CS73 relating to the strategic green network states that within and close to urban areas, a Strategic Green Network will be maintained and where possible enhanced, which will follow the rivers and streams of the main valleys. The valleys and corridors listed in this part of the policy does not include Hollin Busk/Fox Glen/Clough Dyke. However, the policy goes on to say that "These Green Corridors will be complemented by a network of more local Green Links and Desired Green Links."

UDP Policies GE11 and GE13 seek to protect the natural environment and enhance areas of natural history interest. UDP Policy GE12 states that development which

would damage Sites of Special Scientific Interest or Local Nature Reserves will not be permitted.

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment, mitigating harm and providing net gains in biodiversity. Paragraph 180 goes on to state that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

It is considered that the local policy aims of protecting and enhancing ecology are compatible with the NPPF and therefore weight can be attributed to the local policies.

A number of updated ecology reports have been provided in support of this reserved matters application. These are 'technical updates' to previous surveys to provide an assessment of whether there have been any changes to baseline conditions. The 'Update Walkover Survey' (November 2022) concludes that habitats within the site remain unchanged and management is largely as it was when the site was first surveyed in 2016. Results of species specific surveys are assessed as having largely remained unchanged.

A Biodiversity Impact Assessment (November 2022) is provided which confirms that the development is expected to achieve a net gain of 10.91 habitat units (82.66%) and 0.78 hedgerow units (388.76%). As such the development could result in significant gains for bio-diversity.

Further consideration of the ecological benefits of the scheme shall be dealt with through the discharge of Condition 8 of the outline approval.

The proposal complies with Core Strategy Policy CS73, UDP Policies GE10, GE11, GE12 and GE13, all of which carry weight in the decision making process, and NPPF paragraphs 174 and 180.

Flood Risk and Drainage

Core Strategy Policy CS67 relating to flood risk management seeks to reduce the extent and impact of flooding.

NPPF paragraph 159 states that inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk and NPPF paragraph 169 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The local and national policies are generally aligned and so weight can be attributed to the local policies.

The application site lies within flood zone 1 where there is a low probability risk of flooding.

The submitted plans indicate that a surface water attenuation tank would be provided beneath the centrally located area of open space as well as a SUDs drainage basin at the northern end of the site. The incorporation of a SUD's scheme is welcomed. The full details of this will be considered through the discharge of Condition 12 of the outline approval.

In principle the development complies with Core Strategy Policy CS67, which carries weight in the decision making process, and the Government's planning policy guidance on flood risk in the paragraphs 167 and 169 of the NPPF.

Affordable Housing

Core Strategy Policy CS40 states that in all parts of the city, developers of all new housing schemes will be required 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.

The proposed development exceeds the 15 or more dwellings threshold and 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 applicant has confirmed that in terms of floor space just over the required 10% of the development would be for affordable housing. This would equate to 12 dwellings, 2 having one bedroom, 6 being two bedroomed properties and 4 having 3 bedrooms. The location of the affordable housing units is indicated on the site layout plan and are dispersed throughout the site.

The provision of the affordable housing has been secured through the S106 Agreement that was signed at the outline application stage.

The development will help meet the ongoing need for affordable housing across the city and is a benefit of the development attracting significant weight.

The proposal would, therefore, comply with Core Strategy Policy CS40 which carries weight in the decision making process.

Highways

Applicable policies are Core Strategy Policies CS51 and CS53. CS51 relates to the strategic priorities for transport, and includes maximising accessibility, containing congestion levels and improving air quality and road safety. Policy CS53 relates to the management of demand for travel, which includes implementing travel plans for new developments to maximise the use of sustainable forms of travel and to mitigate the negative impacts of transport, particularly congestion and vehicle emissions.

Paragraphs 104 to 113 of the NPPF promote sustainable transport. The NPPF, paragraph 111, states that development should only be prevented or refused on

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

The outline application established the location of the access for the development and found the effect that development would have upon the surrounding highway network to be acceptable.

The submitted plans indicate that the development will be served by a spine road, built to adoptable standards, with secondary roads and private driveways coming from this. Turning heads have been provided where necessary as well as tracking information to demonstrate that these would be useable.

Each property would have parking for at least a single car (with the larger properties having 2 -3 spaces) as well as a secure bike store within the curtilage to encourage travel by means other than the private car.

Two separate pedestrian routes into the site are also proposed.

It is considered that the development would have no adverse effect upon highway safety and complies with Core Strategy Policy CS51 and CS53 as well as the relevant paragraphs of the NPPF (104 -113).

Sustainability

Core Strategy Policies CS63, CS64 and CS65 of the Core Strategy, as well as the Climate Change and Design Supplementary Planning Document (SPD), set out the Council's approach to securing sustainable development.

Policy CS63 gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption, carbon emissions and that generate renewable energy.

Policy CS64 sets out a series of actions to reduce the city's impact on climate change. Policy CS65 relates to renewable energy and carbon reduction, and states that all significant developments will be required, unless this can be shown not to be feasible and viable to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. An equivalent 10% reduction in a development's energy needs from a fabric first is also acceptable (although not referenced in the policy).

These policies are considered to be consistent with government policy contained in the NPPF and should be afforded significant weight. Paragraph 157 confirms new development should comply with development plan policies for decentralised energy supply unless it is not feasible or viable having regard to the type and design of development proposed. Landform, layout, building orientation, massing and landscaping should also be taken into account to minimise energy consumption.

The site is considered to be in a sustainable location, being on the fringe of the existing urban area. This was the view taken at appeal when the principle of residential development on the site was established.

The plans include secure cycle stores to encourage sustainable modes of travel.

A sustainable urban drainage system is also proposed.

Further consideration of the sustainable measures that will be incorporated into the site will be considered through the determination of condition 13 of the outline approval.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is applicable to this development. The site is located within a CIL Charging Zone with a residential levy 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. The funds generated through CIL will be used in connection with strategic infrastructure needs.

The development is not of a large enough scale to require payments to be made through a s106 agreement to contribute towards health and education facilities. In this respect the adopted Supplementary Planning Document entitled Community Infrastructure Levy and Planning Obligations sets the following thresholds: Education contributions for sites of 500+ dwellings; Health contributions for sites of 1000+ dwellings.

The effect that the development may have upon schools and health facilities was considered to be acceptable through the granting of the outline planning application. The reserved matters application does not alter this, if anything pressure for the services is likely to be reduced with the number of dwellings proposed for the site having been reduced to 69 from 85.

RESPONSE TO REPRESENTATIONS

The majority of the issues raised have already been covered elsewhere within the report. This is a reserved matters application with the principle of residential development having already been established.

In response to the question as to why more housing is needed in Stocksbridge, given the number of developments that are currently under construction or have consent, the Council are unable to demonstrate a five-year supply of land for housing and so in line with the Government's objective to significantly boost the supply of homes set out at NPPF paragraph 60, further housing development is encouraged rather than precluded in order to boost housing supply.

The site is not located within the Green Belt and therefore does not fulfil the purpose of Green Belt and the development cannot be assessed against Green Belt policy.

With regard to representations concerning the loss of a well loved area for local residents, the proposed development will retain a large area of the site largely as it is at present and will also provide public access to an area of open space where

currently there is none thus increasing accessibility for local residents. Furthermore, the principle of developing the site has been established through the appeal decision.

Issues of noise and disturbance during construction works, loss of view and devaluation of property are not planning considerations.

SUMMARY AND RECOMMENDATION

Planning permission has been granted for the development of around 6.5ha of open land for residential purposes by application 17/04673/OUT. This current application seeks approval for matters which were not considered at the outline stage. These are the site layout, appearance, scale and landscaping.

The proposed development would see the erection of 69 dwellings. These would be arranged around a spine road which curls through the site, accessed from a single point on Carr Road (which has already been agreed as part of the outline application).

The dwellings would be largely two-storeys in height with some of the properties also providing accommodation within the roof space. A mixture of house types are proposed as well as a mix of materials although the predominant material is to be brick. Properties close to the neighbouring listed buildings are to be finished in natural stone.

Extensive landscaped areas are proposed alongside a sizeable area which will be maintained as an open grassland wildlife area with no public access.

The tilted balance is in play in the absence of the Council having a 5 year supply of housing. In this instance the benefits of the scheme included the provision of housing and affordable housing, contribution to the local economy, social benefits of provision of housing to the local community and a net gain for biodiversity. It is considered that there are no adverse impacts that would outweigh the benefits of the scheme

It is considered that the submitted details regarding the site layout, appearance, scale and landscaping are acceptable and accord with the relevant UDP and Core Strategy policies. Furthermore the development does not conflict with the aims and objectives contained with the National Planning Policy Framework.

RECOMMENDATION

When assessed against the policies in the NPPF taken as a whole, and in line with NPPF paragraph 11dii) it is recommended that planning permission be granted.

Case Number	22/01020/FUL (Formerly PP-11076299)
Application Type	Full Planning Application
Proposal	Alterations and conversion of building from light Industrial (Use Class E) to create 14 dwellings (Use Class C3) (amended plans received 21.11.2022)
Location	Building Between Cotton Street And 24 Alma Street Sheffield S3 8SA
Date Received	14/03/2022
Team	City Centre and Major Projects
Applicant/Agent	Citu Developments LLP
Recommendation	Grant Conditional Subject to Legal Agreement

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Drawing Numbers:

LK-CITUD-ALM-XX-DR-A-02-001 Rev P2 - Location Plan
LK-CITUD-ALM-XX-DR-A-04-001 Rev P2 - Proposed Site Plan
LK-CITUD-ALM-1-DR-A-04-002 Rev P3 - Ground Floor GA Plan
LK-CITUD-ALM-1-DR-A-04-003 Rev P4 - 1st Floor GA Plan
LK-CITUD-ALM-1-DR-A-04-004 Rev P2 - Minimum 1 Bed House
LK-CITUD-ALM-1-DR-A-04-005 Rev P2 - Maximum 1 Bed House
LK-CITUD-ALM-1-DR-A-04-006 Rev P2 - Proposed Studio House
LK-CITUD-ALM-XX-DR-A-04-007 Rev P4 - Minimum 2 Bed House
LK-CITUD-ALM-1-DR-A-04-008 Rev P3 - Maximum 2 bed house
LK-CITUD-ALM-XX-DR-A-05-001 Rev P4 - Proposed Elevations Sheet 1 of 2
LK-CITUD-ALM-XX-DR-A-05-002 Rev P5 - Proposed Elevations Sheet 2 of 2

LK-CITUD-ALM-XX-DR-A-05-005 Rev P3 - Openings Sheet 1 of 2
LK-CITUD-ALM-XX-DR-A-05-006 Rev P3 - Openings Sheet 2 of 2
LK-CITUD-ALM-XX-DR-A-06-001 Rev P4 - Sections

Flood Risk Assessment (by Civic Engineers - job 806-05) dated 20 May 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 the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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

4. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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

5. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

6. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological

investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

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

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

7. No development shall commence until details of measures to facilitate the provision of gigabit-capable full fibre broadband within the development, including a timescale for implementation, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details/timetable thereafter.

Reason: To ensure that all new Major developments provide connectivity to the fastest technically available Broadband network in line with Paragraph 114 of the National Planning Policy Framework.

8. No development shall commence until details of the existing discharge points and condition of the existing surface water drainage system, including any required remedial/maintenance works have been submitted to and approved in writing by the Local Planning Authority and any works required shall be carried out in accordance with the approved details. The scheme shall include the removal of rainwater goods which disperse directly onto the highway.

Reason: To ensure satisfactory drainage arrangements are provided to serve the site before the development commences and to ensure that the existing drainage system is fit for purpose for the lifetime of the development.

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

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

Highway Improvements:

- Reconstruction of Alma Street footway (kerbs and surfacing) across the development site frontage in accordance with the Urban Design Compendium, including the provision of pedestrian drop crossings and tactile paving to facilitate unhindered wheelchair mobility where/if necessary.
- Promotion of a Traffic Regulation Order (loading/waiting restrictions in the vicinity of the development site) and provision of associated road markings and signage, all subject to the usual formal procedures.
- Any accommodation works to street furniture, including street lighting columns, traffic signs, road markings, drainage, and Statutory Undertakers equipment because of the development proposal.

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

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

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

11. Unless it can be shown not to be feasible or viable 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)

12. No development works shall commence until a 'construction management plan', which shall include details of the means of ingress and egress of vehicles engaged in the construction of the development and details of any site compound, contractor car parking, storage, welfare facilities and delivery/service vehicle loading/unloading areas has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

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

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

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

14. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

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

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

Planning Authority.

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

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

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

17. Before that part of the development is commenced, full details of the proposed external materials shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved materials shall be in place before that part of the development is first occupied.

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

18. Prior to the development becoming occupied, full details of secure and sheltered cycle parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority, and provided in accordance with those approved details. The cycle parking shall be retained/maintained thereafter.

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

19. Prior to the removal of the render from the exterior of the building the methodology of such removal and a full specification and methodology for the application of replacement render shall be submitted to and approved in writing by the Local Planning Authority. Works shall then commence in accordance with the approved details and any subsequent render repairs or works to the render shall be in accordance with the approved details.

Reason: In order to protect the original fabric of the building and the character

and appearance of the Conservation Area.

20. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of a suitable and sufficient dedicated bin storage area shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless the dedicated bin storage area has been provided in accordance with the approved details and, thereafter, the bin storage area shall be retained and used for its intended purpose and bins shall not be stored on the highway at any time (other than on bin collection days).

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

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

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

22. The dwellings shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the dwellings commencing, and shall thereafter be retained.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

23. Full details of the approach to blocked openings shall be submitted to and approved in writing by the Local Planning Authority prior to those works commencing. The details shall include 1:5 scale cross sections showing the relationship with the external plane of the wall and development shall thereafter be carried out in accordance with the approved details.

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

24. Full details of the proposed design of all external doors shall be submitted and approved in writing by the local planning authority prior to their installation. The details shall include an elevation at 1:20 scale of each door and 1:5 scale cross sections showing full joinery details including any mouldings, panelling and architrave and where relevant the relationship with the external plane of the wall. Development shall thereafter continue in accordance with the approved details and such works shall thereafter be retained.

Reason: In order to ensure that the character of the building is retained and

there is no adverse impact upon the character of the Conservation Area.

25. Full details of the proposed design of all new windows shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The details shall include an elevation at 1:20 scale of each window and 1:5 scale cross sections showing full joinery and glazing details including any mouldings, head, lintel and cill details, balconies and relationship with the external plane of the wall. The development shall thereafter continue in accordance with the approved details and the approved and installed windows shall thereafter be retained.

Reason: in order to ensure that the character of the building is retained and there is no adverse impact upon the character of the Conservation Area.

26. Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason: In order to protect the character of the original building.

27. Prior to the development commencing (with the exception of soft strip works) full details of proposals to ensure a Biodiversity Net Gain is achieved as part of the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in accordance with the approved details before the dwellings are occupied.

Reason: In order to ensure a Biodiversity Net Gain in accordance with the requirements of the National Planning Policy Framework.

Other Compliance Conditions

28. Rooflights shall be conservation style whereby no part of the rooflight shall project above the surface of the roofing slates unless otherwise approved in writing by the Local Planning Authority.

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

29. 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.

30. No doors/windows shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has 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. Applicants seeking to discharge planning conditions relating to the investigation, assessment and remediation/mitigation of potential or confirmed land contamination, including soils contamination and/or ground gases, should refer to the following resources;
 - Land Contamination Risk Management (LCRM; EA 2020) published at; <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>;
 - Sheffield City Council's, Environmental Protection Service; 'Supporting Guidance' issued for persons dealing with land affected by contamination, published at; <https://www.sheffield.gov.uk/content/sheffield/home/pollution-nuisance/contaminated-land-site-investigation.html>.
3. 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.
4. 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.
5. The applicant is advised that in order to discharge the above condition relating to gigabit-capable full fibre broadband the following should be provided:
 - A contract or invoice for the installation of the physical infrastructure and the connection to gigabit-capable full fibre broadband.
 - Confirmation of the speed that will be achieved by the gigabit-capable full fibre broadband infrastructure, from the network operator.
 - Relevant plans showing the location/detail of the measures.

For more guidance with respect to addressing this requirement please see the Guidance Note on <https://www.sheffield.gov.uk/content/dam/sheffield/docs/documents-not-in-site-structure/new-build-developer-guidance.pdf> and/or contact hello@superfastsouthyorkshire.co.uk

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

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

7. 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

8. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

9. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

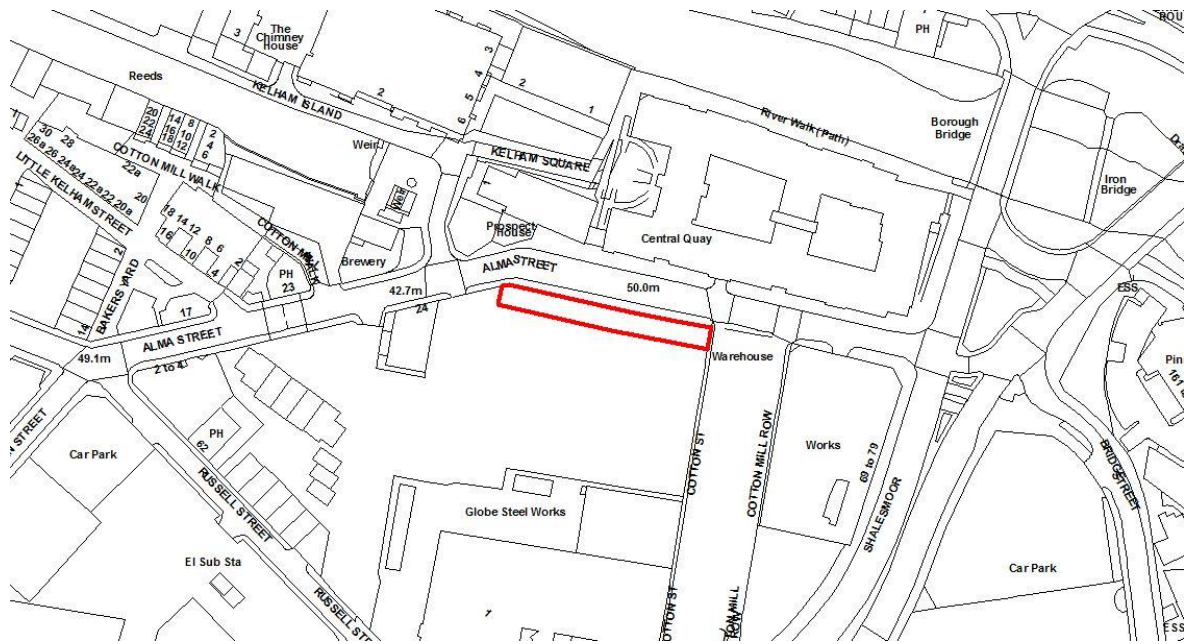
Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

10. This development has been granted permission on the basis that it is designated as a car/permit-free development. Residents of car/permit-free developments will not be issued with residents parking permits or business parking permits (for businesses registered at the car/permit-free address) in the local area where there is a permit scheme in place. Residents may be eligible for other types of parking permit (carer, visitor, Blue Badge) in the usual way according to the relevant criteria. This applies in respect of future parking permit schemes in the surrounding streets as well as in relation to current permit parking schemes.

Site Location



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LOCATION AND PROPOSAL

The application relates to an existing building situated between Cotton Street and 24 Alma Street in Kelham Island. The building is a terrace, two storeys in height constructed in brick, with render being a later addition, and with a pitched slate roof with chimneys. The building today is all that survives of the former workhouse and cotton mill that occupied the site and is believed to date back to 1805.

The building is located within the Kelham Island Conservation Area. The site is also located within an area designated as a General Industry Area without Special Industries within the Sheffield Unitary Development Plan. The site is also located within Flood Zone 2 (Medium probability)

The building is currently in use by a silversmith and a cabinet maker, and the current use is considered to be light industrial and falls within use class E (formerly B1(c)).

This application seeks to make a number of alterations to facilitate the conversion of the building into 14 dwellings (2 x 2 bed and 12 x 1 bed), falling within use class C3. The alterations include the creation of new openings, the enlargement/closure of existing openings, re-roofing the building, re-rendering the building, and internal alterations to facilitate a layout suited to residential accommodation.

RELEVANT PLANNING HISTORY

There is no planning history of relevance to the determination of this application.

SUMMARY OF REPRESENTATIONS

Consultation – June 2022

Following receipt and advertisement of the original application proposals in June 2022, representations were received from the public, Historic England, Local Members and historic amenity groups.

Public Representations Received

There were 11 representations received regarding the proposal from individual interested parties, as follows:

Existing Building Occupier

- An existing occupier of the premises has commented that it is not correct to say that the building is vacant and there are two remaining businesses within the building.
- The representation refers to the value of their silversmithing business (which takes place in the building) being within the Kelham Island Industrial Conservation Area, and states that it is a heritage trade of the Kelham Area and that the business has clear roots in the area.
- It is stated that the business was encouraged to move to the current site by the council in 2000 and that it has a role in educating students and its current

location makes it accessible. It is questioned as to which is more important, the heritage of the building, or the heritage of the craft i.e. “Should the conservation area be a museum to what was or trying to preserve and encourage what is left and thriving[?]”.

- It is also highlighted that by allowing residential buildings all around this site it has resulted in it being hemmed in and that natural light has been blocked, which makes it difficult to carry on work to exacting standards.
- The representation summarises that it has been made difficult to stay and reference is also made to the arrangements for notice and relocation and the impact upon the business.

Other Public Representations Received

In addition to the above, the following points have been made by other individual representations:

Loss of Business / Industry / Heritage

- It is inaccurate to say that the building is vacant, as per the submission.
- There has been a significant change in the area in recent years with new bars, cafes etc and whilst this is welcomed, development should not push out traditional businesses that underpin the cultural heritage of the area.
- The industrial heritage of Kelham is close to feeling like a novelty and the change from an operational silversmiths to a residential property is a backward step.
- The Conservation Area was established to preserve the crafts now under closure.
- If the business is forced to move, they should have their full costs covered and be compensated for any loss of earnings.
- The premises provide a home for two businesses that provide work and services for other craft businesses in Sheffield, as well as students and the local silversmithing community being forced into another location would have an impact upon costs and efficiencies. It will also encourage the use of carbon emitting vehicles.
- Council documents state that, 'Kelham Island was one of the first industrial conservation areas in the country to be designated, in order to protect its special character and heritage' and that 'It is one of the most important areas across Sheffield, identifying the importance and development of the metal trades industry, which formed a huge part of the city's growth throughout the 18th and 19th Centuries.' It is queried whether in considering/approving this scheme that the Council is undermining this and not protecting the businesses (and their reputation) that built the area?
- The heritage of the city (in both Kelham and the City Centre) is being put aside for housing.

Quality of Accommodation / Design Proposed

- The replacement housing proposed is poor- with demolition and open plan workshops turned into small houses.
- The site is flanked by existing and proposed 1 bedroom and studio units, is there a proportional requirement for larger house?

- A query is raised re the appropriate colour of the window frames relative to the historic context of the site.

The Georgian Group

The Georgian Group has submitted a representation. The Group has raised no objection to the principle of renovation and conversion to residential use, but it makes a formal objection to the proposal in the form submitted.

Specific comments include:

- Hallamshire Historic Buildings have already offered a detailed overview of the significance of the old workhouse buildings and which the Georgian Society has nothing to add.
- It is understood that the building is a non-designated heritage asset of early nineteenth century date with considerable local historic significance. The building has been much altered over its history as part of the early nineteenth century workhouse and possibly incorporating parts of an earlier mill it makes a significant contribution to the character and history of the Conservation Area.
- The group commend the applicant for proposing to re-use the buildings rather than demolish and replace.
- The proposed scheme of works is intensive and invasive. There would be significant remodelling of both the interior and exterior of the old workhouse including removal, enlarging and the insertion of openings, chimney stack removal, internal subdivision and fixtures and fittings inc. staircases. The scheme shows little regard for the building's historic character and will cause significant harm to the character of the building and to the historic character of the wider conservation area.
- The removal of chimney stacks and breasts will cause considerable harm to the historic character of the building. Retention in situ would preserve the character and legibility of the history and plan form of the building.
- Whilst it is recognised that some remodelling, insertions and removals of openings may be required to allow the building to be converted, the planned arrangement completely disregards the historic elevation and its legibility. All openings to the south elevation should be retained in their existing positions. New windows should be inserted to blocked openings and windows to be - infilled should be set back as blind windows to allow for legibility.
- Juliette balconies are inappropriate in character and the loss of fabric required for their creation would cause considerable harm and this harm, in the opinion of the society, is not convincingly justified by the small outdoor space offered by the balconies.
- The proposal is contrary to Core Strategy Policy CS74 regarding the enhancement of the distinctive heritage of the building, as the proposal would erase this distinctiveness.
- The approach to the north elevation is commended and a similar approach should be pursued to the south elevation. However, the windows and doors are not of a type appropriate to the age of the building.
- The window in the eastern elevation is poorly justified and any window should use the existing blocked opening. Similarly, the arched doorway in the western gable should be preserved or recessed as a blind doorway to

- preserve legibility.
- Further information is requested regarding the condition and survival of internal fixtures and fittings. Any historic fixtures/fittings/decorative schemes should be preserved and incorporated into the renovated building as far as possible.
 - S72 (1) Planning (Listed Buildings and Conservation Areas) act 1990 requires LPAs to pay special attention to the desirability of preserving or enhancing the character. The scheme fails to do this. It does not preserve or enhance the conservation area and would cause considerable harm to both the significance and value of the Old Workhouse Building as a non- designated heritage asset, therein harming the Kelham Island Conservation Area.

Hallamshire Historic Buildings

Hallamshire Historic Buildings have made a representation which states:

- The submissions are inadequate and the historical information has been taken verbatim from their comments. There is no acknowledgement for this and there is no analysis. The proposal fails to meet basic requirements of national and local policy.
- Only slate is a suitable roofing material for this property. This should be conditioned.
- Chimneys are described as making a significant space claim but the actual volume is small and not sufficient to affect their viability as dwellings. The claim that they are in poor condition is unsubstantiated. There is no justification for the loss of the large contribution that chimneys make to the significance of a building of his age and type.
- The skylight chimneys are a pastiche that do not protect or celebrate heritage.
- If the brickwork is too poor to be exposed then traditional render should be used and should follow the contours of the building and not impose a modern or rectilinear appearance. It is unclear why a contractor needs to be appointed to specify an appropriate render type.
- The blocking up of openings or their modification without good reason results in substantial and harmful loss to the historic appearance of the building. This is as a result of applying a standardised design rather than working with the asset that they had. Where an opening is truly redundant -rather than by choice of layout – or has been previously blocked up and is to remain so, the opening should be expressed externally by a recess shaped appropriately where the opening is arched.
- The approach to windows should be flexible and reflect the historic structure. It is possible to achieve environmental performance using conservation grade units or secondary glazing – and there are many examples in Sheffield where this has been done. It is not clear what the original scope of window would have been in terms of design, but a conservation architect could advise.
- The applicant states that the brick wall on Alma Street lies outside the development site, but plans show the wall removed and the upper storey of the building with hipped roof lost, whilst the characteristic arched doorway is obscured by a bin store. None of these changes are acceptable. If the wall is to be retained, then a new plan should be submitted showing the wall outside

the site.

Sheffield Conservation Advisory Group

Sheffield Conservation Advisory Group were also consulted on the application and have made the following comments:

- Whilst welcoming in principle the desire to bring this building back into use it considered a full Heritage Assessment is required before decisions can be taken. More detail of the interiors is required and more details of the replacement windows and doors would be helpful in assessing the sensitivity of any development of this building which has played an important role in the industrial history of Kelham Island.
- [Note: it has since come to light that the building is still in partial industrial use by Perry, Glossop & Co, silversmiths. Recent photographs show that underneath the external render windows retain flat brick arches and traditional stone sills.]

Historic Buildings and Places

Historic Buildings and Places (working name of the Ancient Monuments Society) have objected, stating:

- The Kelham Island Industrial Conservation Area Statement of Special Interest highlights the development of the site from mill to workhouse and Globe Works as an important contribution to the significance and interest of the area and notes the need to protect unlisted buildings that contribute to the historic character and reflect past industrial use. The building is considered to be a non-designated heritage asset.
- The building was part of the Sheffield Union Workhouse and the platform and location of most fireplaces appear in tact since the publication of the OS Maps for Sheffield, surveyed in 1851 and published in 1853.
- Reference is made to NPPF policies.
- It is noted that the building is in need of modernisation and repair but concern is raised at the approach taken, which does not recognise or seek to enhance the heritage qualities of the site or the conservation area.
- Support is given to the comments made by the Georgian Society and Hallamshire Historic Buildings.
- Original features such as the chimneys should be repaired in situ and the standardisation of the fenestration pattern would be harmful to the understanding of the building, whilst aluminium frames rather than timber would not enhance the character or significance of the conservation area.
- The proposal for new render and a cement fibre roof to match the new buildings adjacent show a lack of understanding about the need for this early 19th century building to breathe and the use of unsuitable modern materials will likely result in issues in the future. All repairs and fixtures should be carried out using appropriate materials for a building of this age, including the use of an approved lime-based render.
- The status of this building is a non-designated heritage asset with a high level

of significance - the alterations proposed would result in a level of harm to the character of the conservation area and is clearly contrary to both the local plan and the NPPF and the application should be withdrawn or refused due to its impact on local heritage.

Historic England

Historic England have advised that advice should be sought from the Council's conservation team.

Local Members

City Ward councillor Douglas Johnson has written on behalf of City Ward Councillors Ruth Mersereau and Martin Phipps to object to the proposal. The following concerns are raised:

- Kelham Island Industrial Conservation Area is the recognition of the industrial and manufacturing heritage of the locality and the historical context of residential and employment uses side by side. This has underpinned the success of Kelham's regeneration, and it was named "Great neighbourhood" by the Academy of Urbanism in 2019. It is stated that the regeneration has been successful and avoided any serious criticism of "gentrification" because development has taken place on disused sites without the existing occupiers being forced out.
- It is falsely claimed that the premises are vacant / unoccupied when they are actually home to "expert, traditional craftsmen in niche metalworking specialisms". The councillors consider that this should not be unchallenged and the application should not be considered until a truthful application and documentation set is provided.
- The application threatens traditional manufacturing businesses in Kelham Island, the loss of which would be to the detriment of the area and would not be outweighed by the addition of a relatively small number of homes, welcome though these would otherwise be
- There will be additional traffic within the neighbourhood which will not be catered for. Concern is raised at the reference to free street parking on Alma Street. This would impact on an area that has benefited from traffic calming with a low traffic neighbourhood and which is set to benefit from the forthcoming Connecting Sheffield active route.
- The local streets more widely are already full of on street parking and is an issue that residents, councillors and officers are seeking to address. It also fails to take into account the proposals for the Kelham parking permit scheme.
- With regards to the proposed design, it is queried whether cutting Juliet balconies into the elevation of Alma Street is appropriate or whether it would damage the historic frontage of the buildings?

Consultation – December 2022

Following the submission of amended plans, a further round of consultation was undertaken by the Council in December 2022. An additional two public representations have been received at the time of writing, including from a cabinet

maker who occupies a workshop inside the subject building;-The comments are:

- Longstanding tenants should be notified of the application, this has not been the case.
- The on-site situation is dangerous and access to the workshop premises is dangerous.
- The situation is stressful and uncertain and the maker's livelihood depends upon access to the workshop and machinery there, alongside a water supply and toilet and this is not being honoured. The objector has been a tenant for 16 years and feels that their rights are being ignored.
- It is queried what protection will be offered if planning permission is granted.
- The proposal seeks to replace a busy and fully functioning silversmithing workshop with domestic accommodation. The site is part of a protected area of Sheffield which ensures that noise from silversmiths and metalworkers is accepted as part of the city's industrial heritage.
- Silversmithing is recognised by the Heritage Crafts association as viable, but at risk and is on their red list to highlight the need for its protection.
- Cultural heritage across the country is under threat by the greed of developers which causes problems, not just by pushing traditional skills out of its original site but by removing central city locations it prevents allied trades from collaborating and for young makers to get accessible training.
- This application, in the opinion of the objector, is immoral and threatens the future of silversmithing not only on this site but across the city. Diminishing the city's most famous trade is dangerous and contrary to every effort of national organisations involved in supporting craft.
- The council should protect its industrial heritage and culture which the Conservation Area status sought to protect.

PLANNING ASSESSMENT

National Planning Policy Framework

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

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 is also a material consideration.

Paragraph 11 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be

granted.

Paragraph 219 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The relevant policies of the statutory Development Plan are set out below under each sub-heading, along with an assessment of their degree of consistency with the policies in the NPPF. Conclusions are then drawn as to how much weight can be given to each policy in the decision-making process in line with the requirements of NPPF paragraph 219.

The assessment of this development proposal also needs to be considered in light of paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- (i) 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
- (ii) Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The 'certain areas or assets' referred to in (i) includes Conservation Areas and Listed Buildings.

Key Issues

The main planning issues to be considered in this application are:

- The acceptability of the development in land use policy terms,
- The design of the alterations and extensions and their impact on the building itself, the street scene and surrounding Conservation Area,
- The effect on future and existing occupiers' living conditions,
- Whether suitable highways access and off-street parking is provided.

Land Use Principle

Unitary Development Plan

The application site falls within an area identified as General Industry Area B in the Unitary Development Plan (UDP). Policy IB5 'Development in General Industry Areas' sets out that B2 and B8 uses will be the preferred use in this area. However, it is necessary to note that this policy designation is no longer appropriate following the adoption of the Core Strategy, which identified via policy CS6b that this is an area within the city centre where manufacturing should be encouraged to relocate. This approach is further supported by policy CS17j, which identifies the area as one

formerly dominated by industry but now becoming the focus for new housing, and Policy CS27(a), which identifies the area specifically for housing.

Therefore, whilst the concerns of objectors are noted regarding the gentrification of the area and the heritage impact of industry/manufacturing being forced out of the area, it is the case that the Core Strategy contains an established policy intention that the area should change to become housing-led. These policies supersede the UDP, have been through a formal consultation and are considered consistent with the NPPF. As such, they are given substantial weight in assessing the principle of the change of use hereby proposed. Furthermore, this policy approach has been consistently applied in Kelham Island over recent years as the area has changed in line with the vision described above.

In addition to the Core Strategy, the Sheffield City Centre Strategic Vision, sets out the City's plans for a thriving, liveable and sustainable city centre, which includes the site. The document was consulted on in 2022 and the vision has now been approved by the Council. The Vision is intended to form part of a suite of documents for the city, which inform the emerging Sheffield Plan, and it places a strong focus on the City Centre's capacity to deliver new homes (at least 20,000 quoted). It sets out that Area One 'Kelham Island, Neepsend, Philadelphia and Woodside' is a growing residential area characterised by its industrial heritage, which will be protected. The document sets out that there is scope for significant residential growth in this area of a mix of apartments and townhouses, for sale and to rent.

The site is in an area which is marked as 'predominantly residential with community and amenity uses'. The document goes on to say that the housing will be predominantly low to mid-rise and include townhouses (as are proposed here). The document does talk about supporting maker and creative jobs but specifies this as being particularly in the Burton Road area to protect the creative character. It is considered that this document is a material consideration, albeit with limited weight. The inference of the policy is that creative character will be primarily aimed at the Burton Road area and similarly that the industrial heritage to be protected will be in design terms rather than through the retention of manufacturing and industry.

The site sits just outside the boundary of the area covered by the Kelham Neepsend Action Plan 2008-2018, whilst not yet withdrawn, the time period and the superseding documents such as the Strategic Vision discussed above mean that this document carries only very limited weight now.

In considering the above, and noting the concerns of representations received, it is considered that there is a policy basis for supporting the conversion of this building from light industrial use to residential accommodation. Re-use of the site for housing (Use Class C3) is therefore acceptable in principle.

However, it should be noted that whilst the principle is acceptable, any proposal is also subject to the provisions of Policy IB9 'Conditions on Development in Industrial and Business Areas' being met. These issues are considered in more detail later in this report.

Core Strategy

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 part (b) be on small sites within the existing urban areas, where this can be justified on sustainability grounds.

Policies CS23 and CS24 are 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'.

Therefore, given the presumption in favour of sustainable development, it is considered that the proposal is consistent with the aims of the Land Use policies in the Development Plan and as such the proposal is acceptable in principle.

Housing Land Supply

The NPPF in paragraph 11 requires local authorities to plan positively to meet development needs and paragraph 119 requires policies and decisions to promote an effective use of land in meeting the need for homes and other uses.

The Council has released its revised 5-Year Housing Land Supply Monitoring Report. This 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 December 2022 sets out the position as of 1st April 2022 – 31st March 2027 and concludes that there is evidence of a 3.63 years' 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 falls within a protected area (namely the Kelham Island Conservation Area) which must be taken into consideration in the tilted balance process.

In this context the following assessment will:

- Assess the proposal's 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.
- Apply 'the tilted balance' test, including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, having particular regard to the impact of the proposals on the designated heritage asset (the Kelham Island Conservation Area).

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 the 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.

The development proposal is considered to balance the need for the effective utilisation of an existing building and the dense, urban character of the area. The proposal is therefore considered to be satisfactory in respect of Policy CS26 and the NPPF.

Design and Impact on the Character of the Conservation Area

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.

Core Strategy Policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is backed up through UDP Policy BE5 'Building and Design Siting' which expects good quality design in keeping with the scale and character of the surrounding area.

Chapter 12 of the NPPF requires well designed places and paragraph 126 states that good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities, which contribute positively towards making places better for people. Paragraph 134 states that planning permission should be refused for development that is not well designed and where it fails to reflect local design policies and government guidance on design. Paragraph 134 also sets out that significant weight should be given to development which does reflect these policies and guidance and outstanding or innovative designs which promote high levels of sustainability or help raise the standard of

design more generally in an area so long as they fit within the overall form and layout of their surroundings.

The application site itself falls within the Kelham Island Conservation Area which is a heritage asset. Policies BE16 'Development in Conservation Areas' and BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' of the UDP are relevant. These seek to ensure that development would preserve or enhance the character or appearance of the Conservation Area, and that traditional materials are used.

Chapter 16 of the NPPF considers the conservation and enhancement of the historic environment and states that when considering the impact of a development on the significance of a heritage asset, great weight should be given to the asset's conservation, and (para 200) that any harm to the asset from development within its setting should require clear and convincing justification.

Paragraph 202 further sets out 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 including, where appropriate, securing its optimum viable use.

It is considered that the design and conservation policies within the UDP and Core Strategy reflect and broadly align with the guidance in the NPPF although the NPPF goes further, such that the local policies can be afforded moderate weight.

Proposed Building Design / Alterations

The works to the building to facilitate its conversion will include alterations to the roof and re-roofing, repairing the chimneys, inserting an additional chimney to the roof-plane, insertion of rooflights, solar panels to the roof, the relocation and blocking up of some existing openings, the enlargement of some openings, including to the rear elevation to facilitate the creation of Juliette balconies, the creation of new openings, the insertion of new window frames, the re-rendering of the elevations, the formation of an upper balcony over a bin store, the creation of an access route to the rear ground floor, alongside general improvement works including guttering and drainage arrangements.

The above works are accepted to be works necessary to secure the conversion of the building into residential accommodation and to improve the energy efficiency and sustainability credentials of the building. There have been several iterations of the plans during the course of this application, seeking to respond to the concerns of officers. The current proposal is considered to achieve an appropriate balance between the need for the preservation of the historic character of the building and the requirements for the conversion of the building to residential use to secure a viable future for this important building, which is currently in a poor condition.

The key elements which externally add to the character of the building and the Conservation Area, such as the slate roof and chimneys, will be retained and improved/replaced. The rationalisation of the openings to the front elevation to Alma Street is limited and the proposed re-rendering of the building will be required to be

of a specification that ensures that it reflects the age of the building and will not appear as a contemporary rendered building with sharp edges. The final details and specification of these key elements are proposed to be secured by the imposition of appropriately worded conditions.

Overall, following the updated proposals submitted, it is considered that the proposal will result in less than substantial harm to the overall character and appearance of this building and the value that it has within the Kelham Island Conservation Area. This harm needs to be weighed against the public benefits of the proposal which are considered later in this report. Nevertheless it is considered that the alterations to the building in design terms are appropriate.

Impact on Significance

Setting is the surroundings in which an asset is experienced. This does not depend on there being public rights or an ability to access or experience that setting. Settings of heritage assets which closely resemble the setting at the time the asset was constructed are likely to contribute strongly to significance. Paragraph 195 of the NPPF requires the local planning authority to identify and assess the particular significance of the heritage asset that may be affected by the proposal, and this should be taken into account when considering the impact on the heritage asset to avoid or minimise conflict between the asset's conservation and the proposal.

The Kelham Island Conservation Area is an industrial conservation area and as such seeks to protect buildings and features which contribute to the industrial heritage of the area, as well as ensuring that new buildings also contribute to this setting and character. It is relevant to note therefore that whilst located within the Kelham Island Conservation Area, there has been significant new construction around the subject site, including directly to the rear and adjacent. These buildings have all been permitted on the basis that they will not harm the character, setting and significance of the heritage asset (Kelham Island Conservation Area, including the subject site, and the Fat Cat Grade II Listed public house). Where a degree of harm has been identified with schemes in the locality, this harm has been weighed against the public benefits in each case.

The new buildings which surround the subject site therefore add to the significance of the subject building as a historic building within the Conservation Area, but equally provide a context for conversion and amendment noting that the building itself is not a listed building and has been the subject of earlier alterations.

Whilst both the visual and social significance of the building is fully recognised; for the reasons described above it is considered that the building works, as proposed in the latest set of amendments, will not result in significant harm to the significance and setting of the Conservation Area nor the subject building itself. It is relevant to note that the quality and appearance of the building works (including key details and specifications) proposed, to ensure a positive impact upon the heritage asset's setting and significance, can be secured by appropriately worded conditions.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset (Kelham Island

Conservation Area in this instance), greater weight should be given to the asset's conservation. Paragraph 200 specifically states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Significance can be harmed or lost through development within the heritage asset's setting. Paragraphs 201 and 202 go on to say that where a proposed development will lead to substantial harm, or less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In this instance, it is considered that there will be less than substantial harm to the heritage assets. The public benefits of the proposal are to enable the future security and retention of the building with improvements to the structure and fabric of the building; the creation of jobs through the construction process; and the provision of new housing units at a time when the City falls far short of the required 5-year housing supply (only 3.63 years identified).

Overall, the refurbishment will result in a well-designed development and, subject to high quality and appropriate materials being used, it is considered that a successful scheme will be achieved. The proposals are therefore considered to comply with Policies BE5, BE16 and CS74 together with the above quoted paragraphs of the NPPF.

South Yorkshire Archaeology

SYAS have requested that a condition be applied to require a scheme of written investigation and building recording works to ensure that this historic building is appropriately recorded. An appropriate condition is therefore recommended.

Highways

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

UDP Policy IB9 'Conditions on Developments in Industry and Business Areas' requires that permission only be permitted where the development would be adequately served by transport facilities and provide safe access to the highway network and appropriate off-street parking.

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 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 paragraph 108 refers to maximum parking standards for residential developments only being set where there is a clear and compelling justification that they are necessary for managing the local road network or for

optimising the density of development in city and town centres and other locations that are well served by public transport. Policy CS51 can therefore be given significant weight and IB9 moderate weight.

The site is near to public transport facilities, including the Supertram network, at Shalesmoor, and local amenities. There is no parking proposed as part of this scheme as this is simply not possible given the constraints of the site, but it is recognised that this scheme will be in the area covered by the Kelham Parking Permit Scheme, which is close to implementation. This will see a parking permit scheme implemented for the benefit of the area. The developer has agreed to pay a financial contribution (£1,360) towards the cost of implementation of this scheme and this will be secured by section 106 agreement. This is based on a rate of £85 per bedspace and there are 16 bedspaces in this case (12 x 1 bed plus 2 x 2 bed = 16). The legal agreement to this effect is within the process of being drafted. Residents of this scheme are unlikely to be able to secure a permit in the scheme and this is specified in an informative.

The proposal is not considered to pose a severe impact on the surrounding highway network or on highway safety, therefore complying with UDP, Core Strategy and NPPF policies as listed above.

Living Conditions

Policy IB9 'Conditions on Development in Industry and Business Areas' part (b) requires that changes of use do not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

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 this requirement and should be given significant weight.

Impact on Neighbouring Occupiers

The properties across Alma Street are a mix of apartments and student accommodation, whilst to the rear the redevelopment of the wider site is ongoing for residential dwellinghouses. Directly adjacent to the site is Globe Works for which a planning application has been submitted to change the premises to a music venue and bar. This application has yet to be determined.

The works proposed are limited in terms of the impact upon amenity. The amendments to openings or the creation of new openings is likely to have the greatest impact on both existing and future occupiers.

As an existing building, with no increase in height proposed, it is not considered that overbearing is an issue to neighbouring properties, and the relationship will already be established in the case of future occupiers.

Existing and new windows in the proposed development are positioned to ensure that there will be no detrimental overlooking between future residents and existing neighbouring properties. The properties currently under construction on the site face

'end on' to the subject property and the facing apartments across Alma Street are set across a public highway.

Amenity for Future Occupiers

The proposed dwellings are considered to provide an acceptable outlook from main habitable rooms, with sources of natural light and ventilation. There is limited external space, but it is considered that this is to be expected in this denser urban environment.

The Environmental Protection Service have recommended conditions in respect of sound attenuation and validation of these works alongside testing or potential land contamination to ensure the provision of an appropriate environment for residents.

All of the proposed dwellings exceed the minimum space standards set out within the South Yorkshire Residential Design Guide, as follows:

Studio 37.14m² (design guide minimum 33m²)
Min 1 bed: 46.86 m² (design guide minimum 46m²)
Max 1 bed: 57.75 m² (design guide minimum 47m²)
Min 2 bed house 68.42 m² (design guide minimum 62m²)
Max 2 bed: 92.30 m² (design guide minimum 62m²)

The dwellings will therefore offer a good standard of accommodation, appealing to a range of occupiers.

It is considered that the proposed development would not adversely impact on the amenities of existing occupiers to an unacceptable level, and would provide occupiers of the proposed new dwellings with a good standard of amenity. Accordingly, the proposal complies with UDP Policy IB9 and Paragraph 130 of the NPPF.

Sustainability

The NPPF advises that there is a presumption in favour of sustainable development. This comprises of three dimensions which must be considered together. These are an economic role, a social role and an environmental role.

In this instance, the site will provide additional housing stock which has both economic and social benefits, upgrade and secure the re-use of an existing heritage building, which whilst occupied by tenants is within private ownership, whilst also improving the energy efficiency of the building and provide opportunities for renewable energy generation as part of its conversion.

Policy CS63 of the Core Strategy 'Responses to Climate Change' gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions and which generate renewable energy. 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. Policy CS65 'Renewable

Energy and Carbon Reduction' sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions. These policies are consistent with the NPPF and can be given significant weight.

New developments 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.

A fabric first approach is to be implemented in this instance, together with renewable energy provision to the roof in the form of solar panels. Overall, it is considered that the proposal meets the local sustainability policy requirements of CS63, CS64 and CS65.

Ecology

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.

Core Strategy Policy CS74 (Design Principles) identifies that high-quality development will be expected, which respects, take advantage of and enhances the distinctive features of the city, its districts and neighbourhoods, including important habitats.

GE11 and CS74 align with the NPPF and can be given substantial weight. To clarify, NPPF paragraph 170 parts a) and d) identify that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 175 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 175 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.

It is acknowledged that on site opportunities are limited but that an element of biodiversity net gain can be secured by condition, which could include the provision of bird / bat boxes for example.

Landscaping

Policy BE6 (Landscape Design) expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation. Paragraph 130 b) of the NPPF requires developments to be visually attractive, including with appropriate landscaping, meaning that the local policy can be given significant weight, being in alignment with the NPPF.

The site is tightly constrained in a close-knit urban environment with only the access path to the rear of the site being within the red-line boundary. The adjoining area is part of the previously approved scheme for the former Richardson's site and is therefore included in the landscaping proposals for that site.

In this respect there is no requirement for a specific landscaping scheme for this development.

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, it should be ensured 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 falls within flood zone 2, which would affect the principle of the development and is a 'more vulnerable' use. A Flood Risk Assessment has been carried out. A sequential test is not required as the proposal is for a change of use.

The site is at medium risk from fluvial flooding. The 2007 floods were a 150-200 year event and did affect the site but the FRA states that this was the only recorded instance of flooding to the development. The risk of flooding from all other sources is considered to be low and the FRA states that where surface water flooding may occur it is unlikely to be high enough to flood properties. To mitigate flood risk it is proposed that the Finished Floor Level be set at a minimum of 49.79mAOD as part of the refurbishment, with further consideration given to the installation of temporary flood barriers to entrances and the use of 'anti flood' devices on service vents and ducts as well as double sealed lock down inspection chambers and non-return valves on pipework.

The FRA sets out that the development is not anticipated to be severely affected by flooding up to a 1 in 200 year event, as a result of the mitigation measures. It is also noted that the works proposed are to an existing building, and as such, are not anticipated to increase flooding to the surrounding area.

The FRA has considered the potential for a sustainable drainage system but the nature of the proposal is such that this is not feasible.

Improvements to surface water collection will be required by condition - noting that the existing rainwater spouts direct water over the footway, which is clearly unacceptable and needs to be addressed as part of the redevelopment works. It is considered that this will be an improvement on the current situation and will be secured by condition.

It is considered that the imposition of an appropriately worded condition will be sufficient to address matters relating to surface water run-off and flooding. Therefore, the proposal complies with Policy CS67 and the provisions of the NPPF.

Affordable Housing

Core Strategy Policy CS40 'Affordable Housing' requires that all new housing developments over and including 15 units should contribute towards the provision of affordable housing where this is practicable and financially viable. The development proposes only 14 units and therefore this policy is not relevant to the determination of this application.

Community Infrastructure Levy (CIL)

CIL applies to all new residential 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 improvements, new school provision, open space etc. In this instance the proposal falls within CIL Charging Zone 4. Within this zone there is a CIL charge of £50 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.

RESPONSE TO REPRESENTATIONS

It is considered that the key material planning issues raised are addressed in the assessment above.

In respect of the removal of the existing tenants of the silversmith and cabinet making businesses to facilitate the proposals; whilst this is clearly a difficult and upsetting situation; the Council does not own the building and, as such has no control over the tenancy matters in this case. It is confirmed that this is a private civil matter and not a planning matter and, as such, can have no weight in the determination of this planning application.

SUMMARY AND RECOMMENDATION

The application seeks permission to convert an existing building currently in use as light industry to 14 residential units within the Kelham Island Conservation Area.

In the absence of a 5-year supply of housing land the tilted balance is engaged in accordance with Paragraph 11 of the NPPF and the positive and negative aspects of the scheme must be carefully weighed unless, in this case, harm to the designated

Heritage Asset (Kelham Island Conservation Area) gives a clear reason for refusal.

The above assessment has already demonstrated that there will be less than substantial harm to the heritage asset and, as such there is no clear reason for refusal on this basis if the public benefits outweigh that harm.

There would be a number of benefits that will arise from this application including:

- The scheme would deliver 14 new residential units which would be affordable and go towards addressing identified city-wide need. The units are all larger than the minimum space standards identified in the South Yorkshire Residential Design Guide.
- The development would contribute to delivering the vision for the neighbourhood (as set out in the City Centre Strategic Vision)
- The building is in a poor state in a prominent position in the Kelham Island Conservation Area. The proposals will secure the repair and long-term future of the building
- The site is in a very sustainable location and would constitute efficient use of a building which is currently under-utilised.
- Future residents would generate local spend within the economy.
- The construction process would create employment opportunities.

The disbenefits of the scheme relate primarily to the lack of any external amenity space or parking facilities but these are offset by the benefits in this case and residents would not be eligible for permits within the new parking scheme in the area.

In applying the titled balance in favour of sustainable development in NPPF Paragraph 11 (d), greater weight is given to the benefits of the scheme and, in this case, the balance falls clearly in favour of scheme

It is therefore concluded that the proposals accord with the provisions of the Development Plan when considered as a whole and that the policies which are most important in the determination of this application are consistent with the aims and objectives of the National Planning Policy Framework.

It is therefore recommended that planning permission be granted subject to a legal agreement with the following Heads of Terms and to the listed conditions.

Heads of Terms

The developer shall make a contribution of £1,360 towards the implementation of the Kelham Island and Neepsend Parking Permit Scheme.

Case Number	20/02550/FUL (Formerly PP-08917224)
Application Type	Full Planning Application
Proposal	Full planning application for enabling works comprising access, clearance and remediation, reprofiling, drainage, flood mitigation, landscaping and associated works
Location	Land Part Of Outokumpu Site, Fife Street And Blackburn Road And Storage Land At Grange Mill Lane Sheffield S9
Date Received	31/07/2020
Team	City Centre and Major Projects
Applicant/Agent	Planning Prospects Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Access Layout Full Length - Drawing no. J1053 Fig 2 - Rev C - amended and published 30.01.2023

Access Road General Arrangement - Drawing no.

UG_11958_LAN_GA_DRW_109 - Revision P07 - amended and published 30.01.2023

Access Road Hard Landscape Plan - Drawing no.

UG_11958_LAN_HL_DRW_110 - Revision P07 - amended and published 30.01.2023

Site Wide Masterplan - Drawing no. UG_11958_LAN_MSP_DRW_103 - Revision P11 - amended and published 30.01.2023

Soft Landscape Plan - Drawing no. UG_11958_LAN_SL_DRW_104 -
Revision P12 - amended and published 30.01.2023
Soft Landscape Plan View 1 - Drawing no. UG_11958_LAN_SL_DRW_105
- Revision P12 - amended and published 30.01.2023
Soft Landscape Plan View 2 - Drawing no. UG_11958_LAN_SL_DRW_106
- Revision P12 - amended and published 30.01.2023
Soft Landscape Plan View 3 - Drawing no. UG_11958_LAN_SL_DRW_107
- Revision P12 - amended and published 30.01.2023
Soft Landscape Plan View 4 - Drawing no. UG_11958_LAN_SL_DRW_108
- Revision P12 - amended and published 30.01.2023
Access Road Soft Landscape Plan - Drawing no.
UG_11958_LAN_SL_DRW_111 - Revision P09 - amended and published
30.01.2023
Access Layout and Sight Lines - Drawing no. J1053 Fig 1 - amended and
published 30.01.2023
Plan View and Cross Sections - Drawing no. 5R-2480D-101 - amended 30
April 2021, published 05.05.2021
Preliminary Site Plateaus - Drawing no. C1367-005 - Revision D - published
27.06.2022
Cross Sections - Drawing no. C1367-200 - Revision P1 - published
27.06.2022
Site Location Plan - Drawing no. UG_11958_LAN_SLP_DRW_101 -
Revision P02 - published 31.07.2020

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 Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, as well as minimising the impact on the highway network and local wildlife. It will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality, pollution control, traffic management and habitat protection. The CEMP shall include, but not be limited to, the following details:
 - Construction traffic routes to the site identified on a plan;
 - A profile of the daily movement of the construction traffic, identifying the peak level of vehicle movements for each day (vehicle movements, especially HGVs, should be prohibited as far as reasonably possible from accessing the site during the Strategic Road Network peak operating hours);
 - Wheel wash facilities located close to the site entrances/exits to prevent the depositing of mud, waste and debris from the site onto the road network;

- Measures to protect the Blackburn Brook Local Wildlife Site, the Woolley Wood Local Nature Reserve and any other nearby off-site woodland areas and habitat sites from construction-related impacts;
- Reasonable Avoidance Measures to prevent harm to otters utilising the Blackburn Brook during the construction phase;
- Precautionary Working Methods to prevent harm to badgers;
- Detailed management proposals for the removal and eradication of invasive species identified on the site; and
- Measures to limit the impact of construction lighting on on-site and off-site wildlife and habitats.

Thereafter, the details shall be implemented in accordance with the approved CEMP throughout the construction period.

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

4. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase I Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and shall include details of proposed phasing arrangements for any recommended investigations.

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

5. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out in accordance with the approved phasing, and shall be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the relevant phase of development works commencing. The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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

6. Any remediation works recommended in the Phase II Intrusive Site Investigation Report(s) shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the

Local Planning Authority prior to the relevant phase of development works commencing. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

7. No development shall commence until a phasing strategy for the development, for the investigation of existing drainage infrastructure, and for the provision of appropriate drainage infrastructure for each part of the site, has been submitted to and approved in writing by the Local Planning Authority. For each phase of the development, a scheme providing full details of the proposed surface water drainage design, including calculations and appropriate model results, shall be submitted to and approved by the Local Planning Authority. No phase of the development shall commence until the drainage scheme for that phase has been approved in writing by the Local Planning Authority, and no part of a phase shall be brought into use until the drainage works approved for that part have been completed.

The drainage scheme for each phase shall:

- Include calculations to demonstrate a 30% reduction in surface water disposal compared to the existing peak flow based on a 1 in 1 year rainfall event. This will require any 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 of 40% 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.

- Be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided unless evidence has been provided to show why these methods are not feasible for this site.

- Include the arrangements and details for surface water infrastructure management for the lifetime of the development. This shall include operation and maintenance manuals for regular and intermittent activities and as-built drawings.

For each phase of the development, the drainage scheme and its management shall be implemented in accordance with the approved details and phasing strategy, and retained for the lifetime of the development.

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.

8. No development, including any demolition and groundworks, shall take place until a Written Scheme of Investigation (Wintertree Software Inc.) has been submitted that sets out a strategy for archaeological investigation, and this has been approved in writing by the Local Planning Authority. The Wintertree Software Inc. shall include:

- The programme and method of site investigation and recording;
- The requirement to seek preservation in situ of identified features of importance;
- The programme for post-investigation assessment;
- The provision to be made for analysis and reporting;
- The provision to be made for publication and dissemination of the results;
- The provision to be made for deposition of the archive created;
- Nomination of a competent person/persons or organisation to undertake the works; and
- The timetable for completion of all site investigation and post-investigation works.

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

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

9. No development shall commence until full details of measures to protect the existing trees and hedgerows to be retained (as indicated in the Arboricultural Impact Assessment by Urban Green, Project No. 11958, published 31 July 2020) 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.

10. No development shall commence until a detailed 30-year Biodiversity Enhancement and Management Plan (BEMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, has been submitted to and approved in writing by the Local Planning Authority. The BEMP shall ensure the delivery of biodiversity net gain set out in the approved Biodiversity Net Gain Assessment (Urban Green, Project No. UG11958, Rev. P09, dated 27/01/2023, received and published 30 January 2023) and shall include the following elements:

- Details of any new habitats created on-site;
- Details of treatment of site boundaries and/or buffers around water bodies;
- Details of maintenance regimes for existing and new habitats, including how the habitats will be managed and maintained for at least 30 years;
- Timescales for implementation; and
- Details of management responsibilities.

Thereafter, the BEMP shall be carried out in accordance with the approved timescales, and any subsequent variations shall be agreed in writing by the Local Planning Authority.

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)

11. Prior to the commencement of the development, a detailed Inclusive Employment and Development Plan for each construction phase, designed to maximise opportunities for employment and training for that phase, shall have been developed collaboratively with Talent Sheffield and submitted to and approved in writing by the Local Planning Authority.

The Plan shall include an implementation schedule, with provision to regularly review and report back on progress achieved, via Talent Sheffield, to the Local Planning Authority. Thereafter, the Plan shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for Sheffield from the construction of the development.

12. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety

measures) listed below have either:

a) been carried out; or

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

Highways Improvements:

- Works to develop the approved site access from Blackburn Road / Grange Mill Lane (as shown in principle on the approved Access Road Full Length plan, ref. J1053 Fig 2 - Rev C - amended and published 30 January 2023)

Reason: In the interests of highway safety.

13. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority. The submission shall include detailed design drawings for a new pedestrian crossing on Blackburn Road, to the north of the junction with New Droppingwell Road, in the location indicated on the approved plan (ref. UG_11958_LAN_GA_DRW_109 - Revision P07 - amended and published 30 January 2023).

Reason: In the interests of pedestrian safety.

14. The approved access road shall not be brought into use until the sight lines, as shown on the approved plan (ref. J1053 Fig 1 - amended and published 30 January 2023), have been provided. Thereafter, the sight lines shall be retained and no obstruction shall be allowed within the sight line above a height of 1 metre.

Reason: To ensure appropriate visibility from the approved access, in the interests of highway safety.

15. The new access shall not be used unless and until all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Planning Authority (in consultation with the Local Highway Authority), including any Traffic Regulation Orders, are implemented. The means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

Reason: In the interests of highway safety.

16. The 'kissing gate' connection from the public right of way footpath (SHE/391) to the new access road, as shown on the approved plan (ref. UG_11958_LAN_SL_DRW_111 - Revision P09 - amended and published 30 January 2023), shall be an Aston 2-Way gate with mobility access, or a

similar gate with access for medium and large mobility vehicles to be approved in writing by the Local Planning Authority prior to the installation of the gate. Thereafter, the gate shall be retained as a fully accessible connection.

Reason: To widen access to the public right of way.

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

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

18. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy, a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority, or in accordance with phasing arrangements which have first been submitted to and approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

19. The development shall be carried out in accordance with the submitted Flood Risk Assessment & Drainage Strategy (Shepherd Gilmour Consulting Engineers - C1367-20200094 Version Rev D, dated 29.04.2021, published 27 June 2022) and Flood Modelling Study (Thomas Mackay Environmental Solutions - Final Version v6-0, dated May 2022, published 27 June 2022) and the following mitigation measures they detail:

- The enabling works shall be carried out in accordance with the approved Preliminary Site Plateaus (Drawing no. C1367-005 - Revision D - published 27 June 2022) and Cross Sections (Drawing no. C1367-200 - Revision P1 - published 27 June 2022); and

- The culvert sections shown in Appendix E of the approved Flood Modelling Study (published 27 June 2022) shall be opened up as detailed.

These mitigation measures shall be fully implemented before any plot is made available for development. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development. Should any variation to the approved mitigation measures be deemed necessary, the alternative measures shall not proceed until amended details have been submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere.

20. The development shall be carried out in accordance with the approved scheme for the restoration and enhancement of the Blackburn Brook water body, as specified in the WFD Compliance Assessment submitted by Five Rivers Environmental Consulting (project code 2480D, published 5 May 2021) and as shown in the approved plans listed in condition 2, including the following measures:

a) The removal (daylighting) of at least 120 metres of an existing closed culverted section of Blackburn Brook adjacent to Parcel 2 of the development site; and

b) The restoration of the Blackburn Brook river channel and its riparian corridor through Parcel 1 of the proposed development site ('Parcel 1'), including:

- The removal of at least 225 metres of existing hard-engineered river banks and walls
- The realignment and re-naturalisation of at least 260 metres of river channel
- The provision of improved channel planform (sinuosity) and natural cross-section (width and depth) within the re-aligned channel
- The removal of at least 95 metres of existing closed culverted sections
- The re-grading of the existing banks and creation of an undeveloped (free from buildings or structures) buffer zone around the realigned channel
- The provision of wetland/floodplain habitats within the re-graded river corridor
- The provision of a natural gravel channel bed substrate within the realigned channel
- The removal of an existing small impoundment (weir)
- The planting of native marginal/wetland plant and tree species

Any subsequent minor variations to the scheme or the overall design of the proposed development shall be agreed in writing by the Local Planning Authority and the Environment Agency, in which case the development shall be carried out in accordance with the amended scheme.

Reason: To ensure the appropriate enhancement of the Blackburn Brook, in line with policies GE17 and GE26 of the Sheffield Unitary Development Plan.

21. Prior to the commencement of that part of the development, details of the proposed 30-metre length of replacement culvert on the Blackburn Brook water body, as shown on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to limit the ecological and geomorphological impacts of the channel structure.

22. Prior to the installation of any external lighting, full details of the proposed means of lighting (including any security lighting) shall be submitted to and approved by the Local Planning Authority. The lighting scheme shall be designed to be sensitive to on-site and off-site wildlife and habitats, with illumination kept to the minimum level necessary and measures incorporated to minimise light spill. Thereafter, the agreed details shall be implemented in accordance with the approved details.

Reason: To protect on-site and off-site ecological habitats.

23. Details of all retaining walls and all security fences shall be submitted to and approved in writing by the Local Planning Authority before that part of the development commences. The development shall be undertaken in accordance with the approved details and retained thereafter.

Reason: To ensure the satisfactory appearance and security properties of new boundary treatments.

Other Compliance Conditions

Attention is Drawn to the Following Directives:

1. The CEMP required for condition 3 should cover all phases of demolition, site clearance, groundworks and above ground level construction. In addition to the specific requirements set out in condition 3, the content of a CEMP should normally include:
 - Reference to permitted standard hours of working (0730 to 1800 Monday to Friday, 0800 to 1300 Saturday, no working on Sundays or Public Holidays).
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - (i) Noise - including welfare provisions and associated generators, in

addition to construction/demolition activities.

(ii) Vibration.

(iii) Dust - including wheel-washing/highway sweeping; details of water supply arrangements.

(iv) A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.

(v) A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.

(vi) Details of site access & egress for construction traffic and deliveries.

(vii) A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.commercial@sheffield.gov.uk.

2. Statutory sewer maps show that numerous sewers cross the site. Existing drainage infrastructure must be fully surveyed before any phase of the development commences, as required by condition 7 as set out above, in order to record the accurate positions of public sewers. No trees should be planted within 5 metres of any public sewer. No buildings or structures should be erected within the relevant stand-off distances of any sewer, and an appropriate buffer zone should also be maintained around the Blackburn Brook watercourse. Proposals for works affecting public sewers (including operational works in close proximity, improvement works, diversions or abandonment) must be approved by Yorkshire Water before the commencement of the relevant operations. Yorkshire Water reserves the right to refuse permission to undertake works to public sewers, under its statutory powers as set out in the Water Industry Act 1991.
3. The approved Flood Risk Assessment (FRA) applies only for enabling works comprising access, clearance, and remediation, reprofiling, drainage, flood mitigation, landscaping and associated works. Any future submission for built development will require a new FRA based on more recent model outputs, reviewing the impact of the flood mitigation works on the Flood Zone designation and the appropriateness of built development. Any updates to Flood Zones will require an evidence review to be submitted to the Environment Agency at neyorkshire@environment-agency.gov.uk.
4. Should any of the individual site areas progress to development in isolation and not as part of the whole site masterplan, the developer is advised to consult the Environment Agency to ensure that the individual sites do not increase flood risk on site or elsewhere.
5. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- On or within 8 metres of a main river (16 metres if tidal); or
- On or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal); or
- On or within 16 metres of a sea defence; or
- Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert; or
- In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) where planning permission has not already been granted.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the Environment Agency's National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and they are advised to consult with the Environment Agency at the earliest opportunity.

6. The detailed design of the 30-metre length of replacement culvert, as required by condition 21, shall adhere to the following principles as set out by the Environment Agency:

- The culvert length should be restricted to the minimum necessary (maximum 30m);
- The culvert base should be of natural substrate (this should be achieved by using a bottom-arch culvert retaining the natural stream bed, or if this is not possible burying the culvert invert at least 300mm below the natural bed level);
- Natural low flow depths should be maintained through the culvert base (by the provision of a two stage channel where necessary);
- The culvert base should be sufficiently buried (at least 300mm) below the existing bed to allow a naturalised culvert bed to be maintained during the scour associated with high flows;
- The culvert should be at least the same width (and ideally two times the width) as the natural active channel width, with consideration to low flows and channel migration;
- The soffit of the culvert should be greater than the natural bank height;
- The culvert alignment should match alignment of the watercourse (in a parallel direction to flow, and in a straight reach);

- The slope of the culvert base should match the slope of the bed of the watercourse, with consideration to the stability of the watercourse;
 - Associated erosion and scour controls must be suitably sized and sensitively engineered e.g. soft engineering options where appropriate;
 - The culvert should be designed to prevent creation or exacerbation of downstream and upstream bank and bed erosion; and
 - The culvert must not present a barrier to fauna by (i) creating a step or 'hydraulic drop' at the culvert inlet or outlet which will hinder the passage of fish and other fauna, (ii) creating undesirable hydraulic conditions (e.g. shallow depths or fast flows) throughout the length of the culvert that will hinder the passage of fish or (iii) any additional restrictions at the site of installation to the free passage of migratory fish and other fauna at all times, e.g. mammal and fish access through the internal culvert length.
7. The external lighting scheme, as required by condition 22, should be designed in accordance with the guidance provided by the Institution of Lighting Engineers in their documents "Guidance Notes for the Reduction of Light Pollution", "Guidance for the Reduction of Obtrusive Lighting" and "Bats and Artificial Lighting in the UK", or any subsequent guidance which supersedes these documents. The lighting scheme should include the following measures:
- Site lighting should be kept to minimum levels.
 - Construction lighting should not be directed towards retained and surrounding habitats. Directional lighting can be achieved by angle and orientation of beam, use of a cowl, louvre or other light shield, or a combination of these.
 - Luminaries should lack UV elements, and a warm white light should be used instead of a cool white light (ideally less than 2700 Kelvin).
 - Lighting should feature peak wavelengths greater than 550nm.
 - Light placement should be downward facing to prevent excess horizontal or vertical light spill.
 - The use of hard landscaping features to block light and create dark corridors.
 - Measures to avoid illuminating any suitable retained bat habitats.
 - Use of timed security lights to be set on motion-sensors and using short, 1-minute timers, to minimise light use, where appropriate.
 - Column heights of lighting designed to minimise light spill.

8. The applicant is reminded that all wild birds, their active nests, eggs and young are protected under the Wildlife & Countryside Act 1981. Any clearance of trees, scrub and vegetation should ideally avoid the core nesting season (March 1st - August 31st) unless a check has been carried out by a suitably qualified ecologist.
9. The developer's attention is drawn to the advice provided in the consultation responses from Cadent Gas, uploaded to the Council's Public Access website on 2 October 2020 and 5 October 2020. The responses can be viewed in the Documents tab on the application file. Search for planning application ref. 20/02550/FUL here:
<https://planningapps.sheffield.gov.uk/online-applications/>
10. The developer's attention is drawn to the advice provided in the consultation response from Network Rail, uploaded to the Council's Public Access website on 12 October 2020. The response can be viewed in the Documents tab on the application file. Search for planning application ref. 20/02550/FUL here: <https://planningapps.sheffield.gov.uk/online-applications/>
11. South Yorkshire Police advise that a number of existing industrial and commercial properties running the full length of the proposed site have at some point suffered criminal offences such as burglary and thefts, with fencing having been breached. To future-proof the development, it is important to ensure that the boundary fence is substantially secure to prevent future breaches and to protect the site during the construction phase.

The proposed 2.4m high security fence should be anti-climb prison mesh constructed to a minimum of LPS 1175 Issue 8 D10 (SR4) The fence should be securely fixed/anchored and concreted into the ground. At no point should the fence be reduced in height less than 2.4m on the public facing side. Details submitted for condition 23 will be expected to demonstrate these security standards.

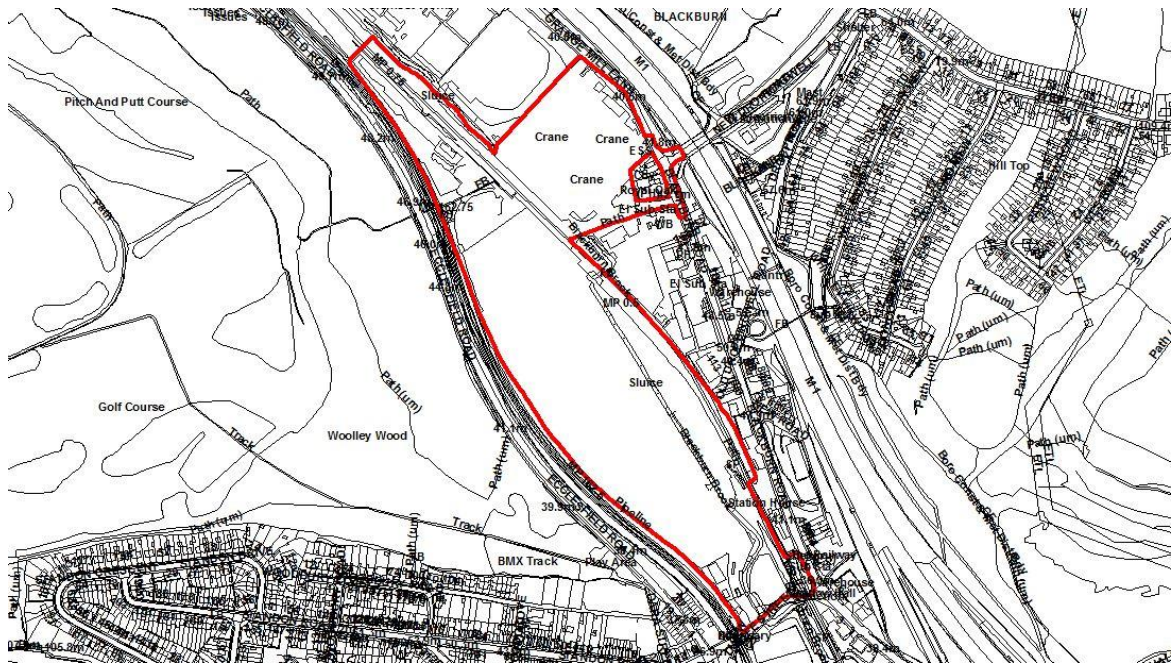
All other boundary treatments should meet Secured by Design standards.

Pedestrian and cycle routes should be designed to be wide, without sharp bends or hiding places, being overlooked and well-lit.

The immediate surrounding area has historically suffered from illegal off-road motorcycling. Consideration should be given to installing intermittent preventive measures to all pedestrian/cycle routes and public rights of way to negate this.

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

Site Location



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LOCATION AND PROPOSAL

Site Location

The application site is located in the Blackburn Valley industrial area, which runs north from Meadowhall shopping centre along the south-west side of the M1 motorway. The site represents just under 14 hectares of land in an irregularly shaped plot comprising of two distinct 'parcels' as described in the applicant's submission.

The parcels are divided by a former railway line that is now a pedestrian and cycle route, generally of 2.5 metres in width. This is part of a wider strategic footpath and cycleway route (the NCN67 Trans Pennine Trail Central) which runs from Ripon down to Long Eaton via Leeds, Wakefield, Sheffield and Chesterfield. The entire Trans Pennine Trail network includes east-west routes from Hornsea to Southport.

The majority of the site falls within Parcel 1, being vacant industrial land which was formerly home to the Outokumpu steelworks, which closed in 2009 and was cleared in 2011. Almost all structures on the site have now been demolished, leaving an extensive area of hardstanding. This parcel is defined by Fife Street to the south, the NCN67 along the entire north-east edge, and the Sheffield to Barnsley railway to the west. The parcel thins towards the north, terminating at a buffer area between the railway and the NCN67, south-west of the Foremost Industrial Estate, which features several industrial, warehousing and open storage premises.

Parcel 2 is a smaller area adjoining the eastern edge of Parcel 1 towards the north of the site. This land comprises levelled hardstanding used by a crane engineering company and is defined by Grange Mill Lane to the east, the NCN67 to the south-west, and the Foremost Industrial Estate to the north-west. To the south-east corner of Parcel 2, and excluded from the application site boundary, is the Royal Oak public house.

Around the location of the Royal Oak, Grange Mill Lane merges into Blackburn Road, which continues the industrial character but with some isolated dwellings, the closest of which is approximately 40 metres from the application site. The M1 motorway is located immediately to the east of the smaller industrial sites on Blackburn Road, and to the other side of the M1 are residential streets in the Hill Top neighbourhood, representing the south-western extent of the developed suburban area of the town of Rotherham.

To the south of the site, on the eastern side of the railway line, are gasholders operated by Cadent Gas. To the western side of the railway line is the Woolley Wood ancient woodland, with Concord Park beyond. To the south-west of the site is the neighbourhood of Wincobank, and the Shiregreen area is located further to the west beyond Concord Park. The Woolley Wood is connected to the site via a public footpath (ref. SHE/391) which bridges the railway line and crosses Parcel 1 to join the NCN67 before linking to Blackburn Road along the southern boundary of Parcel 2.

The Blackburn Brook, a tributary of the River Don, runs through the site. The Brook runs adjacent to the NCN67 where it divides Parcel 1 from Parcel 2, then moves southwards through Parcel 1. The Brook has been regulated with large sections of culvert and engineered banks, and a number of bridge crossings. The sections of Brook within the site have been poorly managed, with deteriorated structures and accumulated debris. The site is classed as floodplain and is subject to relatively frequent flooding.

Application Proposal

The application proposal consists of enabling works to serve future employment development on both parcels of the site. The employment development itself is not the subject of this application and will be the subject of separate future applications which will consider aspects including traffic, air quality, flooding and environmental impacts as appropriate.

The key interventions proposed under this application are as follows:

- Clearance of areas of existing hardstanding and self-seeded vegetation, to allow for remediation and the formation of new site profiles in preparation for future employment development
- Creation of a new vehicular access from Blackburn Road, immediately to the south of the Royal Oak, leading to an access point leading north to Parcel 2 and a roundabout at Parcel 1 to provide routes to future development sites
- Improvement works to the NCN67 cycleway and the SHE/391 footpath, including the creation of a new pedestrian and cycle crossing where these routes meet the new vehicular access road from Blackburn Road to Parcel 1
- Hydrological works to the Blackburn Brook and the laying of new drainage infrastructure, including the removal of existing bridges and culverts, the naturalisation and realignment of the Brook, and the lowering of the eastern embankment to create a landscaped flood mitigation area, as well as the creation of a balancing pond in the southern corner of the site
- Landscaping, habitat creation and boundary treatments, including tree planting and a vegetated embankment along the western boundary

The application has been amended since the original submission, including revisions to the design of the pedestrian and cycle crossing over the new access road, as well as further enhancement to the Blackburn Brook, now encompassing more substantial realignment. All amendments are discussed fully in the Planning Assessment below.

RELEVANT PLANNING HISTORY

Within the application site area, several developments associated with the previous industrial land use were approved between 1978 and 2003, including ancillary

amenity and office blocks and signage proposals.

Following the closure of the Outokumpu site in 2009, the first redevelopment proposal was in 2015 when the use of this land for open air HGV storage was proposed. The HGV storage application was withdrawn. Subsequently, Environmental Impact Assessment (EIA) screening and scoping requests were received in 2019 for the industrial redevelopment of the whole site. It was considered that an EIA would be required.

However, an application for the whole development was never submitted. Rather, an application for the new access road only, from Blackburn Road, was received later in 2019, before being withdrawn in 2020 due to unresolved flood risk matters, and to allow for a resubmission taking a more holistic approach to enabling works and site restoration. A new EIA screening request was submitted later in 2020, covering the enabling works only rather than the whole development, and the Council concluded that an EIA would not be required for the enabling works (this is discussed further in the Planning Assessment below). Discussions associated with the current application have been ongoing since the application was validated in August 2020, allowing for the resolution of technical matters and the eventual presentation of the application to Members at the February 2023 Planning & Highways Committee meeting.

The relevant planning history is set out below:

- 15/04614/FUL
Use of site for storage, repair and maintenance of Heavy Goods Vehicles (HGVs) and sale and hire of commercial vehicles, erection of gate house, office accommodation block and workshop unit with associated parking accommodation and retention of front boundary wall
Withdrawn 06.05.2016
- 19/00853/EIA
EIA (Environmental Impact Assessment) screening request for the redevelopment of site including erection of buildings (Use Classes B1c, B2 and B8)
Environmental Statement Required 19.03.2019
- 19/02290/EIA
EIA (Environmental Impact Assessment) scoping request for the redevelopment of site including erection of buildings to provide up to approx. 51,000sqm of employment floorspace (Use Classes B1c, B2 and B8) with formation associated site access
Scoping Opinion Provided 24.07.2019
- 19/02601/FUL
Construction of a new access road with landscaping and associated works
Withdrawn 28.04.2020
- 20/02988/EIA
EIA (Environmental Impact Assessment) Screening opinion request for

enabling works, comprising access, clearance and remediation, reprofiling, drainage, flood mitigation, landscaping and associated works
Environmental Statement Not Required 18.09.2020

SUMMARY OF REPRESENTATIONS

The application has been advertised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Neighbour consultation letters were sent out to neighbouring premises with an adjoining boundary. Notices were displayed around the site location. A press notice was displayed in the Sheffield Telegraph.

The application was re-advertised in May 2021 following the receipt of amended plans and supporting documents, and again in July 2022 following the receipt of a new flood modelling study.

Sheffield City Council has received 30 objections overall, including from the Trans Pennine Trail office, Sustrans Sheffield, Cycle Sheffield, CPRE Peak District and South Yorkshire, Councillor Ruth Mersereau, Councillor Dawn Dale, Councillor Garry Weatherall, Miriam Cates MP (Member of Parliament for Penistone and Stocksbridge) and community groups including the Love Wincobank Campaign, Wincobank Connects and the Brendan Ingle Foundation.

Two online petitions through the Change.org website have been submitted by the Love Wincobank Campaign. The first petition is the same as that submitted for the previous application (19/02601/FUL) rather than directly relating to this application. A new petition carried out for this application has 408 online signatures. According to the Council's Petition Guidance, a valid petition should include the postal address and signature of every contributor. As postal addresses and signatures are not included, this petition cannot be formally accepted, although the Local Planning Authority does recognise the submission as an indication of public feeling against the development.

The comments received to date are summarised as follows, organised according to subject matter:

Land Use Principle

Trans Pennine Trail:

- There is no indication of how the wider site will be developed, i.e. as one major development or as smaller development sites

Sustrans:

- There is an opportunity to instead transform an old industrial site into a nature-friendly park

Councillor Ruth Mersereau:

- Sheffield Green Party objects to “enabling works” for a 500,000 square foot warehousing site

Love Wincobank Campaign:

- Expected environmental effects of the development will not be outweighed by regeneration benefits
- The application includes insufficient detail about the overall future use of the site, yet the applicants are specific in press statements in stating that they intend to provide warehouses
- The ground works and flood mitigation works may increase the area of developable land
- Employment development can be delivered elsewhere
- The cumulative effects of the development (including flooding, traffic, noise, pollution and loss of cycle/pedestrian routes) are too great for local people to shoulder
- The stated benefits of the development are not of benefit to local people
- The applicant has contempt for the Wincobank community
- Previously industrial land does not need to remain industrial in perpetuity – the site could be developed for other uses
- Proposals for the site should include the implementation of the Ingle Way project developed with architecture students at the University of Sheffield to improve connectivity between Wincobank, Meadowhall and the Trans Pennine Trail
- The industrial allocation in the Unitary Development Plan is out of date
- There is not enough detail about the jobs that the proposal would actually create and whether these would be for local people – distribution does not require a lot of workers

Wincobank Connects:

- The negative impact on the community will outweigh any potential benefit in terms of jobs
- There is inadequate information about the end land use
- We don't know how many buildings there will be
- The site would be better used as a wildlife lake or as an exercise area with job opportunities in leisure services

The Brendan Ingle Foundation:

- The development will create a barrier to the Foundation's plans to improve residents' quality of live by preventing the delivery of the Ingle Way project
- Development should be directed to nearby alternative industrial sites

Change.org Petition:

- The development of 14 hectares of active floodplain for warehouse distribution units should be stopped

Public comments:

- This part of the city should not be used as a 'dumping ground' for industry but should instead be invested in for residents and visitors
- Despite other objections, the economic benefits of the development are acknowledged

- The application lacks transparency in terms of the eventual plans for the site, and the motives of the applicant can't be trusted
- There is potential for the site to be used as a 'flood basin park' to provide opportunities to enjoy the natural world
- The land should be donated to the people of Sheffield to ensure proper management
- The development is unnecessary and unwanted
- Unused land off junction 35 of the M1 should be developed instead
- There are numerous examples of ex-industrial sites being used in a better way

Officer response:

The principle of the development in terms of land use is discussed fully in the Planning Assessment below, along with a balancing of the weight given to various material considerations. The motives or character of the applicant, together with any past press statements, are not a material planning consideration, and the application proposal must be assessed on its own merits. The submitted application does not include the eventual employment development, and the Council's assessment must be limited to the development which is expressly covered by this application, being the enabling works described only. Alternative proposals cannot be considered on a hypothetical basis, and the Council does not have control over the ownership of the land in order to bring forward the suggested alternatives.

Public Rights of Way, Highway Safety, Active Travel and Traffic

Trans Pennine Trail:

- The proposal will dissect and sever the NCN67
- It is questionable whether a raised table will be the safest option to protect sustainable transport users on the Trail, as cyclists and pedestrians could face extended waiting times for safe passage
- The application does not show sustainable transport links to local residential areas and to provide sustainable routes for future employees
- The Trail should remain open 24/7
- There is insufficient detail of how the works to the Trail will be undertaken
- The supporting documents insufficiently reference the importance of the Trail
- The proposal should deliver better improvements to active travel routes, including increased width and surfacing improvements
- Trail users of all abilities should be accommodated
- The Trail should be improved in terms of safety and visitor experience, and this development provides neither
- The Trail partnership would support a safe priority crossing for sustainable transport users
- There is no reference to LTN 1/20 cycle standards within the documentation

Sustrans:

- The proposed access road is unacceptable and the approach requires cyclists to give way, which is unacceptable when the cycleway is a pre-existing right of way
- Motor traffic should not be allowed to sever the greenway route which is part of a 12,000-mile network
- The NCN67 has been particularly valuable to the local community during the Covid-19 pandemic
- An alternative route for motorised traffic must be found
- Access barriers should be removed where possible and additional barriers should not be accepted
- The basic design principle of National Cycle Network is that a 12-year-old should be able to cycle along it unaccompanied, and the development would make this too dangerous
- Any design solutions should ensure that the development accords with current cycling infrastructure design standards and this should be a planning condition for the developer
- If the crossing is going to be too busy to allow priority to pedestrians/cyclists, the delay and increased hazard to vulnerable road users will not be minimal

Cycle Sheffield:

- The NCN67 should have priority over any side roads or access roads
- The crossing needs to be designed so that priority is clearly given to pedestrians and cyclists, with motorised traffic giving way to these users
- The shared cycle/footpath used to access the site is too narrow and should be 5 metres wide (3 metres for two-way cycling and 2 metres for pedestrians), or alternatively the cycle lane should be protected within the road
- The shared use path fails to connect to the site itself or even to the existing NCN67 – it is unclear what cyclists are supposed to do when they reach the end of the path
- Kissing gates or any other kind of access barriers are contrary to the Equalities Act
- Current design standards should be used for active travel infrastructure rather than outdated standards from 1995 and 2008 – the proposal should comply with the Department for Transport's LTN 1/20 standard
- If pedestrian and cycle priority cannot be retained, the crossing should be signalised to ensure safe passage

CPRE Peak District and South Yorkshire:

- The development would affect the route of the Trans Pennine Trail, which holds significant value as an off-road walking and cycling route
- The development would severely impact Trail users
- The changes to the Trail would damage sustainable and active travel in the immediate area and reduce leisure options
- The design of the new crossing fails to give priority to Trail users and ignores the hierarchy of travel modes

Councillor Ruth Mersereau:

- The development stretches over a mile in length and would create huge amounts of traffic

- It is unacceptable to say that traffic would be considered in later applications, as the purpose of enabling works is only valid in the context of the eventual wider development

Miriam Cates MP:

- The NCN67 is used heavily by pedestrians and cyclists travelling towards Meadowhall and the city centre from the Penistone and Stocksbridge constituency
- Safe cycle routes away from major highways are important to consider alongside the need to keep developing our infrastructure

Love Wincobank Campaign:

- Wincobank is a rat run for traffic circumventing the Meadowhall Ring Road, and there have been numerous recorded traffic incidents in the area – additional traffic could cause further safety issues
- Local roads are dangerous with a lack of safe crossing places
- The bisection of the cycleway and footpath will further reduce safe spaces for people to walk, run and cycle
- The NCN67 and public footpath offer a flat, even terrain in the valley bottom when many surrounding routes are too hilly for some people to move around easily

Wincobank Connects:

- Increased traffic at the gateway to the M1 will result in tailbacks at other access points
- The proposal would cut across one of the only level routes in the area
- The NCN67 would be rendered impassable by a raised crossing

The Brendan Ingle Foundation:

- Pedestrian access around the site entrance is already limited, and increased HGV traffic with limited vision would increase risks to runners, walkers and cyclists
- The proposal will add to traffic congestion along Barrow Road and at the roundabout feeding the M1 and Tinsley Viaduct

Public comments:

- The footpath is used extensively and increases people's health and wellbeing
- The proposal will reduce and disrupt cycle routes
- The development will make people hesitate to walk along the path
- Children, cyclists, runners, walkers, families and dogs will not be able to roam freely
- The NCN67 should have priority over any side roads or access roads
- There needs to be clearer priority for pedestrians and cyclists
- The shared cycle/footpath used to access the site is too narrow, and should be 5 metres wide, or there should be a segregated cycle lane within the road
- The new road should have protected cycle lanes
- 'Kissing gates' or any other kind of access barriers or controls do not provide equal access for mobility vehicles, trailers, tricycles and push chairs

- Pedestrians and cyclists would be put in danger by traffic crossing the road hump
- There needs to be a less intrusive way of accessing the site, without interfering with members of the public using the disused railway line
- The development will deter walkers and cyclists
- Workers should be able to access the site in a healthy way with good walking and cycling infrastructure
- The traffic count should have been carried out through the whole day rather than at rush hour only
- Walkers and cyclists will be at greatest risk from lorries and trucks in the middle of the day
- Construction traffic and day-to-day traffic resulting from the development will increase local congestion
- The development must preserve active travel facilities and improve health, and there is no evidence that the plans will achieve this
- The proposal prioritises the development and its vehicular access to the detriment of local cycle infrastructure
- The shared cycleway/footpath does not connect properly with the existing NCN67 route and is illegible
- The application references out-of-date cycle infrastructure standards
- The design is contrary to LTN 1/20 standards
- The site already has vehicular access from Fife Street, so there is no justification for an additional access
- The proposed roundabout is hazardous, as large vehicles existing the site will not have finished turning before they cross the NCN67, with visibility likely to be restricted
- The access road would destroy the amenity of the NCN67
- The Trans Pennine Trail is a safe haven for children and the changes proposed would change this
- We are in the midst of an obesity crisis, and taking away pedestrian routes for exercise would conflict with actions previously taken by Sheffield City Council
- Blackburn Road could become hectic and dangerous
- The proposal would stop much of the community's usage of the Trans Pennine Trail
- There are few quality cycle routes in Sheffield which are entirely separated from motor traffic
- The NCN67 is vital for those wishing to escape the ubiquity of cars
- The demands of cars and business should not be promoted over pedestrians and cyclists
- There should be unhindered traffic flow along the greenway
- The NCN67 is an 'arterial' cycle route, of importance equivalent to a vehicular A road
- The Department for Transport supports minimising the effort required to cycle by enabling cyclists to maintain momentum – a design with vehicle priority over the cycleway will not achieve this
- A large proportion of cycle fatalities and casualties occur within 20 metres of a junction
- The roundabout should have been designed to minimise impact on the NCN67, which pre-exists the access road design

- Whilst the Blackburn Valley Trail route is proposed for improvement via Connecting Sheffield investment, it makes no sense to downgrade another section of cycle path with an uncontrolled crossing
- The developer should provide lighting to the trail within their ownership boundaries
- The footbridge across the site should be upgraded to provide disabled access
- Revisions do not show that the issue of the NCN67 bisection has been addressed

Officer response:

Highway safety, traffic, active travel and implications for key public rights of way are all discussed in detail within the Planning Assessment below.

Residential Amenity

Councillor Ruth Mersereau:

- Breaking up and removing the concrete pads, bringing new materials on site and building the new development will be noisy and will take many months, causing unacceptable disruption to local residents
- There is insufficient detail of proposed construction traffic movements and operating hours

Councillor Dawn Dale:

- Investment should not be at a cost to residents' quality of life

Love Wincobank Campaign:

- Breaking up existing concrete pads and redistributing the crushed concrete will generate significant noise, vibration, dust and particulates which will impact on human, animal and environmental health
- An Environmental Health Report and Noise Impact Assessment should be provided
- The Environmental Impact Technical Note submitted contains little detail about the process of the enabling works including how the concrete will be broken up on site
- The application site is in the valley bottom, and noise naturally travels up the valley – when the previous steelworks were operational, noise from the hammers could be heard at the top of Wincobank Hill

Wincobank Connects:

- Noise from the development works will harm residents

Public comments:

- Residents will be harmed by increased traffic noise
- Noise pollution is already unbearable as some drivers don't adhere to the speed limit and the vibration of lorries can be felt as they speed down Blackburn Road

Officer response:

Impacts on residential amenity are discussed in full within the Planning Assessment below. As the application is for enabling works only, disturbance from the operational phase is not a material consideration, and disturbance from the development phase is of greater relevance to this proposal.

Pollution

Councillor Ruth Mersereau:

- The traffic generated by the proposal would affect local air quality in an area of existing health disadvantage

Love Wincobank Campaign:

- Air quality in Wincobank and Blackburn is poor due to its proximity to the M1, and Sheffield City Council's Air Quality Action Plan 2015 commits to improving health in areas where the pollution is elevated
- Air quality is estimated to account for up to 500 premature deaths per year in Sheffield
- A warehouse distribution centre without effective environmental mitigation will fuel a further increase in premature deaths

Wincobank Connects:

- The proposal will cause an increase in traffic fumes

The Brendan Ingle Foundation:

- The site will increase diesel particulate pollution close to a children's playground and the Trans Pennine Trail, increasing the risk of respiratory conditions and discouraging physical activity

Public comments:

- The proposal will result in dangerous emissions and pollution
- The development will worsen air quality further
- The construction process will also worsen air quality

Officer response:

Matters relating to pollution, including air quality and land contamination, are discussed in full within the Planning Assessment below. It should be noted that air quality impacts from the eventual employment development, including from traffic fumes, will be assessed under future applications and this application considers the impact of the enabling works only.

Climate Change

Trans Pennine Trail:

- There is no reference to the impact of future carbon emissions in terms of the dangerous levels already at junction 34 of the M1.

Love Wincobank Campaign:

- The breaking up of the concrete will result in the nearby ancient woodland being coated with fine dust, affecting the trees' ability to absorb carbon

CPRE Peak District and South Yorkshire:

- The priority to vehicles over users of the Trans Pennine Trail goes against more sustainable travel and is undesirable when the city has declared a climate emergency

Public comments:

- There is an opportunity to create a sustainable, low carbon development at the site if low carbon principles are used, including a rail connection for goods transfer

Officer comments:

The impact of the development on climate change mitigation and adaptation is a material consideration and is discussed in full below.

Ecology and Green Infrastructure

Trans Pennine Trail:

- The development will impact upon the green corridor around the Trail and connections to the Woolley Wood and beyond

Sustrans:

- This is a high biodiversity area due to the proximity of the Woolley Wood and the wildlife corridor created by the NCN67 – there should be further greening of the cycle route and green infrastructure corridors into the development to deliver net gain
- The development does not maximise opportunities for enhancement of the Blackburn Brook

Love Wincobank Campaign:

- The cycleway and footpath running through the site represent a vital green corridor for the community
- The vacant site has been reclaimed by nature in the last 10 years

Wincobank Connects:

- The breaking up of the concrete will result in the nearby ancient woodland being coated with fine dust, damaging the trees
- The noise and vibration from the work will have an adverse effect on wildlife

The Brendan Ingle Foundation:

- The air pollution created by increased traffic will have a negative impact on the Woolley Wood

Public comments:

- There should be better links for wildlife across the site
- Culverted watercourses should be exposed and should become wildlife corridors

- There should be a programme of tree planting to replace any trees to be removed
- The area is biodiverse and the proposal should seek to improve on this by providing links for wildlife
- The site is currently covered in scrub which supports a large insect population and provides food for the bird population – the development would destroy this habitat

Officer response:

The ecological impacts of the proposal, together with proposed mitigation and enhancement, are discussed in detail within the Planning Assessment below.

Flood Risk

Councillor Ruth Mersereau:

- The proposal will affect a floodplain, increasing the likelihood of local flooding, especially downstream of the development site, where Meadowhall has been badly affected
- Flood risks that hindered the previous application do not appear to have been addressed
- National flood risk policy should be followed, including sequential and exception tests

Councillor Dawn Dale:

- The proposal is contrary to national planning policy due to building on the active floodplain when other sites are available

Councillor Garry Weatherall:

- The Environment Agency has objected and the application goes against national and local planning policy

Love Wincobank Campaign:

- The promise of investment and jobs is not a sufficient reason to bring forward development in the areas of highest flood risk
- In the 2019 floods, water from the site gushed over the boundary wall to Fife Street
- If large water-incompatible warehousing units are erected, where is flood water going to go?
- The former factories on the application site flooded on a regular basis
- Who is going to insure these vulnerable units?
- Employment development should be delivered outside of the floodplain – given that there are options to deliver development and jobs elsewhere, the access road cannot be classed as essential infrastructure for flood risk purposes

Wincobank Connects:

- The area is already prone to flooding

- Whilst it may seem a good plan to break up the concrete to allow natural water absorption, nature is gradually doing the same job as woodland has been reasserting itself on the vacant site and will absorb flood water
- The site can resemble an enormous swimming pool and is not suitable for redevelopment

The Brendan Ingle Foundation:

- The site is a floodplain and development will increase flood risk, negatively affecting the lives of local residents

Public comments:

- The proposal would increase the risk of flooding rather than preventing further devastation
- New buildings on the site will trap flood water on or around the cycle path and make serious flooding more likely, rendering the route impassable
- Alongside de-culverting, additional flood storage areas should be provided alongside re-introducing natural bends to the river
- The northern end of the Blackburn Brook should be improved as well as the southern end

Officer response:

Flood risk, drainage and the impact on the Blackburn Brook are discussed fully within the Planning Assessment below.

Visual Impact

Love Wincobank Campaign:

- The visual appearance of the site is not a problem for local people as it is obscured from view and has gradually been reclaimed by nature – the stated improvements to the appearance of the site are not considered to be a benefit for local people

Public comments:

- Despite other objections, it is acknowledged that development would improve the appearance of the site

Officer response:

The visual impact of the proposal is discussed fully in the Planning Assessment below.

Extent of Consultation

Trans Pennine Trail:

- The Trans Pennine Trail national office did not receive direct notification of the application, and requested that the Council consult the office on all applications near the Trail
- The office has not been approached by the applicant to discuss the works

Sustrans:

- Planning notices were not placed on the greenway

Love Wincobank Campaign:

- Responses from statutory consultees should be shared in order for the community to respond in full to the planning application

Wincobank Connects:

- Few neighbours have been consulted, but the whole of lower Wincobank will be affected

Public comments:

- The local population has not been provided with adequate time and information to comment
- There are not enough site notices around the Trans Pennine Trail
- Notices are not in close enough proximity to the location of the cycleway crossing

Officer response:

The application has been advertised in full accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), as outlined above, including appropriately positioned site notices. The application has been live for over two years and has been re-advertised to ensure that the community has the opportunity to comment on amendments. Whilst internal consultation responses within the Council are not routinely published, responses from statutory external consultees are available to read on the Council's Public Access website.

Application Process

Sustrans:

- The application aims to begin the development of the site in a 'jigsaw-like' manner, piece by piece, which is unsustainable and undemocratic
- There should be an outline application for the whole site, including an Environmental Impact Assessment

Councillor Ruth Mersereau:

- Sheffield Green Party objects on the basis that the total impact of the transport and building works needs to be comprehensively assessed at this stage
- There needs to be proper scrutiny of the environmental and health impacts of the wider development, not just the enabling works
- There should be Environmental and Health Impact Assessments

Councillor Dawn Dale:

- Full plans for the site and Environmental and Health Impact Assessments should be submitted

Love Wincobank Campaign:

- An application for enabling works only is an attempt to deliver a 14-hectare warehousing site without proper scrutiny, mitigation or Community Infrastructure Levy contributions
- The applicants seem to have a long term plan for the site, so should submit a planning application that reflects the entire vision rather than just enabling works
- An Environmental Impact Assessment is necessary to assess the traffic and highway safety impacts of the development
- A Health Impact Assessment should be provided, considering local health inequalities and the impact of potential traffic, noise and pollution on people's health
- The uncertainty over the eventual development outcome is causing fear and stress for local people
- The application approach represents back-door, piecemeal, uncontrolled development
- It is anticipated that if this planning application is granted, the applicant will then submit a series of applications they will argue are of estate development scale, rather than a holistic strategy
- The applicant is clearly doing their best to avoid carrying out an EIA and to conceal the full impact of the development
- The cumulative impact of various future industrial developments on parts of the site would not be properly assessed in subsequent applications
- The applicants are not maintaining their site, as the fence along the Trans Pennine Trail has been down for several years and the public footbridge is closed due to safety concerns, so they should not be trusted through the application process

Wincobank Connects:

- Piecemeal development will slide under the radar and prevent meaningful consultation
- An Environmental Impact Assessment should be undertaken

Public comments:

- There should be an outline application for the development of the whole site, including an Environmental Impact Assessment and a Transport Assessment with proposals for mitigation
- It is unacceptable to bring proposals forward in a piecemeal way which disadvantages the community from commenting on the whole development
- The developer should be made to undertake an Environmental Impact Assessment and Health Impact Assessment
- It seems that the application has been designed specifically to avoid Environmental Impact Assessment
- The public should be aware of what the end product will look like – if the applicant does not know the final land use, they should not yet have submitted an application

Officer response:

The Local Planning Authority has a statutory duty to assess proposals on their own merits and cannot insist upon the type of application a developer chooses to

submit. Future phases of the eventual employment development at the site will also be assessed on their own merits, and the decision reached by Members in relation to this application will not prejudice the thorough assessment of future proposals. The need or otherwise for an Environmental Impact Assessment is discussed in the Planning Assessment below. Industrial developments are not liable for Community Infrastructure Levy payments, as set out in the Council's Charging Schedule.

RESPONSES TO DIRECT EXTERNAL CONSULTATION

Key statutory and advisory consultees from external bodies have been invited to provide comments on technical and other matters to inform the Local Planning Authority's eventual decision. External consultees' comments are referred to where relevant in the Planning Assessment below, but are also summarised here for clarity:

South Yorkshire Police:

- Supportive of the plans in general
- Historic data shows that premises in neighbouring sites have suffered from burglaries and thefts
- Recommendations provided for security fencing standards, lighting and other measures for pedestrian and cycle routes, and preventative measures to discourage illegal off-road motorcycling

Cadent Gas:

- There are gas pipelines and pipes in the vicinity of the site
- There are also above-ground gas sites and equipment nearby
- Guidance is provided in relation to works near this apparatus and the developer should keep Cadent informed as to development activities in the area

National Highways (formerly Highways England):

- The proposed enabling works traffic should not negatively impact on the strategic road network.
- It is not currently possible to specify the traffic movements associated with the proposal due to a lack of contractor at present
- Any planning consent should be conditional on the submission of a Construction Traffic Management Plan covering the duration of works on the site

Yorkshire Water:

- Object to site layout initially submitted due to proposed trees located in close proximity to the sewer crossing the site
- No trees should be planted within 5 metres of any public sewer, to protect them from tree root infestation which could damage the sewers
- The amended site layout resolves this issue, but the future development areas on the indicative masterplan may run over the sewers and the objection is maintained on this basis
- Sewers within the site should be surveyed to record their accurate positions, with relevant stand-off distances adhered to

Sheffield and Rotherham Wildlife Trust:

- Object to an application which does not include details of the future use of the site – the full application should include the whole development and an Environmental Impact Assessment
- The proposal for enabling works only could lead to piecemeal development
- The proposal is inappropriate in the functional floodplain as the development is not water compatible nor essential infrastructure
- The proposal would leave only a 1.2-hectare riparian corridor as non-developed land, with insufficient area left for flood water
- The proposal does not address Water Framework Directive requirements, including failing to address fish passage
- The enhancement of the Blackburn Brook falls short and should involve habitat improvements on both sides of the watercourse
- The biodiversity net gain calculated appears to be an overstatement
- Additional corridors of green infrastructure should be included to connect with the river corridor
- The proposal would disrupt a significant sustainable transport route
- The site should be used for truly sustainable development including creating an ecological 'space for water'
- Amendments to the geomorphology of the river channel are welcomed, but there are still shortcomings and missed opportunities including a limited buffer zone, the lack of enhancements to the river north of the proposed access road, and a lack of detail over condition assessments for each habitat
- Feedback from the Environment Agency is supported, plus a requirement for the buffer zone around the realigned Blackburn Brook channel to be 8 metres
- Other points of objection are not resolved by the amended plans

Rotherham Metropolitan Borough Council:

- No objections
- Consideration should be given to the implementation of measures to prevent mud on local roads
- A proposed Traffic Regulation Order to control the movement of HGVs along Droppingwell Road, between the A629 Upper Wortley Road and Blackburn Road, should also be given due consideration

Network Rail:

- No objection in principle
- Railway culverts that outfall onto the development site must not be obstructed
- Guidance provided in relation to works, excavations, fencing and landscaping near the railway boundary
- All matters should be communicated to the developer through directives on the decision notice

Environment Agency:

- Initial objection due to inadequate Flood Risk Assessment in terms of up-to-date baseline data, building footprint in Flood Zone 3a(i), lack of clarity over

- inclusion of access road and retaining walls in flood modelling, and flood risk mitigation measures
- Objection also issued over impact on Water Framework Directive requirements, including the construction of an access road over an existing culverted section of the Blackburn Brook, preventing de-culverting, and lack of more substantial restoration including channel realignment
- Concerns over initial Biodiversity Net Gain Assessment, with disagreements over the assessment of linear habitats
- Revised design drawings, flood modelling, Flood Risk Assessment and Water Framework Directive Assessment submissions have resolved the above issues and the Environment Agency have removed their objection subject to conditions
- Concerns remain over the Biodiversity Net Gain calculation, but this is not an objection issue

PLANNING ASSESSMENT

Policy Context

National policies are contained in the National Planning Policy Framework 2021 (NPPF). The following sections of the NPPF are relevant:

- Chapter 2: Achieving sustainable development
- Chapter 4: Decision-making
- Chapter 6: Building a strong, competitive economy
- Chapter 9: Promoting sustainable transport
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment

Further national policies can be found in the national Planning Practice Guidance (PPG) and the National Design Guide (2019).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Sheffield comprises the Sheffield Core Strategy (adopted March 2009) (formerly called the Sheffield Development Framework Core Strategy) and 'saved' policies from the Sheffield Unitary Development Plan (1998) (UDP).

The site is identified on the UDP Proposals Map as being within a General Industry Area with Special Industries.

The application of Sheffield's development plan policies must take account of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (including where

they are inconsistent with the NPPF or where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites), planning permission should be granted unless:

- i) the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or*
- ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*

Paragraph 219 of the NPPF states that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF and that due weight should be given to existing policies in a development plan, according to their degree of consistency with the NPPF. The appropriate level of weight afforded to Sheffield's relevant development plan policies is set out below, based on their degree of conformity with the provisions of the NPPF.

The following Core Strategy policies are relevant in this case:

- CS1: Land for Employment and Economic Development (moderate weight)
- CS2: Business and Industrial Development on Brownfield and Greenfield Land (moderate weight)
- CS5: Locations for Manufacturing, Distribution/Warehousing and other Non-office Businesses (significant weight)
- CS12: Blackburn Valley (significant weight)
- CS51: Transport Priorities (significant weight)
- CS53: Management of Demand for Travel (moderate weight)
- CS54: Pedestrian Routes (significant weight)
- CS55: Cycling Routes (significant weight)
- CS63: Responses to Climate Change (significant weight)
- CS64: Climate Change, Resources and Sustainable Design of Developments (significant weight)
- CS65: Renewable Energy and Carbon Reduction (significant weight)
- CS66: Air Quality (significant weight)
- CS67: Flood Risk Management (significant weight)
- CS73: The Strategic Green Network (moderate weight)
- CS74: Design Principles (significant weight)

The following UDP policies are relevant:

- BE4: Environmental Improvements (moderate weight)
- BE6: Landscape Design (significant weight)
- BE9: Design for Vehicles (moderate weight)
- BE22: Archaeological Sites and Monuments (significant weight)
- GE10: Green Network (significant weight)
- GE15: Trees and Woodland (moderate weight)

- GE17: Rivers and Streams (significant weight)
- GE20: Flood Defence (very limited weight)
- GE21: Protection of Washlands (significant weight)
- GE22: Pollution (significant weight)
- GE23: Air Pollution (significant weight)
- GE24: Noise Pollution (significant weight)
- GE25: Contaminated Land (significant weight)
- GE26: Water Quality of Waterways (significant weight)
- IB5: Development in General Industry Areas (significant weight in relation to the Blackburn Valley)
- IB9: Conditions on Development in Industry and Business Areas (moderate weight)
- T5: Protecting Rail Routes (significant weight)
- T8: Pedestrian Routes (moderate weight)
- T10: Cycle Routes (moderate weight)
- T28: Transport Infrastructure and Development (significant weight)

The following additional local policy and guidance documents are relevant:

- Climate Change and Design SPD
- Employment Land Review Update (2021)
- Strategic Flood Risk Assessment

The key planning issues in this case are discussed in full below, and are summarised as follows:

- Land Use
- Visual Impact
- Residential Amenity and Noise
- Highway Safety and Public Rights of Way
- Flood Risk, Drainage and the Blackburn Brook
- Ecology, Trees and Landscaping
- Pollution and Land Contamination
- Climate Change
- Safety and Security
- Employment and Skills
- Impact on the Railway
- Archaeology
- Environmental Impact Assessment (EIA)
- Community Infrastructure Levy (CIL)

Land Use

Policies CS1 and CS2 of the Core Strategy support land being made available for employment, economic, business and industrial development, with brownfield land being prioritised. These policies have only moderate weight as employment land reviews carried out for the Core Strategy are not up-to-date, but policy CS5 maintains significant weight based on its conformity with the NPPF. Policy CS5 directs manufacturing, distribution/warehousing and other non-office businesses to areas including (c) other established areas within the main urban area, including

the Blackburn Valley. Policy CS12 also supports these uses in the Blackburn Valley, along with environmental improvements to the Valley.

The application site is located in a General Industry Area as set out on the UDP Proposals Map. Policy IB5 of the UDP sets out that in General Industry Areas, general industry (class B2) and warehouses (B8) are preferred uses, with open storage and scrapyards being acceptable in those areas marked 'A' on the Proposals Map (being areas with Special Industries). Some industrial designations are out of date, with land uses being updated in the Core Strategy, but policy IB5 will continue to hold significant weight where the industrial designation is taken forward in the Core Strategy. In this case, policy IB5 can be afforded significant weight, as the Blackburn Valley continues to be a focus for manufacturing, distribution/warehousing and other non-office business as set out in policies CS5 and CS12 of the Core Strategy.

The application site represents brownfield ex-industrial land, and the proposal seeks to enable future development through a series of site clearance and preparation works, most notably including a new access road, flood mitigation and enhancement to the Blackburn Brook, as well as the formation of new site profiles with plateaus for new buildings. Although the proposal itself does not include details of the eventual land use, the applicant has made clear that the purpose of the works is to prepare the site for future development for employment use – this is explicit in the agent's cover letter submitted with the application, which indicates that the site can accommodate up to 51,000 square metres of floorspace. The Highways Note submitted to accompany the application includes a similar figure of 53,000 square metres of floorspace and indicates an expectation for the site to deliver 30% B2 (general industry) uses and 70% B8 (storage and distribution) uses. Future applications for development on the newly formed plateaus can be assessed on their own merits in terms of land use and will be expected to provide the preferred uses as described above. On this basis, the current proposal is in accordance with the development plan.

Sheffield's Employment Land Review (ELR) was updated in 2021 in preparation for employment land allocations in the emerging Sheffield Plan, the first draft of which has been approved by the Council for public consultation in 2023. The ELR identifies a need for between 176 to 242 hectares of employment land in the period to 2038, with approximately 25% to be office-based and 75% to be industrial or storage/distribution uses. The ELR considers 230 hectares to be the most reliable target within this range, and compared to current land availability, there is likely to be an undersupply of employment sites. The ELR sets out a particular need for strategic distribution and logistics development, with this sector being fast-growing in recent years, accelerated by the Covid-19 pandemic as online retail has ballooned. The ELR identifies a lack of 'big box' warehousing development allocations, with the city unable to accommodate large operators wishing to establish facilities in Sheffield. Consequently, the application site is proposed to be taken forward as an employment land allocation in the emerging Sheffield Plan.

Whilst the Sheffield Plan is at an early stage and carries little weight in decision-making, the ELR demonstrates that there is a need for employment development, and the application site would represent an ideal opportunity to improve the city's

logistics offer in a location easily accessible from the M1. The site is currently unmanaged and derelict, with flood risk constraints and inadequate access for larger vehicles (as discussed in the Highway Safety section below). Improvement, mitigation and enabling works would increase the likelihood of the site coming forward for the preferred employment uses in future and are welcomed in principle for that reason.

Paragraph 81 of the NPPF states:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

Paragraph 119 states that planning decisions should “promote an effective use of land in meeting the need for homes and other uses”, and paragraph 120 states that decisions should:

“c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land”

Improvement works to enable redevelopment of this large area of employment land are clearly supported in principle by the NPPF and local policies, subject to detailed consideration of the technical matters discussed below.

Visual Impact

Policy CS74 of the Core Strategy sets out design principles for new development, including taking advantage of topography and townscape character, and contributing to place-making. Policy IB9(c) of the UDP requires buildings in General Industry Areas to be of a scale and nature appropriate to the site. These policies are considered to accord with the design principles in paragraph 130 of the NPPF.

Policy CS12 of the Core Strategy supports environmental improvements to enhance the physical attractiveness of the Blackburn Valley. Policy BE4 of the UDP supports environmental improvements in areas where the environment is unsatisfactory in areas including run-down industrial areas and the M1 corridor, with this policy holding moderate weight as priority locations for environmental improvements require review.

This application is limited to the enabling works required to facilitate future employment development. As such, no new buildings are proposed and the visual impact of the proposal will largely relate to landscape quality, which is discussed further in the Ecology, Trees and Landscaping section below. However, it can be said with confidence that the proposal would result in overall improvements to the physical appearance of the site, with clearance and remediation works serving to

tidy up the derelict land. Even Parcel 2, which is not vacant, is still blighted by overgrown vegetation and fly-tipping, and a cohesive approach to redevelopment, including updated security fencing, would improve the character of the area.

The new access from Blackburn Road would feature native tree and shrub planting, with an improved pedestrian and cycleway connection, providing a more welcoming threshold to the site. Works to the Blackburn Brook, including the creation of a floodplain habitat (discussed further below), would re-naturalise this part of the site, seen through filtered views from the NCN67 cycleway. New landscaped gabion retaining walls and/or vegetated retaining walls along the railway boundary would soften the site edges. The details of these retaining walls and other new boundary treatments including 2.4 metre security fencing can be secured through condition.

Overall, the visual impact of the enabling works is acceptable and in accordance with local and national design policies. Future development on the newly created platforms would be subject to detailed design assessment in subsequent planning applications.

Residential Amenity and Noise

Paragraph 130(f) of the NPPF requires developments to provide a high standard of amenity for existing and future users. Policy GE24 of the UDP also states that development must not create noise levels which would cause a nuisance, nor locate sensitive uses and sources of noise pollution close together. Policy IB9(b) states that development in industrial areas should not cause residents or visitors in any hotel, hostel, residential institution or nearby housing to suffer from unacceptable living conditions. The relevant sections of these UDP policies are considered to accord with the provisions of the NPPF and are therefore afforded significant weight.

The site is sufficiently isolated from neighbouring residential development to avoid any harm to residential amenity through overshadowing or overlooking. Noise and other nuisance impacts of future employment development on the site, including traffic noise, are not a material consideration, as the future employment uses themselves will be subject to consideration in subsequent planning applications. As such, a Noise Impact Assessment would be premature at this stage.

However, there is potential for noise, vibration and dust during the undertaking of the enabling works, including the breaking up of existing concrete pads. The Environmental Protection Officer has therefore requested that a Construction Environmental Management Plan (CEMP) be secured through condition, to assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses. The CEMP will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. Subject to this condition, the impact on residential amenity is considered to be acceptable.

Highway Safety and Public Rights of Way

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. Paragraph 112 states that development should give priority first to pedestrian and cycle movements, and that development should minimise the scope for conflicts between pedestrians, cyclists and vehicles, as well as allowing for the efficient delivery of goods and access by service and emergency vehicles.

The Council's transport priorities are set out in policy CS51 of the Core Strategy as follows:

- a) promoting choice by developing alternatives to the car
- b) maximising accessibility
- c) containing congestion levels
- d) improving air quality
- e) improving road safety
- f) supporting economic objectives through demand management measures and sustainable travel initiatives.

Policy CS53 of the Core Strategy requires travel demand to be managed to meet the needs of different areas of the city, including promoting public and active transport, implementing Travel Plans, and applying parking standards. Policy BE9 of the UDP requires developments to provide a safe, efficient and environmentally acceptable site layout, including a clear definition of vehicle access and exit, adequate manoeuvring and parking space (including for service and emergency vehicles and for people with disabilities) and adequate safeguards from traffic fumes, noise or risk of accident. Policy IB9(f) requires developments in industrial areas to be adequately served by transport facilities, with safe access to the highway network and appropriate off-street parking. These policies are afforded moderate weight, as paragraph 105 of the NPPF goes further in seeking to actively limit travel demand.

Policy T28 of the UDP states that new development which would generate high levels of travel will be permitted only where it could be served adequately by existing or additional/extended public transport and by the existing highway network, and development will be promoted where its location would reduce the need for car travel, being in conformity with the spirit of the NPPF.

The traffic impacts, parking requirements and plot-specific access arrangements of eventual employment development will be assessed under future planning applications and are not directly relevant to this proposal. An indicative model of expected future vehicular movements has been carried out on a high-level basis to inform the design of the new access road, but this does not prejudice the detailed assessment required for future applications. The main highway safety issues relevant to this application are the design of the new access road and the impact on public rights of way, including the NCN67 cycleway. Vehicle and cycle parking provision is not discussed as part of this application for enabling works, as appropriate parking arrangements would be expected to form part of future applications for individual development plots. Discussions over highway safety are broken down into key elements below:

Impact on the Highway Network

Without prejudice to future applications for the new development plots themselves, a Highway Note submitted to support the application includes an indicative assessment of trip rates based on an expectation that the development can accommodate up to 53,000 square metres of employment floorspace. The assessment has been undertaken on the basis of 30% of floorspace being in general industrial use (class B2) and 70% being storage or distribution (class B8). The assessment was carried out to inform the design of the new access road. The assessment concludes that the local area has a good standard of carriageway and footway provision, with no capacity or safety issues that would impact on a scheme coming forward, and that the expected trip generation would not be harmful to the wider highway network.

Highways England (now National Highways) commented to confirm that they did not anticipate any negative impact on the strategic road network as a result of the enabling works traffic. However, in terms of works traffic during the development stage, there are still unknown details as a contractor has not yet been appointed. A Construction Traffic Management Plan has been requested as a condition of a planning consent, covering the duration of works on the site to ensure that vehicle movements can be controlled and will not lead to a negative impact on the strategic road network. In cooperation with the Local Planning Authority, Highways England agreed to integrate the construction traffic management measures into the CEMP condition required for residential amenity reasons as discussed above. Subject to this condition, there are no concerns over wider traffic and safety impacts of the enabling works.

Justification for the New Access

The creation of a new access from Blackburn Road has been the subject of much concern from interested parties, due to the necessity for the access road to cross the Trans Pennine Trail, as discussed in greater detail below. As such, before discussing the design and safety of the new access, it is necessary to consider the need for the access as part of the overall enabling works, and whether it is essential to facilitate future development.

At present, vehicular access to Parcel 1 is limited to Fife Street, which is a single carriageway route with height restricted rail bridges overhead. Whilst the site has had a long-standing industrial use, it has been vacant for over 10 years. The site previously had rail spurs which reduced road traffic, but rail connections are now understood to have been removed. Heavy goods vehicles (HGVs) were also historically much smaller than current HGV sizes, so the height restricted bridges were less of a concern. Modern HGVs can typically reach heights above 4 metres, rendering the Fife Street access entirely unsuitable. Additionally, if the Fife Street access were to remain the only vehicular access into the site, the approach from the west would pass residential properties with potential for greater disturbance, and this route also involves a significant detour to access the M1. For these reasons, a new access is essential to facilitate high quality employment development with strategic connections to the M1 and capacity for large vehicles.

The Fife Street access would retain a key function for smaller vehicles.

Any new connection to the site from the west would require bridging over the railway line and significant destruction of ancient woodland. As such, the new access must come from the east of the site, and the NCN67 cycleway runs along the entire eastern boundary of Parcel 1, rendering redevelopment virtually impossible without some form of access across the Trans Pennine Trail. Whilst this is regrettable, it is the only way to facilitate the effective use of this substantial parcel of land and bring further investment and jobs to the Blackburn Valley. As discussed below, it is considered that careful design can ensure that the impact on the Trail is limited and mitigated, retaining a safe and attractive active travel corridor.

Design of the New Access

The access road has been designed for the site capacity estimations discussed above and based on detailed studies of the traffic environment on Grange Mill Lane and Blackburn Road. The Highway Note identifies that vehicles frequently drive faster than the 30mph speed limit, and so the junction design ensures generous sight lines for vehicles exiting the site onto Blackburn Road, exceeding the normal requirement for a 43-metre sight line in 30mph zones, and with advance junction signage and slow markings provided to achieve traffic calming towards the junction. Swept path analysis has also been provided to demonstrate that the access is wide enough for two articulated vehicles to pass each other.

The Highways Officer is generally satisfied with the design of the access, although a proposed new pedestrian crossing on Blackburn Road, north of the junction with New Droppingwell Road, did raise concerns in terms of the narrow running lanes either side of the pedestrian refuge, which would be very tight for HGVs. It has been agreed that a revised design for this crossing, perhaps involving widening the road at this point or adopting a raised crossing style similarly to the crossing proposed further south on Blackburn Road, can be secured through condition. The crossing has been removed from the plans, with an annotation added in its place to indicate that this element will be finalised through condition.

Subject to conditions requested by the Highways Officer, it is considered that the design of the vehicular access would not cause any additional safety risks on Blackburn Road. The design of the intersection with the Trans Pennine Trail within the site is discussed in detail below.

Trans Pennine Trail Crossing and Active Travel Connections

In the context of promoting healthy and safe communities, paragraph 100 of the NPPF states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. Paragraph 104(c) encourages the identification and pursuit of opportunities to promote walking, cycling and public transport.

Policy CS12 of the Core Strategy supports environmental improvements to enhance walking and cycling access in the Blackburn Valley. Policy CS54 seeks to

improve the pedestrian environment, including walking routes along the corridors of the Strategic Green Network, and policy CS55 supports the improvement and development of the cycle network, including through the Blackburn Valley. Policy T8 of the UDP states that the safety, convenience and attractiveness of footpaths and pedestrian areas will be improved. Policy T10 states that the safety, convenience and attractiveness of cycle facilities and routes will be improved.

The development affects the NCN67 cycleway, which forms part of the strategic Trans Pennine Trail network, as well as the SHE/391 public right of way footpath. As discussed above, vehicular access from Blackburn Road is essential in order to enable the development of this site, due to the inadequacy of the Fife Street access for larger vehicles. The bisection of the Trans Pennine Trail is therefore unavoidable if suitable vehicular access to Parcel 1 is to be achieved. The impact on key cycle and pedestrian routes has been one of the most prominent sources of objection to the proposal from local residents and interest groups. It is essential to ensure that the proposal does not endanger pedestrians and cyclists, nor significantly lessen the quality of the Trans Pennine Trail, in the interests of sustainable and healthy travel and the protection of leisure routes. As such, in the first instance, planning and highways officers have sought to retain pedestrian and cycle priority at the point of intersection.

A Highways Note submitted with the planning application includes surveys of pedestrians and cyclists using the Trans Pennine Trail. The counts show that at weekday morning peak times, there is an average of 1 pedestrian or cycle movement per four minutes, and in the afternoon/evening peak there is an average of 1 pedestrian or cycle movement per 2.2 minutes. Overall, weekday surveys showed 295 two-way pedestrian or cycle trips per day, and weekend surveys showed 305 two-way trips.

Based upon indicative proposals for the development site, it is anticipated that vehicular traffic flows on the proposed access road will be 1 per minute in the morning peak, and 1 per 1.2 minutes in the afternoon/evening peak. Daily flows are estimated at 703 two-way trips, of which 134 are expected to be HGVs. As such, vehicular traffic flows following the eventual development of the site for employment uses are expected to surpass existing active travel flows along the Trans Pennine Trail.

Although a pedestrian/cycle priority crossing would have been desirable, the applicant's highways consultants have concluded that pedestrian/cycle priority would not be suitable in this location, due to the proximity of the new roundabout junction and the anticipated movements associated with the future development. With the crossing point being approximately 5 metres from the edge of the roundabout, the roundabout could become blocked if exiting vehicles were stopped by users of the Trans Pennine Trail, causing a highway safety issue.

It is acknowledged that, without pedestrian/cycle priority being retained at this intersection, the access road would cause some disruption to the Trans Pennine Trail. However, this disruption would be minor. Vehicle speeds are anticipated to be low, at around 20mph, on approach to the roundabout, with clear intervisibility between users. At 20mph, a vehicle would clear the crossing area in 2.5 seconds,

causing only a very minimal delay to a walker or cyclist. The crossing is designed to provide an at-grade crossing point with a raised and coloured table, minimising the disruption to the Trans Pennine Trail and emphasising the cycleway crossing for approaching vehicles. Advance signage will be provided on all approaches to alert both drivers and pedestrians/cyclists to the upcoming crossing. Whilst the initial crossing design failed to clearly reference the most up-to-date design standards for cycle infrastructure, the design of the crossing has since been revisited, including providing segregation between the cycle crossing and pedestrian crossing, and the Council's Highways Officers are now satisfied that the proposal is in accordance with the Department for Transport's LTN 1/20 guidelines. As such, cyclists and walkers would not be put at risk by the intersection with the new access road, subject to the development being carried out in accordance with the amended crossing design.

The SHE/391 public footpath would be retained and would be upgraded to a wider shared pedestrian/cycle route where it currently abuts the existing crane storage facility. This would provide the main pedestrian/cycle access to the site from Blackburn Road. Some objectors have raised concerns that the shared pedestrian/cycle route should be wider. However, the plans show that the path would be widened to 3 metres, which meets the minimum standard for a shared use route carrying up to 300 pedestrians and 300 cyclists per hour, as set out in the LTN 1/20 guidelines. It is not anticipated that pedestrian and cycle traffic would exceed this figure, and whilst an even more substantial widening may have been desirable, the applicant has explained that increasing the size of the path would impact upon the surface water attenuation basin for the access road (which is within the landscaped area adjacent to the path), thus having implications for drainage rates. The case officer and Highways Officer are satisfied that this route would be safe for all users and represents an appropriate upgrade to the existing footpath.

In response to separate concerns over accessibility, a 'kissing gate' shown where the SHE/391 footpath meets the pavement on the north side of the access road has been amended to an Aston 2-way gate with access for medium and large mobility vehicles. Objectors have also requested that the public footbridge over the site (forming part of the SHE/391 route) be re-opened and made more accessible. The bridge is currently closed for health and safety reasons and there are no proposals to replace it as part of the current application. However, the developer has indicated that a replacement public route through the site in the location of the existing footbridge is likely to be included within a future application for that development plot, and officers will seek to ensure that the improvement is secured at that point. The developer would need to seek approval from the Public Rights of Way team if there was any intention to remove the bridge prior to the submission of a future planning application.

Overall, whilst the minor disruption to the Trans Pennine Trail route is not desirable, this could not be avoided, and the design of the crossing has been revised to ensure compliance with the latest cycle and pedestrian infrastructure guidelines. No pedestrian or cycle routes would be lost as a result of the development. The Council is satisfied that the safety of pedestrians and cyclists would not be put at risk, and that waiting times for trail users would be minimal at

the crossing. Additionally, it can be acknowledged that improved site management and substantial landscaping and ecology works (discussed below) will provide positive enhancement to the Trans Pennine Trail, due to the creation of a more attractive surrounding environment. The proximity of public footpaths and cycleways is also a significant advantage in terms of encouraging future employees to travel to work via sustainable and active means of transport. The proposal is therefore acceptable in terms of active travel.

Flood Risk, Drainage and the Blackburn Brook

The application site falls entirely within Flood Zone 3 on the Environment Agency's Flood Maps. Parcels 1 and 2 of the site are identified as being in Flood Zone 3a(i) within the Council's Strategic Flood Risk Assessment (SFRA), being developed floodplain. The NCN67 is seen to be in Flood Zone 3b, being undeveloped functional floodplain. Industrial development is defined in the Planning Practice Guidance as being a 'less vulnerable' use, being appropriate within Flood Zone 3a but not within Flood Zone 3b. However, essential infrastructure can be acceptable within Flood Zones 3a and 3b if an exception test has been passed.

Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 162 sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding, and development should not be permitted if there are reasonably available sites in areas with a lower risk. Paragraph 163 states that if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. Paragraph 164 states that the exception test at application stage should be informed by a site-specific flood risk assessment, and it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Policy CS63 of the Core Strategy states that action to adapt to expected climate change will include (g) locating and designing development to eliminate unacceptable flood risk and (i) adopting sustainable drainage systems. Policy CS67 sets out measures to reduce the extent and impact of flooding, including by (b) requiring the use of Sustainable Drainage Systems (SuDS), (f) not increasing and, where possible, reducing the building footprint in areas of developed functional floodplain, (h) developing only water-compatible uses in the functional floodplain, and, where an overriding case remains for development in a high flood risk zone, (p) providing adequate on- and off-site flood protection measures. Policy CS67 has moderate weight, as the details in the policy broadly conform with the NPPF but without the focus on sequential and exception tests.

Policy GE17 of the UDP states that all rivers and streams will be protected and enhanced, including by (a) encouraging the re-opening of culverted watercourses and (b) requiring that development involving alterations to the channels of rivers and streams be designed in a way which is sympathetic to nature conservation, and policy CS67(e) of the Core Strategy also encourages the removal of existing culverting. Policy GE26 states that development will be permitted only where it would not cause damage to the waterway environment and people's appreciation of it, and that every effort will be made to enhance the environmental value of waterways, with priority given to rivers including the Blackburn Brook.

Policy GE20 states that development will not be permitted where flooding risks to it or to existing development would not be overcome by suitable on-site protective measures, and that where necessary, off-site prevention measures will be required. Policy GE20 has very limited weight when compared to the provisions of the NPPF, due to its emphasis on on-site measures and its lack of detail which has been largely filled by policy CS67.

Policy GE21 states that development will be permitted in washlands only where (a) it would not significantly affect the ability of the washland to store floodwater, and (b) there would be no serious risk to the development from flooding or pollution. Washlands are defined as areas of land next to rivers which are essential for the storage of floodwater, being essentially the same as functional floodplain. The NPPF does not mention washlands, but its principles are similar and so policy GE21 has significant weight.

Flood risk and drainage issues relating to this application include the acceptability of development in the floodplain in policy terms, impacts on and enhancements to the Blackburn Brook, and the overall drainage strategy for the site.

Development in the Floodplain

A Flood Risk Assessment (FRA) and Drainage Statement was submitted to support the application. The primary flood risk is identified as being fluvial flooding from the Blackburn Brook, with some areas of high pluvial risk in rainfall events. Finished floor levels of the eventual proposed buildings are proposed, to sit 600mm above the expected river level in a 1 in 1000 year flood event, plus climate change allowance. Flood contingency plans and flood evacuation procedures are set out, as the access road would still have the potential to flood. It is proposed to discharge surface water to the Blackburn Brook, with SuDS principles employed to reduce discharge rates through attenuation techniques, including a balancing pond, permeable car park surfacing, filter drains, underground tanks and swales. A hydraulic modelling assessment of the Blackburn Brook is included and it is claimed that the impact of the development on the Blackburn Brook would be negligible. The FRA also assumes that the SFRA description of the site as falling within Flood Zone 3a(i) is correct and accurate.

The Environment Agency (EA) objected to the application as originally submitted, raising questions as to the assessment of the site as being in Flood Zone 3a(i). The Council's SFRA dates back to 2008, but the site has now been clear of

buildings for over 10 years. The SFRA states that Zone 3a(i) relates to sites within which there are existing buildings that are impermeable to flood waters, yet this site has been clear for some time, so the EA considered it to be essentially acting as undeveloped floodplain akin to Flood Zone 3b. Even in Flood Zone 3a(i), the SFRA states that developers must seek to reduce the risk of flooding “by reducing the building footprint”, reflecting policy CS67(f) of the Core Strategy. The EA considered the FRA to be erroneous in using a 2007 baseline for the modelling study, being from a time when the site still contained buildings. Significant changes since the time of this baseline have seen the cleared site now performing a flood storage function which would be effectively lost as a result of redevelopment. The EA also identified that the proposed finished floor levels for the development plots would be inadequate when compared to the EA’s 2016 Blackburn Brook model, and that the balancing pond may be unable to perform its surface water retention function at times of flooding due to the pond itself potentially being flooded from fluvial sources.

An amended FRA was submitted in May 2021, based on revised flood modelling. Following this, dialogue continued between the applicant’s project team and the EA for several months to resolve outstanding concerns and to allow for a detailed EA review of the flood modelling. A further amended FRA and flood modelling assessment were submitted in June 2022. The updated modelling, now based on a 2020 baseline, still shows that the development would not negatively impact upon the Blackburn Brook, when undertaking enhancement and realignment works discussed in greater detail below. Water levels would be marginally increased downstream of the site boundary, most notably at the Forged Solutions site upstream of Meadowhall Interchange, but this would be less than 100mm and the two small areas of new flooding would not affect any buildings on the site. The impact is not judged to tangibly change the level of flood risk to the Forged Solutions site or the surrounding areas. Following this period of engagement and the submission of amended flood modelling, the EA have removed their objection, subject to the development being carried out in accordance with the flood mitigation works set out in the FRA.

In policy terms, the proposal is now considered to be acceptable. It can be argued that the enabling works would represent essential infrastructure, being critical to enable suitable vehicular access and flood risk mitigation so as to facilitate development for employment uses. As the Employment Land Review (ELR) demonstrates, there is a clear need for warehousing and distribution development in Sheffield, and this site is of key importance in meeting the demand. Essential infrastructure can be accepted in Flood Zones 3a or 3b subject to the sequential test. However, the infrastructure would only be appropriate if the eventual employment development itself is likely to be acceptable in future.

Whilst the SFRA describes Flood Zone 3a(i) sites as having “existing buildings” that are impermeable to flood waters, it is essentially the permeability of the site which makes the most practical difference to flood risk characteristics, and although buildings have been removed from the site, it is still covered with impermeable concrete slabs. The application proposal includes the creation of a landscaped floodplain which would reduce the impermeable area around the Blackburn Brook. With the EA now satisfied with the up-to-date flood modelling, it

is anticipated that the flood mitigation works should reduce flood risk on the site to the extent that it can be confidently regarded as falling within Flood Zone 3a, meaning that industrial ('less vulnerable') development would become acceptable in principle under the provisions of the Planning Practice Guidance. Reducing the impermeable area of the site would accord with the spirit of policy CS67(f). Following the completion of the flood mitigation works, any future applications for employment development will likely require the submission of updated flood risk modelling, to demonstrate that the enabling works have sufficiently decreased the risk of flooding for the proposed uses. As requested by the EA, a directive on the decision notice can communicate to the developer that future built development will require new modelling to review the Flood Zone designation.

In terms of the sequential and exception tests, the applicant submitted a statement in January 2023 to argue that the development proposal is inherently site-specific and cannot be assessed sequentially in the normal way, given that only enabling works are proposed at this stage. By definition, there cannot be other sites available, as the sole purpose of the application is to enable the future development of a site allocated for employment uses in the draft Sheffield Plan. Even if applying the sequential test for employment development, an equivalent site of approximately 11 hectares would need to be found in order to ensure that the city meets its development needs as set out in the ELR. The draft Plan preparation has included searches for alternative strategic sites, and only one other employment site of comparable size is proposed for allocation in this part of the city, yet that site has already been largely built out. For the exception test, the wider sustainability benefits are considered to be the facilitation of future employment development to meet essential needs, as well as environmental improvements. The amended FRA has successfully demonstrated that the development will be safe and will not increase flood risk elsewhere. The Council is now satisfied that the applicant's statement has satisfied policy requirements for sequential and exception tests. Overall, the development is acceptable in terms of flood risk and is in accordance with policies CS67(f) and GE21.

Restoration and Enhancement of the Blackburn Brook

The application includes hydrological works to the Blackburn Brook, with enhancement through the removal of bridges and culverts and lowering of the eastern embankment to alleviate flood risk and create a landscaped floodplain. The floodplain is intended to uphold higher water levels and slow down the flow of stormwater by allowing infiltration into the ground, as well as delivering ecological improvements including aquatic habitat creation.

Whilst these proposals go some way to meeting the objectives in policies GE17, GE26 and CS17(e), the EA objected on the basis that the improvements to water biodiversity and the wetland environment did not go far enough in terms of meeting Water Framework Directive (WFD) requirements which would be essential to achieving an EA Flood Risk Activity Permit. The EA felt that the development could prevent the achievement of Good Ecological Potential due to the access road being constructed over an existing culvert, preventing the reversal of the substantial loss of watercourse habitat due to the existing culvert. The Blackburn Brook is designated as a Heavily Modified Water Body and is currently failing to

meet objectives. The achievement of WFD objectives will require additional measures such as improving in-channel morphological diversity, removing existing barriers to fish passage, and removing or softening hard banking. Specific to the Blackburn Brook, it is expected that the previously straightened and channelised section of the water body should be realigned, re-profiled and re-graded. The proposed development represents the best opportunity to achieve WFD objectives, but the initial proposal would have prevented the future achievement of these directives by bringing forward an insufficiently ambitious enhancement scheme commensurate with the scale of the development.

The applicant submitted a WFD Compliance Assessment in 2021, together with amended plans including the realignment of the Blackburn Brook. It is set out that river continuity will not be affected, that a small area of replacement culvert will have a larger opening, and that approximately 215 metres of the old channel will be daylighted, with benefits for longitudinal ecological connectivity. Planform rehabilitation will create a wide area of wetland habitat to ensure good lateral connectivity between the river and the floodplain. The realigned channel would retain the current river width of approximately 4 metres, and the riparian zone would be improved with a wide buffer ranging from 2 metres to 20 metres through the realigned section, including wetland scrapes to enhance ecological diversity. Although the buffer is less than the normal 8 metres requested by the EA in places, this is only present on a section of the right bank which is disconnected from the river laterally, being of less ecological significance. The WFD Compliance Assessment concludes that whilst the original design would have enhanced the local river environment, it would not have delivered the mitigation measures necessary to achieve WFD compliance and would not have rehabilitated many of the hydromorphological supporting elements through the site. The updated proposals, with more substantial channel realignment, are presented as being compliant with the WFD.

The EA are satisfied with the amended proposal in terms of WFD compliance and have removed their objection subject to a condition securing the restoration and enhancement of the Blackburn Brook as set out in the WFD Compliance Assessment and the amended plans. The EA have also requested a condition to ensure the acceptable design of the replacement culvert section so as to ensure that its ecological and geomorphological impacts are limited. The works to the Blackburn Brook are now deemed acceptable and are viewed as a significant benefit of the scheme, being aligned with policies GE17, GE26 and CS17(e).

Drainage Strategy

A Drainage Strategy was included with the FRA, incorporating preliminary proposals for surface water discharge to the watercourse at brownfield rates, with attenuation within the development plots to reduce the discharge rate. The Lead Local Flood Authority (LLFA) raised concerns with the Drainage Strategy, as the underlying principles and assumptions had not yet been agreed. It was considered that the basis for a brownfield site approach had not been adequately demonstrated (as the site has been vacant for so many years), and that the bases for the calculations of the brownfield rate were inadequate. A brownfield approach could only be agreed if the applicant could demonstrate that the site discharges to

the watercourse as existing, but insufficient survey work has been undertaken to reach this conclusion. The approach to flow reduction was not considered to fully correspond with the Council's requirements, and climate change allowances were not up to date. The proposals did not indicate how existing drainage infrastructure and flow routes would be affected by the development.

A meeting between the LLFA and the applicant's drainage consultants was held in January 2023. It has been acknowledged and agreed that the final drainage design will depend on the findings of detailed site survey work which can only take place once existing concrete slabs have been broken up to allow for ground investigations. The site clearance element of the development must therefore commence before the eventual drainage strategy can be properly finalised. Therefore, the detailed design must be left to condition, worded to ensure that the appropriate investigation and drainage approval is undertaken at the appropriate phase.

The LLFA and the drainage consultants have broadly agreed the following principles for the drainage strategy, to be finalised at condition stage:

- A brownfield approach is likely to be acceptable in principle, as evidence submitted to date suggests that a large number of existing surface water outlets discharge into the Blackburn Brook.
- Due to current site conditions, it will be difficult to establish an exact brownfield rate until the building slab has been removed and a ground penetrating radar survey carried out. The LLFA will accept proposals for greenfield discharge rates (Q_{bar}) in the event of areas of the site being brought forward prior to full surveys.
- The footprint of the Blackburn Brook improvement corridor can be excluded from brownfield rate calculations and discharge calculations, as this area will freely drain to the Blackburn Brook.

Yorkshire Water have objected twice during the course of the application. On 6 October 2020, they objected on the basis that proposed tree planting would interfere with existing sewerage infrastructure. In comments subsequently received on 18 May 2021, they raised concerns about the locations of future development plateaus in relation to sewers present on statutory records, requesting that sewers be properly surveyed to record their accurate positions and allow for the relevant stand-off distances to be adhered to.

A full written response to the comments from the LLFA and Yorkshire Water was submitted on 25 January 2023. The drainage strategy reflected the approach agreed in the meeting with the LLFA. In response to Yorkshire Water's concerns, the document also provided additional clarification on the location and depth of existing sewers to the extent that is ascertainable at this stage, with broad commitments to protecting and diverting sewers as necessary. The agreed drainage conditions will involve proper surveys of existing infrastructure, and directives can also be included on the decision notice to remind the developer that existing sewers must be properly protected, with stand-off distances adhered to

and Yorkshire Water's prior approval sought for any diversions.

Although Yorkshire Water maintain their concerns over the lack of surveys undertaken to fully establish existing drainage systems and design the layout around that infrastructure, it is felt that requesting additional surveys prior to determination would be unreasonable and impracticable, as full investigation is reliant on construction of a vehicular access suitable for large vehicles to enable the breaking up of the existing slabs, all of which can only take place after the granting of planning permission. Yorkshire Water will have due oversight of works affecting public sewers under separate legislation at the relevant development stage. Subject to the necessary conditions and directives, the proposal is acceptable in terms of sustainable drainage.

Ecology, Trees and Landscaping

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment, including by protecting and enhancing sites of biodiversity, recognising the economic and other benefits of trees and woodland, and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks.

Policy GE10 of the UDP provides for the protection and enhancement of a network of green corridors and green links. Policy CS12 of the Core Strategy encourages environmental improvements to the Blackburn Valley, including biodiversity enhancements. Policy CS73 states that a Strategic Green Network will be maintained and where possible enhanced, including in corridors through the Blackburn Brook valley. Policy CS73 has moderate weight, as whilst the strategic ecological aims are aligned with the NPPF, there is less of a focus on biodiversity net gain and specific measures to enhance biodiversity.

Policy BE6 of the UDP promotes good quality landscape design, with applications expected to provide relevant information relating to new planting, achieve an interesting and attractive environment, integrate existing landscape features into the development, and promote nature conservation and native species. Policy GE15 states that trees and woodlands will be protected by planting, managing and establishing trees and woodland, requiring developers to retain mature trees and hedgerows, and not permitting development which would damage existing mature and ancient woodlands. As discussed above, policy GE17 sets out to protect and enhance rivers and streams, including channel alterations being designed in a way which is sympathetic to nature conservation.

As discussed above, the amended scheme achieves significant watercourse restoration which would involve the enhancement of the Blackburn Brook, with channel realignment and the creation of a landscaped flood plain, achieving WFD directives including a key focus on ecological improvement. Notwithstanding the obvious benefits of the river enhancement, the site as a whole is still required to protect other habitats and trees, and to achieve a biodiversity net gain across the full scope of the enabling works.

An Ecological Assessment was submitted to accompany the application, based on

desk-based research and a field study from 2019. No roosting bats were found on site, and the site was found to have low suitability for commuting and foraging bats. However, the site was established to be of local importance for breeding birds. Some invasive species such as Himalayan balsam and entire-leaved cotoneaster have been found and proposals for eradication of these plants are included. A lighting schedule, a Construction Environmental Management Plan (CEMP) and a 30-year biodiversity plan are proposed to ensure the protection of any significant native species. The CEMP will include measures to protect off-site woodland from dust cover and pollution.

A further suite of updated ecology surveys was carried out throughout 2022, as survey results are only valid for a period of 18 months. Updated bat surveys concluded that the site has moderate value for bats, with linear habitat retention proposed to mitigate any disturbance to bats. The Council's Biodiversity Officer considered the updated surveys, submitted in January 2023, to be generally acceptable, although it was questioned whether the mosaic of scattered scrub, ruderal, ephemeral and short perennial vegetation around the sealed surface would meet the criteria for 'Open mosaic habitat on previously developed land' (OMH) classification, as this did not appear to have been considered. A response from the applicant's ecologists confirmed that not all five of the criteria for OMH classification were met, as a mosaic of early successional communities plus bare substrate was not present on a large enough part of the site, no areas of standing water (ephemeral pools) were present, the substrate was vastly dominated by hardstanding, and other habitats mentioned within the OMH criteria were not present. Furthermore, environmental maps detail the presence of OMH within the surrounding area but not on the site itself. The Biodiversity Officer is satisfied with the explanation provided and therefore considers that the survey reports accurately reflect the existing biodiversity value of the site.

A Biodiversity Net Gain Assessment was submitted with the application, showing a 9.83% net gain in habitat units and 282.16% net gain in hedgerow units based on the site baseline and development proposals, using DEFRA Biodiversity Metric 2.0. However, the EA identified that the submitted Assessment did not include a proper pre- and post-development survey of linear river habitats on the site, resulting in an incomplete picture of biodiversity value. An amended Assessment from April 2021 showed that the development would create 0.75 river habitat units, but the site baseline still did not show any existing river habitat. The Assessment was revised again in June 2021 in response to comments from Sheffield & Rotherham Wildlife Trust in terms of assessment methodology. Whilst the EA have removed their main objections and now acknowledge that the development would represent an ecological improvement upon the existing scenario, their most recent comments (July 2022) maintained that the Biodiversity Net Gain Assessment was incorrect on the basis that no river units are shown on the pre-development baseline, despite the Blackburn Brook running through the site as existing. Therefore, it was unclear how the result of +0.75 river units was reached.

The final Biodiversity Net Gain Assessment was submitted in January 2023, including a full baseline assessment of river habitat. The headline results are a 19.4% net gain in habitat units, a 189.19% net gain in hedgerow units, and a 12.98% net gain in river units. The Council's Biodiversity Officer was satisfied with

the amended Assessment, although concerns were raised over 'pinch points' where landscaping adjacent to the railway boundary was very narrow, restricting linear connectivity. However, the Biodiversity Officer has accepted the narrower sections on balance, given the scale of overall enhancements and the position of the western boundary immediately adjacent to the railway buffer where some existing scrub habitats will contribute to connectivity. Additionally, the trading rules of the biodiversity metric are not fully satisfied, as any loss of habitat should normally be replaced on a 'like for like' basis, yet the post-development habitats cannot fully compensate for the loss of pre-development scrub and shrub cover. However, the Biodiversity Officer accepts that this is a minor loss compared to the large gain in area habitat units through the creation of riparian habitat along the Blackburn Brook and the extensive landscaping and hedgerow creation. Overall, the scheme is considered to deliver significant ecological improvements.

An Arboricultural Impact Assessment has been submitted, with 107 trees or tree group features being surveyed across the site. Most existing trees are classed as "low quality" tree cover, comprising mainly natural colonisation of unmanaged ground. The Assessment sets out the necessary tree removals required to facilitate the site levelling works, the proposed access road, and the removal of the existing metal fence, as well as those tree removals required to mitigate against risks to the health and safety of site users due to their poor condition, and for arboricultural good practice. The proposed tree removals can be summarised as follows:

- 2 full tree groups in Category U (very low quality, with little or no amenity value)
- 6 full tree groups in Category C (low quality, with an estimated remaining life expectancy of at least 10 years)
- 10 individually surveyed trees in Category U
- 7 individually surveyed trees in Category C
- Parts of 7 tree groups in Category C
- Parts of 1 tree group in Category B (moderate quality, with an estimated remaining life expectancy of at least 20 years)

The plans show that the substantial majority of trees and groups with any reasonable life expectancy will be retained. A soft landscaping scheme shows mitigation planting for those trees to be felled, with landscaping enhancements across the site, most significantly around the new access road and at the western boundary, as well as the key interventions around the Blackburn Brook as discussed above. The Landscape Officer is happy with the report submitted, subject to tree protection being secured through condition for retained trees. It has also been requested that hornbeam planting in proximity to the railway line be removed due to their risk of salt damage close to the carriageway, that minor errors in the planting schedule be corrected, and that a long stretch of hawthorn hedge be diversified to include a greater range of native planting. The amended landscaping plans received on 30 January 2023 are now considered by the Landscape Officer to be acceptable, having satisfied all relevant concerns.

Overall, the development is now acceptable in terms of ecology, tree protection and landscaping, subject to conditions securing a CEMP, a 30-year Biodiversity and Environmental Management Plan, and details of tree protection. The

development would deliver substantial environmental improvements including a large biodiversity net gain.

Pollution and Land Contamination

Paragraph 174(e) of the NPPF requires planning decisions to prevent development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Policy GE22 of the UDP states that development should be sited so as to prevent or minimise the effect of any pollution on neighbouring land uses or the quality of the environment and people's appreciation of it.

In relation to air pollution, policy GE23 states that development will be permitted only where it would not locate sensitive uses where they would be adversely affected by sources of air pollution. Policy CS66 of the Core Strategy states that actions to protect air quality will be taken in all areas of the city. In particular, further action will be taken where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

This application is for enabling works only. Air pollution effects from any eventual employment uses, including traffic fumes or any particulates released through industrial activities, would be fully assessed and considered under future applications on the development plots created. In terms of air quality impacts from the enabling works themselves, a Construction Environmental Management Plan (CEMP) can be secured through a pre-commencement condition to set out dust, air quality and pollution control measures through the development period. The CEMP would be rigorously assessed by the Environmental Protection Service at condition discharge stage, ensuring that the development stage does not adversely affect local air quality.

In relation to land contamination, policy GE25 states that where contaminated land is identified, development will not be permitted on, or next to, the affected land unless the contamination problems can be effectively treated so as to remove any threats to human health or the environment.

Parcels 1 and 2 have been assessed for geo-environmental risks through seven reports in total, submitted with the planning application. Parcel 1 has been investigated in full to Phase II contamination assessment stage, with a Remediation Strategy put forward. It was concluded that gas protection measures are not required for Parcel 1, although further assessment as to the contamination impact on the Blackburn Brook and local groundwater is required, including additional intrusive investigation. Parcel 2 has had a full Phase I assessment but only a limited Phase II assessment, as this site is still operational as a crane storage facility, with limited access for investigations. The assessment undertaken to date demonstrates that a Remediation Strategy and gas protection measures will likely be necessary for Parcel 2 to protect human health and groundwater.

The Environmental Protection Officer is satisfied with the information submitted at application stage in terms of enabling an informed decision, but given that further

investigation is still required, a full suite of land contamination conditions is requested to ensure that all risks are appropriately identified and mitigated. Subject to these conditions, the development is acceptable in terms of land contamination.

Climate Change

Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, including minimising vulnerability and improving resilience. Policy CS63 of the Core Strategy sets out actions to reduce the city's impact on climate change, including (d) designing development to increase energy efficiency and reduce energy consumption and carbon emissions. The policy also sets out actions to adapt to expected climate change, including (g) locating and designing development to eliminate unacceptable flood risk, (h) giving preference to development of previously developed land where this is sustainably located, (i) adopting sustainable drainage systems, (j) encouraging environments that promote biodiversity, and (k) designing development to minimise the relative heating of urban areas.

Policy CS64 sets out sustainable design principles for new buildings and conversions, including energy efficiency, passive design, renewable energy production, minimising water consumption, re-using existing buildings, flexible design, sustainable materials, and minimising waste. Policy CS65 requires all significant developments to (a) provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy and (b) reduce the developments overall predicted carbon dioxide emissions by 20%. However, the Climate Change and Design SPD assesses this requirement to be unviable in the wake of changes to Part L of the Building Regulations, and so only requirement (a) of policy CS65 applies.

This application does not propose any new buildings, and so the assessment of subsequent employment development proposals against policies CS64 and CS65 will be the subject of future applications. However, to the extent possible at this stage, it is considered that the enabling works will contribute to climate change mitigation and adaptation. As discussed above, the flood mitigation works will minimise vulnerability and improve resilience, with the design of the Blackburn Brook proposals specifically intended to eliminate unacceptable flood risk, including sustainable drainage systems. The site would enable the redevelopment of previously developed land in a sustainable and accessible location within a key industrial corridor. The landscaping proposals discussed above will promote biodiversity, and new planting will contribute to minimising urban heat island effects. Overall, the enabling works are in accordance with policy CS63 and the development is acceptable in terms of climate change impact.

Objection comments raise concerns that increased traffic will add to greenhouse gas emissions, and that the development prioritises motorised vehicles over active travel due to the impact on the NCN67 cycleway, being contrary to the climate change agenda. Future traffic impacts would be assessed under applications for the eventual employment development on the newly created plots. As discussed above, the impact on public rights of way is deemed to be acceptable, with the

Trans Pennine Trail crossing being of a safe design and causing minimal impact to walking and cycling journeys. Another concern raised by objectors is the possibility that dust from the development could affect the ability of the nearby woodland to absorb carbon dioxide, leading to more greenhouse gases being released into the atmosphere. It is considered that the CEMP condition discussed above will adequately ensure that dust from the development works is carefully controlled.

Safety and Security

Paragraph 92(b) of the NPPF states that planning decisions should aim to achieve places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. Paragraph 97 states that decisions should promote public safety, including by (a) anticipating and addressing possible malicious threats.

South Yorkshire Police have identified that a number of existing industrial and commercial properties running the full length of the proposed site have at some point suffered criminal offences such as burglary and thefts. Offenders have unlawfully entered sites from the Ecclesfield Road, Grange Mill Lane and Woolley Woods areas, breaching the existing fencing. They have advised that proposed security fences should be an anti-climb prison mesh, securely fixed and concreted into the ground, and of a height no less than 2.4 metres. The security fences are shown indicatively on the site plans and full details have not yet been provided. Details of the fences can be secured through condition to ensure that they meet the relevant security standards and are also acceptable in terms of visual impact.

Employment and Skills

Paragraph 81 of the NPPF places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The proposal would bring clear economic benefits in enabling future employment development, and the development stage works could also bring social benefits in terms of local employment, training and skills.

An Inclusive Employment and Training Plan can be secured through condition. This would be developed in collaboration with Talent Sheffield (a Council initiative delivered through the Invest Sheffield and Opportunity Sheffield teams, to ensure that investors and developers in the city receive the support required to deliver benefits to Sheffield people). This condition can ensure that the development contributes to social sustainability as well as economic sustainability, in accordance with paragraph 8 of the NPPF.

Impact on the Railway

Policy T5 of the UDP states that the existing network of rail freight and passenger routes will be safeguarded. The application site runs alongside an operational railway line playing host to key passenger and freight routes. Network Rail have been consulted on the planning application and have no objections, but have raised several development requirements in relation to drainage, use of cranes and

plant in proximity to the railway boundary, excavations and earthworks in the vicinity of railway infrastructure, boundary treatments adjacent to the railway, and landscaping requirements. These matters can be communicated to the developer through an informative note on the decision notice, and do not require formal planning conditions.

Archaeology

Policy BE22 of the UDP states that sites of archaeological interest will be preserved, protected and enhanced. Development will not normally be allowed which would damage or destroy significant archaeological sites. Where disturbance of an archaeological site is unavoidable, the development will be permitted only if an adequate archaeological record of the site is made.

The site is of archaeological interest, as the Blackburn Brook may have acted as a focus for early industrial activity which could have left archaeological evidence, and any palaeo-channels of the brook and associated deposits could contain palaeo-environmental evidence. The water-powered Blackburn Wheel powering Charcoal Works was previously present on the site, which developed into the Electrode Works in the early 20th century and, at a different location, the later Trubrite Steelworks.

A Written Scheme of Investigation (WSI) has been submitted, which follows a previous Archaeological Desk-Based Assessment which was shared with South Yorkshire Archaeology Service (SYAS) prior to submission of the application. A strategy for trial trenching was broadly agreed with SYAS but has not yet been carried out.

Ideally, fieldwork evaluation would be carried out prior to determination, as paragraph 203 of the NPPF states that the effect of a scheme on non-designed heritage assets should be considered in determining an application, and paragraph 205 requires that provision be made to secure a record in advance where development resulting in harm to or loss of heritage assets is permitted. Without evaluation results, it is difficult to ascertain the scale of archaeological harm likely to be caused.

However, in this case it is acceptable to leave the trial trenching until after the planning decision, as further ground investigations are necessary for geotechnical and contamination reasons regardless. Archaeological evaluation can be carried out as part of this preliminary stage, allowing for agreement on appropriate archaeological mitigation works. This is in the expectation that there will have been at least some damage to earlier features and that surviving features may be buried at depth, given the later development history of the site – in this situation, there is less potential for significant archaeological disturbance or damage.

Evaluation trenching and archaeological mitigation works can be secured by condition. The WSI will need updating to review the proposed evaluation and include monitoring of further geotechnical works, as well as clarifying how the results will be considered in relation to the remediation and plateau formation strategies. As such, a condition can secure an updated WSI to ensure appropriate

investigation at the relevant stage.

Environmental Impact Assessment (EIA)

The proposal is an “industrial estate development project” falling within category 10(a) in Column 1 of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and the development exceeds the 0.5-hectare threshold for this category as set out in Column 2, thus requiring screening against the selection criteria in Schedule 3. The proposal has been screened under application 20/02988/EIA and it was concluded that the enabling works would not have significant environmental effects, and so an Environmental Statement was not requested to accompany the application.

It is acknowledged that a previous screening request for the wholesale development of the site for employment uses did conclude that an Environmental Statement would be required (see application 19/00853/EIA), due to potential air quality impacts from increased traffic, with limited mitigation potential. Flood risk and water quality impacts were also raised, although the screening opinion issued at the time indicated a likelihood that these impacts could be appropriately mitigated.

Multiple objections have been received in relation to a lack of an Environmental Statement for this application, but it must be emphasised that a proposal for enabling works only is far less extensive in its impacts, particularly as the eventual traffic and air quality impacts of the final employment uses cannot yet be known. A grant of planning permission for the enabling works does not prejudice the future assessment of traffic, air quality and other impacts of the eventual employment uses themselves, and the developer will be encouraged to submit EIA screening requests when proposals for future development plots are brought forward. Any requirement for other assessments, such as a Health Impact Assessment, can also be considered at that time. The Local Planning Authority cannot insist upon a developer submitting an application for the wholesale development of a site, and must assess proposals for enabling works on their own merits. The assessment of this proposal without the submission of an Environmental Statement is maintained to be in accordance with the Regulations.

SUMMARY AND RECOMMENDATION

The proposed enabling works would facilitate the future development of a potential employment site of strategic importance to the city. Key flood risk concerns have been overcome to the satisfaction of statutory consultees, and the works to the Blackburn Brook would successfully mitigate on-site flood risk without significantly increasing flood risks to the surrounding area. The daylighting and re-alignment of a large stretch of the Blackburn Brook, together with an extensive landscaping scheme, would deliver a substantial net gain for biodiversity.

The design of the proposed access road is deemed to be safe for all road users and capable of accommodating anticipated levels of vehicular traffic without harming the Strategic Road Network, although full traffic impacts would be assessed at a later stage when individual development plots come forward. Whilst

the access road would cause some minor disruption to the Trans Pennine Trail, the final design of the pedestrian/cycle crossing at the intersection point will ensure that walkers and cyclists are not put at risk, and that any wait times are minimal. The application has demonstrated sufficient justification for the access road, on the basis that the existing access to Parcel 1 is insufficient to meet modern operational requirements. On balance, the works to the Trans Pennine Trail can be accepted when weighed against the considerable economic and environmental benefits of the proposal as a whole.

In summary, the proposal represents sustainable development in accordance with national and local planning policies, and it is therefore recommended that Members resolve to grant planning permission subject to the suggested conditions.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Head of Planning

Date: 14 February 2023

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Abby Hartley

Summary:

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

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

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

<p>(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for an internally illuminated 48 sheet digital display poster at car park at rear of 129-159 Bradfield Road, Sheffield, S6 2BY (Case No: 22/03342/HOARD).</p>
<p>(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the upgrade to EE/H3G 1No. 11.79m High Argus NNOX310R Tri-Sector Antenna on root foundation including EE/H3G Phase 7 Monopole complete with wraparound cabinet and associated ancillary works (Application for determination if approval required for siting and appearance) at telecommunications mast at junction with Carter Knowle Road and Montrose Road, Sheffield, S7 2EF (Case No: 22/03063/TEL).</p>
<p>(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the retention of a front porch and carport to the side of the dwellinghouse at 264 Darnall Road, Sheffield, S9 5AN (Case No: 22/02958/FUL).</p>
<p>(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the retention of 2no front dormer windows to dwellinghouse at 264 Darnall Road, Sheffield, S9 5AN (Case No: 22/02955/FUL).</p>
<p>(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the use of annexe incidental to no. 53 Carter Knowle Road (approved under 20/03749/FUL) as independent dwellinghouse at 4 Coverdale Road, Sheffield, S7 2DD (Case No: 22/02927/FUL).</p>
<p>(vi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of a 48 – sheet paper paste advertising display at 85a Chesterfield Road, Sheffield, S8 0RN (Case No: 22/02854/HOARD).</p>

(vii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the Installation of telecommunications upgrade and associated ancillary works (Application for determination if approval required for siting and appearance) at Gleadless Road North BT Pole, Darsbury Road Junction, Sheffield, Lowfield, S2 3AE (Case No: 22/02629/TEL).

(viii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of a free-standing summer house/ garden studio in rear curtilage of dwellinghouse at 19 Thorncliffe View, Sheffield, S35 3XU (Case No: 22/01913/FUL).

(ix) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of a two-storey side/rear extension, single-storey rear extension and alterations to roof space to form habitable accommodation including rear dormer window and formation of gable end at 81 Whiteways Road, Sheffield, S4 8EW (Case No: 22/01907/FUL).

(x) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of a two-storey side/rear extension, single-storey front and rear extensions and alterations to roof space to form habitable accommodation including rear dormer window and formation of gable end at 79 Whiteways Road, Sheffield, S4 8EW (Case No: 22/01906/FUL).

(xi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of 15.0m Phase 9 monopole, associated cabinets and ancillary works (Application for determination if approval required for siting and appearance) at land at Broomfield Lane and opposite Bracken Moor Lane, Sheffield, S36 2AQ (Case No: 22/01884/TEL).

(xii) An appeal has been submitted to the Secretary of State against the Committee decision of the City Council to refuse planning permission for the continuation of use of land as a 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 at 268 Handsworth Road and land to the rear of 270, Sheffield, S13 9BX (Case No: 22/01397/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of front porch and rear lean-to, erection of two-storey front extension, two/single-storey rear extension and re-

rendering of the dwellinghouse at 20 Smalldale Road, Sheffield, S12 4YB (Case No: 22/02678/FUL) has been dismissed.

Officer Comment:-

The Inspector noted the dwelling was a semi-detached property in an area of similar dwellings, set up from the highway with small front gardens, and identified the main issue as being the effect of the extension on the character and appearance of the host dwelling and the street scene.

They considered the construction of a two-storey extension would project noticeably forward of the adjoining and other dwellings into the small front garden and represent a bulky and discordant addition that would detract from the character and appearance of the host dwelling and the street scene.

The appellants referred to other similar extension in the area but the Inspector noted only one nearby and considered it to be bulky and anomalous.

They therefore agreed with officers that the proposal was contrary to the aims of policies BE5 and H14 of the UDP, and paragraph 130 of the NPPF.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the alterations to roof including raised ridge height and erection of dormer window with Juliet balconies to rear of dwellinghouse at 29 Worcester Road, Sheffield, S10 4JH (Case No: 22/01898/FUL) has been dismissed.

Officer Comment:-

The Inspector concluded that the proposed increase in ridge height would destroy the cohesive character of the row of 4 detached dwellings whose ridge heights step down to reflect the topography of the area. The increase in height and introduction of a different roof pitch would be harmful to the character of the streetscene.

The Inspector considered that the development would provide adequate parking provision in the form of two off-street parking spaces.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of an open-sided extension with roof to existing unit for use as storage area, and additional open-sided storage unit with roof on existing hardstanding at Redcar Brook Company Ltd, Warehouse and office 80 metres west of Fern Glen, Hathersage Road, Sheffield, S17 3AB (Case No: 21/03947/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issues as being:-

- a) whether or not the proposal would be inappropriate development in the

Green Belt in line with the National Planning Policy Framework; and
b) whether the harm by inappropriateness, and any other harm, would be clearly outweighed but very special circumstances.

She noted in respect of a) that para 149 of the NPPF identifies disproportionate additions to existing buildings as 'inappropriate' and that the existing warehouse building has been extended from its original form. The appellant argued the 'original building' for the purposes of considering later additions should be the building as it stood at the time of a grant of a lawful development certificate for its use, but the Inspector agreed with officers that this was not the case, and the 'original building' is that which stood in July 1948 as identified by Annex 2 to the NPPF.

She then considered the proposed additions, in conjunction with an earlier office extension would more than double the size of the original building and agreed with officers that the extensions were disproportionate and therefore inappropriate by definition.

In terms of b) she noted the aim of para 137 of the NPPF to prevent urban sprawl in the Green Belt, to keep land permanently open and protect the Green Belt characteristics of openness. She noted openness has spatial and visual aspects.

She felt the extension would add considerable bulk and would be materially larger than the existing building, which would be discernible from open views towards the site, including from Hathersage Road. She did not feel the appellants suggestion of landscaping to screen the development would resolve this given the spatial consideration of openness.

The Inspector did not consider that the open storage on the site was of a significance or permanence to impact on openness in the same manner that a permanent structure of the kind proposed does. She concluded on openness that the proposal would erode the openness of the Green Belt in spatial and visual terms conflicting with UDP policies GE1, GE2, GE3 and GE8, Core Strategy policy CS71 and the NPPF.

Shen then considered other aspects of the appellants case including the visual improvement over open storage, consolidation of the business on the site avoiding relocation, difficulties of the pandemic and Brexit, local employment opportunities and potential environmental benefits, and gave them moderate weight in favour of the application.

In considering whether very special circumstances exist she confirmed the development is inappropriate and haresms openness. The moderate weight she gave to the benefits outlined were not considered to represent very special circumstances necessary to justify the development, and the Inspector therefore dismissed the appeal.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 17.5m monopole with

associated cabinets and ancillary works (Application for determination if approval required for siting and appearance) at land adjacent to Groundsman's House, Shirecliffe Road, Sheffield, S5 8XB (Case No: 21/02734/TEL) has been dismissed.

Officer Comments:-

The Inspector considered that the mast would be significantly taller than the existing vertical structures already present, greater in thickness and a noticeably different shape. The mast would protrude above trees and be visible from long range views along the straight highway. The grey colour would also accentuate the mast and increase its prominent. The mast would therefore be out of context with the surrounding low scale form of development.

The mast would sit in close proximity to an existing mast and there is also an unimplemented permission for a 20 metre high mast close to the site. Cumulatively, the masts would lead to a cluttered and congested appearance.

The proposal does not robustly consider the option of site sharing and so does not comply with Paragraph 115 of the NPPF.

The Inspector gave weight to the need for a high quality telecommunications network as set out in the NPPF, but found that this did not outweigh the significant harm to the character and appearance of the area.

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 ENFORCMENT APPEALS ALLOWED

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

14 February 2023

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