

Planning and Highways Committee

Tuesday 14 March 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

**Item No. 9a - DEFERRED FROM LAST MEETING – Planning
Application No. 22/01020/FUL – Building Between Cotton Street and
24 Alma Street, Sheffield, S3 8SA**

Membership

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

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the
above Committee Members as and when required.

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 MARCH 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 - 12)
Minutes of the meeting of the Committee held on 14th February 2023.
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. **Tree Preservation Order No. 460 - 20 Topley Hall Croft, Topley, S17 4BE** (Pages 13 - 44)
Report of the Head of Planning.
8. **Tree Preservation Order No. 462 - Mount Pleasant Community Centre, Sharrow Lane, Sheffield, S11 8AE** (Pages 45 - 58)
Report of the Head of Planning.
9. **Applications Under Various Acts/Regulations** (Pages 59 - 60)
Report of the Head of Planning.

- 9a. **Planning Application No. 22/01020/FUL - Building between Cotton Street and 24, Alma Street, Sheffield, S3 8SA** (Pages 61 - 92)
- 9b. **Planning Application No. 21/01694/FUL - Land rear of Dixon Dawson Chartered Architects, 6 Moor Oaks Road, Sheffield, S10 1BX** (Pages 93 - 122)
10. **Record of Planning Appeal Submissions and Decisions** (Pages 123 -
Report of the Head of Planning. 136)
11. **Date of Next Meeting**
The next meeting of the Committee will be held on 18th April 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 14 February 2023

PRESENT: Councillors Dianne Hurst (Joint Chair), Nighat Basharat, Tony Damms, Roger Davison, Barbara Masters, Bob McCann, Peter Price, Garry Weatherall, Sophie Wilson, Cliff Woodcraft, Tom Hunt (Substitute Member) and Henry Nottage (Substitute Member)

1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Mike Chaplin, Brian Holmshaw and Alan Woodcock.
- 1.2 Councillor Tom Hunt acted as substitute for Councillor Mike Chaplin
- 1.3 Councillor Henry Nottage acted as substitute for Councillor Brian Holmshaw.

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 Peter Price declared a personal interest in Agenda Item No. 9c, Application No. 20/02550/FUL - Land Part Of Outokumpu Site, Fife Street And Blackburn Road And Storage Land At Grange Mill Lane, Sheffield, S9 as Ward Member. Councillor Price 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.
- 3.2 Councillor Garry Weatherall declared a personal interest in Agenda Item No. 9c, Application No. 20/02550/FUL - Land Part Of Outokumpu Site, Fife Street And Blackburn Road And Storage Land At Grange Mill Lane, Sheffield, S9, as Ward Member and as an objector to the application. Councillor Weatherall declared that he would leave the meeting and take no part in the discussion or voting thereon.

4. MINUTES OF PREVIOUS MEETING

- 4.1 **RESOLVED:-** that the minutes of the meeting of the Committee held on 10th January 2023 were approved as a correct record.

5. SITE VISIT

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

6. PROPOSED CLOSURE OF FOOTPATH LINKING COBDEN VIEW ROAD AND NORTHFIELD ROAD, CROOKES, SHEFFIELD, S10

- 6.1 The Chair informed the Committee that the report had been withdrawn as the objector to the proposed closure had withdrawn their objection. The order could now proceed to confirmation under delegated powers.

7. TREE PRESERVATION ORDER NO. 461 - 3 WESTBOURNE ROAD, SHEFFIELD, S10 2QQ

- 7.1 Vanessa Lyons (Community Tree Officer) attended the meeting and presented the report.
- 7.2 The tree had been subject to a Section 211 notice submitted by a tree surgeon acting as agent for the owner of the tree which stated the intention to remove the tree following complaints from the owner of an adjacent property.
- 7.3 The Community Tree Officer had visited the site and carried out a TEMPO assessment which had identified the tree as suitable for protection.
- 7.4 No objections had been received.
- 7.5 **RESOLVED:-** That Tree Preservation Order No. 461 be confirmed unmodified.

8. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

8a. PLANNING APPLICATION NO. 22/01978/REM - LAND AT JUNCTION WITH CARR ROAD, HOLLIN BUSK LANE, SHEFFIELD, S36 2NR

- 8a.1 A report clarification, an amendment to condition 2 and additional representations, along with the officer response were included within the supplementary report circulated and summarised at the meeting.
- 8a.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.

- 8a.3 Katie Purdam attended the meeting and spoke in support of the application.
- 8a.4 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.
- 8a.5 **RESOLVED:-** That an application for approval of reserved matters be GRANTED, conditionally, for the reasons set out in the report and supplementary report, now submitted, for 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) at Land At Junction With Carr Road, Hollin Busk Lane, Sheffield, S36 2NR (Application No. 22/01978/REM)

8b. PLANNING APPLICATION NO. 22/01020/FUL - BUILDING BETWEEN COTTON STREET AND 24 ALMA STREET, SHEFFIELD, S3 8SA

- 8b.1 A report clarification, along with additional conditions were included within the supplementary report circulated and summarised at the meeting.
- 8b.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.
- 8b.3 Christopher Perry and Elsa Greaves attended the meeting and spoke against the application.
- 8b.4 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.
- 8b.5 **RESOLVED:** that an application for planning permission for alterations and conversion of building from light Industrial (Use Class E) to create 14 dwellings (Use Class C3) (amended plans received 21.11.2022) at Building Between Cotton Street And 24 Alma Street, Sheffield, S3 8SA be DEFERRED to allow clarification of the implications for this site of the draft Local Plan.

8c. 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

- 8c.1 Having previously declared his interest, Councillor Garry Weatherall left the meeting and took no part in the discussion or voting thereon.
- 8c.2 A condition correction and an additional consultee response were included within the supplementary report circulated and summarised at the meeting.
- 8c.3 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.
- 8c.4 Bridget Ingle, Andrew Nice and Johnny Nelson attended the meeting and spoke against the application.
- 8c.5 Lee Charnley attended the meeting and spoke in support of the application.
- 8c.6 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.
- 8c.7 On being put to the vote, the voting stood at 5 for , 5 against and 1 abstention. The Chair then used her casting vote and it was:
- 8c.8 **RESOLVED:-** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, now submitted, for full planning application for enabling works comprising access, clearance and remediation, reprofiling, drainage, flood mitigation, landscaping and associated works at Land Part Of Outokumpu Site, Fife Street And Blackburn Road And Storage Land At Grange Mill Lane, Sheffield, S9 (Application No. 20/02550/FUL)

9. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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

10. DATE OF NEXT MEETING

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



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Head of Planning

Date: 14th March 2023

Subject: Tree Preservation Order No. 460
20 Totley Hall Croft, Totley, S17 4BE

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

Summary: To seek confirmation of Tree Preservation Order No. 460

Reasons for Recommendation

To protect a tree of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 460 should be confirmed unmodified.

Background Papers:

- A) Tree Preservation Order No. 460 and map attached.
 - B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached
 - C) Images of the tree
 - D) Arboricultural Report
 - E) Appraisal of the Totley Conservation Area
-

Category of Report: OPEN

CITY GROWTH SERVICE

REPORT TO PLANNING & HIGHWAYS COMMITTEE

14th March 2023

20 Totle Hall Croft, Totley, S17 4BE

TREE PRESERVATION ORDER NO. 460

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.460.

2.0 BACKGROUND

2.1 Tree Preservation Order No.460 ('the Order') was made on 27th October 2022 to protect a sycamore tree which stands within the rear garden of 20 Totley Hall Croft. A copy of the Order, with its accompanying map, is attached as Appendix A.

2.2 T1 (as described in the Order) is positioned against the rear boundary of the garden of 20 Totley Hall Croft and overhangs the neighbouring land to the east. The tree stands within the Totley Conservation Area, so is already protected to a limited extent by Section 211 of the Town and Country Planning Act 1990.

The tree sits in an elevated position in relation to the adjacent land, with ground levels being approximately 1.5m higher on the side of number 20, and the earth being held back by means of a retaining wall. The neighbouring land was formerly Totley Hall Farm and at the time of writing it is under development, with existing buildings being removed and several new buildings being erected. Of these a cart shed stood under the canopy of the tree, and this has been removed to make way for a new building. Planning consent has been granted for the works, reference 18/03187/ FUL and 21/00407/FUL.

2.3 The owner of 20 Totley Hall Croft contacted the Council's planning department in March 2022 regarding demolition of the cart shed on the neighbouring land. The demolition was achieved with use of a mechanised digger and a reduced level dig. This caused partial collapse of the retaining wall holding back the earth on the side of number 20. The landowner stated that this method was not in adherence with that cited in the Arboricultural Method Statement attached to the planning consent, and that they were concerned regarding the potential impact of this upon their tree, with regards to damage to any roots which may have been under the cart shed, and loss of stability to the tree following from earth movement caused by collapse of the wall. The issue was referred to the Council's landscaping team and Planning Enforcement, and the arboricultural consultant employed by the developer attended site to advise on how to address the damage and rebuild the wall.

- 2.4 In subsequent months, further concerns were raised by landowners adjacent to the site regarding potential breaches of planning conditions and the impact of construction work on trees which had been conditioned for retention as part of the planning consent. A site visit was conducted by Vanessa Lyons and the head of Planning Enforcement on 16th August 2022. During the visit it was observed that trees on site had been damaged during construction, that the retaining wall had not been completely rebuilt, and that severed roots, predominantly fine and likely originating from the tree at number 20, were emerging from the soil where the wall had been. Hessian sacking which should have been kept wet and placed over the roots to prevent their desiccation was dry. The tree was inspected from within the curtilage of 20 Totley Hall Croft and found to be a mature sycamore of good condition and structure. The owner of the tree requested that the tree be considered for protection under a Tree Preservation Order to signal to the developers the importance of protecting the tree during ongoing construction work.
- 2.5 Following from the site visit, the owner of the tree submitted to the Council the results of an independent arboricultural assessment which he had commissioned for the tree, and which can be seen at Appendix D. The consultant highlighted the potential for the tree to come under future pressure to be pruned due to perceived issues of nuisance (shade, leaf fall) arising from the tree overhanging the new dwelling. He recommended the tree be TPO'd, to strengthen existing protection that the tree has from being part of the Totley Conservation Area, and so that the protected status of the tree would appear unambiguously during conveyancing enquiries conducted during purchase of the new house.
- 2.6 In response to this Vanessa Lyons conducted a Tree Evaluation Method for Preservation Orders (TEMPO) assessment on 1st September 2022. The tree was scored with 14 points. The assessment produced a clear recommendation for protection, and it was deemed expedient in the interest of amenity to make an order. A record of the TEMPO assessment can be found in Appendix B.

2.7 Objections.

No duly made objections have been received.

3.0 VISUAL AMENITY ASSESSMENT

Visibility: A large tree standing in an elevated position above the adjacent land. The tree can be partially seen from adjacent houses, from Totley Hall Lane, and will be visible to the houses which are being constructed on the site of Totley Hall Farm.

Condition: The tree is a large diameter specimen in good condition with no notable outward defects.

Longevity: A conservative estimate of the trees likely retention span is that of 20-40 years.

Contribution to the conservation area: Local authorities must pay attention to the desirability of preserving or enhancing the appearance of the conservation area. An appraisal of the Totley Conservation Area can be found at Appendix E. This notes that trees are an important feature of the area. The sycamore stands within an area where many of the trees are defined as being notable, with correspondence from a former Council Officer suggesting that it may once have been a “way marking tree”, referring to trees which stood at important junctions and acted as markers in the landscape. Though no direct historic association could be found with regards the tree, it is approximately 100 to 150 years old and one of several mature specimens which line what is now a public footpath. The presence of such a mature tree contributes to the rural nature of the Totley Conservation Area.

Expediency: A dwelling is being erected directly underneath the tree on a construction site where other trees have been damaged because of construction activity and there is concern the tree will be damaged through further works or come under undue future pressure to be pruned in future. It is therefore considered there is a risk that the tree may come to harm in future and that it would be expedient in the interest of amenity to protect it with the Order.

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.460 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.460 be confirmed.

Michael Johnson, Head of Planning

14TH March 2023

Appendix A. Tree Preservation Order No.460 and map

Tree Preservation Order
Town and Country Planning Act 1990
The Tree Preservation Order No 460 (2022)
20 Totley Hall Croft, Totley, S17 4BE

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 460 (2022) – 20 Totley Hall Croft, Totley, S17 4BE.

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.

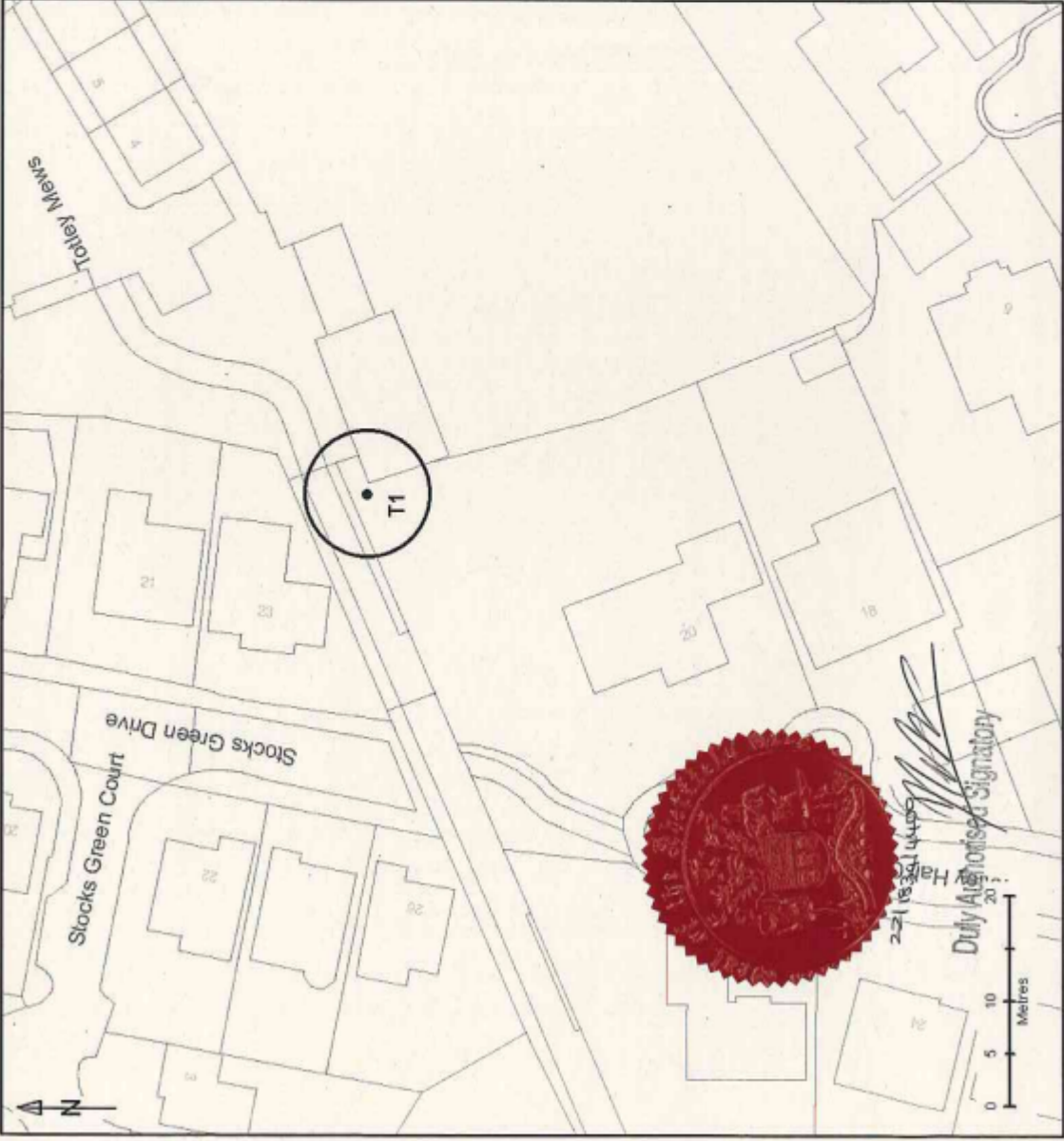
Dated 27th OCTOBER 2022

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


David Selous
DUTY AUTHORISED SIGNATORY



Sheffield City Council Parks & Countryside Service	
TREE PRESERVATION ORDER No. 460	
Drawing No. A4/808/460	
Site address 20 Todley Hall Croft, Totley, Sheffield S17 4BE.	
Scale: 1:500 @ A4	
Drawn by MB	Date: 01/09/2022
 Trees specified indiv/dually (circled in black on the plan)	
T1: Sycamore (Acer pseudoplatanus)	
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 30684 79559 Measurements shown approximately	



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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	Sycamore (<i>Acer pseudoplatanus</i>)	SK 30684 7955

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

Date: 01.09.22	Surveyor: Vanessa Lyons
Tree details TPO Ref 460	Tree/Group T1 Species: Acer pseudoplatanus Location: 20 Totley Hall Croft, Sheffield, S17 4BE

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 :

5

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

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 |
| 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 |

Score & Notes

4

d) Other factors

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

- 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

Score & Notes

1. Located in an area of "notable trees" (conservation area appraisal) and may be an old way-marking tree. Tree is clearly old and likely has historic significance but lacks written proof of such, hence 1 point, not 3.

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

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

Score & Notes

2. Trees on adjacent construction site have been damaged due to construction activity. Dwelling being erected directly under tree. Concern tree will be damaged during construction/ come under future pressure to be pruned.

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: 14	Decision: TPO defensible
---	--

Appendix C. Images of the tree



The tree, taken from within the grounds of 20 Totley Hall Croft



View of tree from Totley Farm development site. The tree is above the yellow digger, to the right.

Appendix D. Arboricultural Report

[REDACTED]

Date 17th August 2022 [REDACTED]
Our reference [REDACTED]

Dear [REDACTED]

Thanks for showing me the situation with your sycamore tree and the adjacent development at the neighbouring Totley Hall Farm site.

You approached me as you were concerned about problems which may arise in future due to the proximity of the new development to your tree.

You were also concerned about works already undertaken within the rooting area of the tree, though at this stage we have agreed that I will not consider these in any detail due to the extent of back-checking of documentation that would be required at time and cost (I have had no prior involvement in this project). I understand some of these works are anyhow subject to possible planning enforcement action.

The tree (T1) is located at the northeast corner of your garden, close to the boundary – which it overhangs by several metres to the east (and by a little less to the north). See Image 1 for tree location. It is a mature sycamore which I estimate is between 130 and 150 years old. It is currently in good condition - with a full and healthy crown, minimal deadwood branches in the canopy, and no signs of any structural concerns. It is a well-balanced tree, with its only asymmetry being the result of its growth favouring the direction of light and space, and its avoiding of the shade and constriction created by adjacent tree canopies. Such 'asymmetry' is of course the nature of a great many trees – such as most woodland edge trees – with the trees' wood structures naturally adapting to strengthen those areas where loading is greatest. It does not require any remedial pruning or other attention.

[REDACTED]

The land to the east – formerly Totley Hall Farm – is under development. I understand from yourself that a new dwelling is proposed beneath the canopy of the tree. I have not accessed the development site or viewed any planning documents in detail, but by your assessment the canopy of T1 will overhang the proposed dwelling by approximately 5 metres – this assessment looks to be broadly correct as viewed from your garden.

I understand that the structure formerly beneath the tree – an old cart shed – was originally proposed for ‘renovation’. I understand further that this renovation was subsequently found to be not possible due to the absence of footings, and a new dwelling construction was therefore proposed and approved. Notwithstanding the many other planning considerations, from an arboricultural perspective it is not sensible or advisable to build a dwelling beneath a tree canopy (particularly with an overhang of 5 m). This is regardless of the previous presence of a non-residential structure beneath.

The reason for this is due to the many nuisance issues and other problems that can arise in such situations, with these typically resulting in future pressure for tree removal or for pruning which is harmful to the tree’s ongoing health.

Such issues include but are not limited to:

- Excessive shading. The new dwelling will be very heavily shaded on its southern and western sides.
- Honeydew falling from the leaves of sycamores and lime trees results in sticky residue on windows, roof tiles and surfaces. This is difficult, costly and frustrating for the householder to clean - and can exacerbate problems such as moss growth on roof tiles (as can shading also).
- Leaf fall. The shedding of leaves and small twigs blocks gutters, resulting in further ongoing maintenance requirements.
- Reception for satellite television can be severely affected by nearby trees, depending upon the site-specific directional requirements for satellite signal.
- Fear of harm or damage by trees. While instances of building damage by tree failure are rare – and harm to persons is far rarer still – it is very common for householders to be fearful of the failure of adjacent trees. Such fears are particularly exacerbated when the tree is in fact directly above the dwelling.

While tree T1 may have some current protection by virtue of being in a Conservation Area, a commonplace and very foreseeable outcome to the situation here is that the above nuisance issues and fears will lead to future occupants creating an irresistible pressure for the local planning authority to permit harmful pruning works to the tree to alleviate concerns. I myself have direct experience of similar cases being taken to planning appeal, with the planning inspector finding that the protected tree could be removed for reasons included in the list above.

It is for these reasons, and in order to avoid future loss of trees intended for retention, that all the above matters are recommended for consideration at planning stage, when assessing suitability of site layout proposals under British Standard *BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations*. Document paragraphs from the standard that are of particular relevance to your tree are 5.2.1 (a) and (b), 5.2.2 (all of), and 5.3.4 (a), (d) and (e).

I understand that the new dwelling will stand taller than the demolished cart shed. As such the roofline will be close to the tree canopy, in particular the long but stable bough that extends east-south-east. No pruning has been proposed or approved via the project's tree documentation. It is my view that the tree should not be pruned. Pruning creates a stress on tree vitality, due to the reduction of photosynthetic capability and the need for wood repair. This tree is already likely to be stressed due to the adjacent development works, which have in part taken place during drought conditions - creating further stress on tree health. I note also that the adjacent development works have included unauthorised deviations from the approved drawings, creating rooting area disturbances beyond those which were expected and beyond those which were assessed as acceptable for tree T1 by the project arboriculturist – though this matter is beyond the scope of this letter's detailed consideration.

You are correct in understanding that the Conservation Area status does provide some protection to this tree, as the local planning authority (LPA) must be provided with 42 days' written notice of any proposed works to the tree (a section 211 notice). It does not however provide such rigorous protection as a Tree Preservation Order, as works can still be carried out to the tree if the local planning authority do not respond within 42 days. Works to a tree covered by Tree Preservation Order are an offence unless carried out with the unambiguous written approval of the LPA (with certain very limited exceptions) – this represents a stronger degree of protection.

A Tree Preservation Order has the additional advantage that it should appear unambiguously in solicitor searches and will therefore provide potential homebuyers with very clear notification that it is a tree that will need to be lived with.

It is therefore my recommendation that you request the LPA to place a Tree Preservation Order on your tree T1. It is also my recommendation that the tree is not pruned or further stressed in any way for the time being, pending ongoing monitoring of its health and condition. I suggest that it is subject to a quick professional check once every 3 years. In the meantime, as the person most familiar with your tree's appearance, you should keep an eye on it for any sign of foliage decline or the appearance of unusual fungi or obvious structural flaws.

Finally, I should document observations with regard to the next sycamore southwards from T1 - just east of your boundary and hence within the development site. This tree is clearly severely struggling. Its upper crown foliage consists of leaves which are greatly shrunken in size, and throughout the crown there is reduced leaf density and a proliferation of fruiting – such fruiting behaviour is typical of trees seeking to spread their gene pool before terminal decline. The cause of this is almost certain - you have showed me many photographs which appear to clearly indicate trenching of several metres' depth on the east side of the tree, within a couple of metres of its stem. Such trenching would not have been possible if a Tree Protection plan conforming to *BS5837: 2012* had been adhered to.

I hope you find this letter helpful and informative.

Kind Regards

████████████████████

Totley

CONSERVATION AREA APPRAISAL

March 2009



APPRAISAL

Sheffield *where everyone matters*



CUSTOMER SERVICE EXCELLENCE



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TOTLEY CONSERVATION AREA APPRAISAL

1.0 Introduction

Purpose of the appraisal

1.1 This appraisal seeks to record and analyse the various features that give the Totley 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 (see below). It provides a firm basis on which applications for development within the Totley Conservation Area can be assessed.



Small area of open space in front of Cross Grove House

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 Totley Conservation Area was designated on 19th April 1973.

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

- Historic origins of the 'spine' road of the conservation area i.e. Totley Hall Lane and Hillfoot Road;
- Baslow Road which follows the course of an early 19th century turnpike;
- The setting of the conservation area between town and country;
- Architectural and historic interest of the conservation area's buildings, including Totley Hall (1623) and seven other grade II listed buildings;
- Prevalent use of local building stone;
- The 1883 extension to Totley Hall by J D Webster (1840-1913), a noted Sheffield architect;
- Two fine ensembles of historic buildings: Butts Hill and nos 315-337 (odd) Baslow Road;
- War Memorial and The Pinfold;
- Open spaces beside All Saints Church, Totley Hall and The Crown that contribute to the semi-rural feel of the area;
- The area's trees particularly around All Saints Church and Totley Hall and on the rural fringe;
- Distinctive local features and details such as stone boundary walls and gate piers, stone kerbs in Butts Hill and old lamp posts;
- Two distinctive large roadside pubs, The Fleur de Lys and The Cross Scythes.



Nos. 327-337 Baslow Road



Stone gate piers and stone paving at Nos. 327 and 329 Baslow 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 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)* 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. The local development documents are being produced on a rolling programme. Once the Core Strategy, the City Sites and City Policies DPD and the Proposals Map have been adopted, they will replace the Unitary Development Plan policies (UDP). The Core Strategy was adopted by the Council in March 2009.

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.



Old iron gate and stone wall, Totley Hall Lane

3.0 Location and setting

Location and context

3.1 Totley is located about 8 km south-west of the centre of Sheffield on the A 621, one of the main arterial roads into the city. Although Totley is a suburb of Sheffield, the two halves of Totley Conservation Area, on either side of the Baslow Road, have a village atmosphere. Beyond Totley, the road rises to Owlbar and open countryside at the edge of the Peak District.



Ordnance Survey map showing location of Totley Conservation Area

General character and plan form

3.2 The Totley Conservation Area contains the historic core of Totley which lies principally alongside Hillfoot Road and Totley Hall Lane, two minor roads which branch north and south from a crossroads on Baslow Road. Development fronting a short length of Baslow Road also lies within the conservation area.

3.3 Totley Hall Lane is an old route whose historic origins can be seen in its varying width, curves and roadside historic buildings such as Totley Hall Farm and, most significantly, Totley Hall (1623), located at the southern end of the lane and taking advantage of a good southern aspect. This ancient way wound down to the Totley Brook before climbing past Woodthorpe Hall and on towards Holmesfield Common. Development beside Totley Hall Lane (in the conservation area) is predominantly 19th century or earlier, mostly set back from the lane in individual plots. Today, the lane is a cul-de-sac road that also provides access to modern housing estates (e.g. Totley Hall Mead, Totley Hall Croft, Stocks Green Drive) which are not included in the conservation area.



Cross Grove House
at the top of Hillfoot Road

3.4 Historically, Hillfoot Road is a northerly continuation of Totley Hall Lane but its former relationship with Totley Hall Lane has been severed by Baslow Road, built in 1805 as part of the turnpike from Sheffield to Baslow. Baslow Road has here been straightened and widened and, in effect, cuts the conservation area in two. By the entrance to the Primary School, before Hillfoot Road begins to descend steeply into the valley, Butts Hill branches to the east, following a roughly level course along the contour to Shrewsbury Terrace and two listed buildings, Ash Cottage and Cannon Hall. On the opposite side of the road, Chapel Lane is a narrow vehicular lane that once led to a Methodist Chapel (now a dwelling) but now serves a few old and new houses before becoming a footpath only. Development is scattered informally beside

Butts Hill and Chapel Lane with some properties directly facing the lanes whilst others have gables end-on to the road.

3.5 Baslow Road has the appearance of a standard highway with road markings, tall street lights, high concrete kerbs and traffic lights, dispelling the historic character promoted by the roadside buildings. To the east and downhill (outside the conservation area), an avenue of trees provides an inviting green entrance to Sheffield.

4.0 Landscape setting

Topography and relationship to surroundings

4.1 The Totley Conservation Area lies about 200m above sea level on a spur which carries Baslow Road, the old turnpike, down into Sheffield. The spur descends in a north-easterly direction and the land falls from its ridge to north and south; gently to the south along Totley Hall Lane towards the headwater of the River Sheaf, steeply to the north along Hillfoot Road to the valley of Oldhay Brook and a wooded prominence that is the spoil from the construction of the Totley Tunnel, completed in 1893.



The Cross Scythes, Baslow Road

4.2 To the south-west of Totley is farmland rising to open moorland, to the north-east lies suburban Sheffield albeit softened by Ecclesall Wood and open space around Beauchief Abbey. A strip of open land and woodland around the railway cutting in the valley separates Totley from Dore.

4.3 The village is located on the edge of Sheffield. Most of the western boundary of the conservation area defines the line where the growing city meets open country. For example, a typical late 20th century cul-de-sac housing estate west of Totley Hall (Totley Hall Croft) stands immediately beside trees, hedgerows and open fields.

5.0 Historic development and archaeology

Origins and historic development

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, there is data in both to suggest that Totley is an area of considerable archaeological potential; finds include a Neolithic quern stone, and the area includes the sites of water-driven corn and scythe mills, a moot hall, a pinfold and medieval cruck-built barns.

5.2 It is thus likely that further consideration will need to be given to the effect of applications for substantial new development on any potential archaeological remains, and an Archaeological Assessment of a site should be prepared prior to any application being submitted.

Origins and historic development

5.3 The name Totley, "Totingelei" at the Domesday Survey, may derive from "the clearing or wood of Tota's people".

5.4 Historically, Totley arose as an agrarian settlement beside an important trackway. The village economy depended on agriculture and, after the end of the 17th century, became more reliant on light manufacturing such as file and scythe making. File grinding took place in cottages in Summer Lane (now demolished) and there may have been file grinders' workshops behind Shrewsbury Terrace. The Cross Scythes may be named after an early landlord who was a scythesmith.



Historic Map of Totley from 1876

5.5 The Barker family is supposed to have built Totley Hall in 1623. The original part of the house has five-light mullioned and transomed windows one above the other and a datestone (1623) above the doorway. The extension, to the right of the original, was added in 1883. After 1950 Totley Hall became a Teacher Training College and part of Sheffield Polytechnic (later Hallam University). It has now been converted to residential use and modern dwellings in Totley Hall Croft now occupy the area once occupied by the sprawling flat-roofed 4 storey buildings of the Polytechnic buildings.

5.6 Totley Hall Drive (outside the conservation area) stands on the site of a ten-storey polytechnic/university block blown up to make way for the modern houses.

5.7 A Methodist Chapel was opened in 1848 at the end of Chapel Lane – the chapel is now a dwelling. The village had no church until 1924 when All Saints Church, designed by Currie and Thompson of Derby, was consecrated. It has a cruciform plan in a neo-Norman style with crossing tower covered by



No. 8 Totley Hall Lane



The Lodge, Totley Hall Lane

a saddleback roof. Christ Church, Dore was built almost 100 years earlier in 1828 and until All Saints was built its churchyard catered for the people of Dore and Totley – and migrant workers came to build the Totley Railway Tunnel in the late 1880s and 1890s.

5.8 A school was built on Totley Hall Lane in 1827 by D'Ewes Coke. The school later moved to premises on Hillfoot Road where it remains today, much altered and extended. Totley was in Derbyshire until boundary changes in 1934.

5.9 In the 20th century Totley has changed from a rural village to a modern suburb but it still retains a historic character and appearance which conservation area status seeks to preserve.

6.0 Spatial analysis

Key views and vistas

6.1 Because of its elevated hillside location, there are occasional panoramic views of the surrounding landscape - both rural and urban. In the south of the conservation area, there are views south over open countryside to Gillifield Wood. From Baslow Road, there are views north-west to the edge of the Peak District and north-east to Dore, another of Sheffield's outer suburbs. The tower of Dore Parish Church can be seen from Butts Hill where there are

also views over the rooftops of houses in Chapel Lane to Houndkirk Moor and further.

6.2 The church is normally one of the most prominent landmarks in a village but Totley's church, a late addition to the village in the 1920s, is set well back from Totley Hall Lane, on lower ground barely visible from the road. It is best viewed from the south, from the footpath to Totley Hall Drive. Totley Hall, the conservation area's most notable historic building, also has only a slight visual impact on the area as it is located at the southern end and faces away from approaching visitors. One of the village's most prominent features is All Saints Primary School, on the edge of the settlement beside a large playing field, but the original stone building is obscured by modern extensions. Two other prominent buildings are large public houses, The Fleur de Lys and The Cross Scythes Hotel, which both overlook Baslow Road. They are not representative of the architectural character of the conservation area.



Characteristic stone wall with triangular coping

The character of spaces within the area

6.3 With the exception of the primary school playing field and the field west of The Crown, there are few large areas of open space within the conservation area. Most private properties have gardens of varying sizes, front and back.

6.4 Three spaces are of note. First, the grassed area south of All Saints Church which contains some fine trees along the boundary and provides a spacious setting for the church as viewed from the south. Second, open space in front of Totley Hall similarly provides a setting for the Hall. Immediately in front of the Hall is a recently landscaped grassed area that is divorced from a wilder area on the other side of the road by the new access road to Totley Hall Croft. The unkempt area south of the junction of Totley Hall Croft and Totley Hall Lane contains mature trees, including a redwood and copper beech, which are a remnant of the formal landscaped entrance to the Hall as illustrated in the OS map of 1898. Finally, and of less significance, there is a triangle of land between Butts Hill and Hillfoot Road which, with The Pinfold, makes a positive contribution to the open character of the school entrance.

6.5 The most notable public open spaces are the restored Pinfold, owned by the people of Totley after being deemed by Norton Rural Council in the 1930s, and a grassed area in front of Cross Grove House which is landscaped with low shrubs, trees and a bench approached by four steps. This area may be the remnant of a more formal village green although a better candidate is the site of the Fleur de Lys public house (built in 1933 to replace an earlier pub set well back from Totley Hall Lane) which was until well into the 20th century used for a cattle fair. The ambience of this area is spoiled by the proximity of the busy A621.

6.6 The village's three public houses are accompanied by large areas of featureless tarmac car parking. In front of The Cross Scythes is a tarmac area in which buses can turn. This area seems to have served a similar purpose for over 100 years - in 1885 a Mr Cottam of Grimesthorpe started a horse-bus service from Dore and Totley station to Totley Cross Scythes. The car park area behind The Cross Scythes was formally a bowling green.

7.0 Definition of the special interest of the conservation area

Activities/uses

7.1 The conservation area is primarily residential. There are few employment opportunities in the village and its residents commute to Sheffield or other distant places of work.

7.2 Topley has a thriving Anglican church with church hall (All Saints, Topley Hall Lane), a well-attended primary school (All Saints C. of E.) and three public houses (Fleur de Lys, The Crown, Cross Scythes). There is no village shop. A former Methodist Chapel and a local Post Office are now closed.

7.3 Baslow Road is a busy main road and suffers from traffic noise. Topley Hall Lane, being a cul-de-sac, is by comparison quiet and infrequently disturbed by traffic. Hillfoot Road has a similar 'backwater' feel but is full of activity when the school day begins and ends.



All Saints Church and modern Church Hall

Building types

7.4 Topley Conservation Area's historic buildings, though few in number, comprise a variety of building types, mostly associated with agriculture and domesticity. Buildings range in size and status from All Saints Church and

Topley Hall through farmsteads such as Topley Hall Farm and Cannon Hall to small cottages and short terraces. The conservation area also contains three public houses, a converted Methodist Chapel, two 19th century school buildings (one now a dwelling, the other much extended), and a modern church hall. Two storey houses or cottages are the most prevalent building type.

Architectural and historic character

7.5 With the exception of the three buildings noted below, Topley Conservation Area is characterised by buildings dating from the late 18th century (e.g. Topley Hall Farm), the 19th century (e.g. the former schools in Topley Hall Lane, 1827 and the former Lodge, 1887) and the early 20th century (e.g. nos 357/359 and 361/363 Baslow Road, 1906) with some late 20th century infill and replacement. The area's historic buildings are modest in scale and, generally speaking, built in the vernacular tradition i.e. by local craftsmen with local materials.

7.6 The three exceptions to the prevalent 1750-1910 building period are Cannon Hall, a former farmhouse, barn and stables which date from the late 16th century with early 17th century additions; Topley Hall, a 17th century house, extended in the late 19th century and the most outstanding building in the conservation area; All Saints Church which was designed by named architects (Currie and Thompson of Derby, 1923).



Nos. 1-5 Shrewsbury Terrace

7.7 By far the most common building material is locally quarried stone. Totley Hall is built with coursed rubble stone and coursed square stone with ashlar dressings and a stone slate roof. Almost all of the conservation area's pre-20th century buildings are built with stone, the sole exception being a brick extension to a stone barn at the rear of Totley Hall Farm. Pairs of semi-detached houses in the upper end of Baslow Road are fronted with stone but have brick gables. The Fleur de Lys (c1935) has a brick ground floor.

7.8 Stone slate roofs are common but many have been replaced with slate or, to the detriment of the conservation area, concrete tiles. Slate is also commonly used, especially towards the end of the 19th century. For example the former 1887 lodge in Totley Hall Lane is roofed with natural slate whilst the earlier, grade II listed, school of 1827 has a roof of stone slates. Totley Hall Farm has both, a main roof of slate and a porch covered with stone slates. Ash Cottage in Butts Hill is a good example of a stone-built, stone-roofed mid 18th century house.

7.9 Render is uncommon and is a mainly 20th century incursion. The use of render is most visible along Chapel Lane, as viewed from Butts Hill, where harsh white render, stained windows and concrete tiles dilute the conservation area's prevalent historic character.

Listed buildings

The following eight grade II listed buildings lie within the conservation area:

- Totley Hall, Totley Hall Lane. House dated 1623 with additions of 1883, 1894 by J D Webster, in matching style;
- Totley Hall Farm, Totley Hall Lane. Farmhouse. c1780;
- All Saints Church, Totley Hall Lane is dated 1923 and was designed by Currie and Thompson of Derby in a faintly Romanesque style;
- The semi-circular ashlar steps and flanking walls south west of All Saints Church are contemporary with the church and listed for group value;

- School House, Totley Hall Lane. School, now house, dated 1827;
- Cannon Hall, Butts Hill. Farmhouse and adjoining barn under continuous roof, now house. Late 16th century with early 17th century addition, restored late 10th century. Cruck frame.
- Ash Cottage, Butts Hill. Mid 18th century house.
- Nos 5 and 7 Hillfoot Road. House, now two cottages, with an inscribed stone lintel "A W 1704".



Row of trees beside approach to All Saints Church

Key unlisted buildings - Buildings of Townscape Merit

7.10 Marked on the Townscape Appraisal map for the Topley Conservation Area are a number of *unlisted* buildings, known as Buildings of Townscape Merit, 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. There is a general presumption in favour of retaining all Buildings of Townscape Merit, as set out in PPG15.

7.11 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.

7.12 Of particular note are: **The Fleur de Lys Public House** built in a grand Tudorbethan style in 1933 on site of an earlier public house; **The Cross Scythes Public House** which dates from the 18th century but has been altered and extended in the 19th and 20th centuries. **The former lodge in Topley Hall Lane**, dated 1887; **Grange Terrace**, Baslow Road (1889).



Topley Hall Farm



South front of Topley Hall

Green spaces, trees and other natural elements

7.13 The northern and southern extremities of the conservation area have a distinctly rural atmosphere. The Crown, especially, has a rural setting at the foot of the valley backed by a large field and in the shadow of a wooded knoll beneath which passes the Topley Railway Tunnel. The tunnel emerges south of Topley Grove just outside the conservation area.

7.14 Trees are an important feature of the conservation area. Three groups are noteworthy: The trees around All Saints churchyard boundary, especially the row of beeches along the drive, trees beside and in front of Topley Hall, and those in the garden of Cross Grove House which help to soften the effect of the main road's harsh modernity. These, and other significant trees or tree groups, are marked on the Townscape Appraisal map. Lack of a specific reference does not imply that a tree or group is not of value.

7.15 Needham's Dike, a tiny tributary of Oldhay Brook, passes through the northernmost tip of the conservation area but its impact on the area is minimal.



Vehicular approach to Topley Hall from Topley Hall Lane

Local details and features

7.16 The distinctive local identity of the Topley 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:

The Pinfold which is listed in 1847 awards for impounding stray cattle and horses and has been renovated in the late 1970s by Totley and District Environmental Society;

War Memorial, located in an unfortunately secluded position within a recessed enclosure beside Baslow Road;

Stone walls – in particular along Totley Hall Lane and the stone wall alongside Chapel Lane which leads to a **stone stile** at the start of a footpath;

Old iron lamp posts (1930's) with modern light fittings in Chapel Lane, Hillfoot Road and Butts Hill;

Stone kerbs along Butts Hill outside Vera and Doris Cottages;

Stone gate posts, for example at Toft House where there is a pair of posts with pointed tops (and a good original iron gate) and Vera Cottage where there is a pair of round topped gate piers.

Ash Cottage, Butts Hill



View south from Totley Hall



8.0 Issues

8.1 This section contains a brief summary of the strengths and weaknesses of the Totley 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 *Totley 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

- Historic character and appearance;
- Well kept houses and gardens;
- Village ambience along Totley Hall Lane and Hillfoot Road;
- Local amenities, including primary school, three pubs, church hall, frequent bus service and proximity of railway station;
- Evidence of community action to enhance the village (The Pinfold);
- Easy access to rural walks;

Drystone wall and old lamp post beside Hillfoot Road (east 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 stone slate or Welsh slate roofs with concrete tiles.
- Baslow Road cuts the conservation area into two separate parts and is a source of traffic noise and pollution;
- Late 20th century housing in the southern half of the village, whilst not being included within the conservation area, still has a 'modernising' effect on the character and appearance of the conservation area;
- Poor state of repair of outbuildings beside the Fleur de Lys;
- Traffic congestion by the school at the start and end of the day.

Totley Conservation Area boundary review

8.3 Proposals to amend the conservation area boundary were included in the consultation carried out with residents in 2008. 47% of respondents disagreed with removing these areas from the conservation area. Therefore the boundary is to remain unchanged, reflecting the historic land ownership and field boundaries.



No. 357 Baslow Road



North façade of the Fleur de Lys public house

Consultation

A public consultation was carried out for the Totley Conservation Area appraisals and management plans in October/November 2008. 265 households and stakeholders were consulted. A public drop-in session was held at Totley Library. 89% of respondents strongly agreed or agreed with the assessment of the conservation area.

A report was prepared for the City Centre, South and East Area board and the Totley Conservation Area Appraisal and Management Plans were adopted on 30 March 2009.

Bibliography

Totley District in Old Photographs, Brian Edwards, Northend, 2003

Dore, Totley and Beyond, Brian Edwards, Shape Design, 1996

Dore Village Society Website <http://www.dorevillage.co.uk/>

The A to W of Dore, J. Dunstan and R. Millican, Dore Village Society, 2002

Buildings of England, N. Pevsner, 1967

Ordnance Survey maps 1877, 1923

List of photographs

- Photograph 1* Small area of open space in front of Cross Grove House
- Photograph 2* Nos. 327-337 Baslow Road
- Photograph 3* Stone gate piers and stone paving at Nos. 327 and 329 Baslow Road
- Photograph 4* Old iron gate and stone wall, Totley Hall Lane
- Photograph 5* Cross Grove House at the top of Hillfoot Road
- Photograph 6* The Cross Scythes, Baslow Road
- Photograph 7* No. 8 Totley Hall Lane
- Photograph 8* The Lodge, Totley Hall Lane
- Photograph 9* Characteristic stone wall with triangular coping
- Photograph 10* All Saints Church and modern Church Hall
- Photograph 11* Nos. 1-5 Shrewsbury Terrace
- Photograph 12* Row of trees beside approach to All Saints Church
- Photograph 13* Totleyhall Farm
- Photograph 14* South front of Totley Hall
- Photograph 15* Vehicular approach to Totley Hall from Totley Hall Lane
- Photograph 16* Ash Cottage, Butts Hill
- Photograph 17* View south from Totley Hall
- Photograph 18* Drystone wall and old lamp post beside Hillfoot Road (east side)
- Photograph 19* No. 357 Baslow Road
- Photograph 20* North façade of the Fleur de Lys public house
-

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 4223
Email; zoe.mair@sheffield.gov.uk

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, supplementary planning guidance and the Core Strategy:

Forward and Area Planning Team
Sheffield City Council,
Howden House,
1 Union Street,
Sheffield S1 2SH.
Tel: 0114 273 4157
[www.sheffield.gov.uk/planning-and-city-development/planning documents](http://www.sheffield.gov.uk/planning-and-city-development/planning_documents)

For general interest:

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

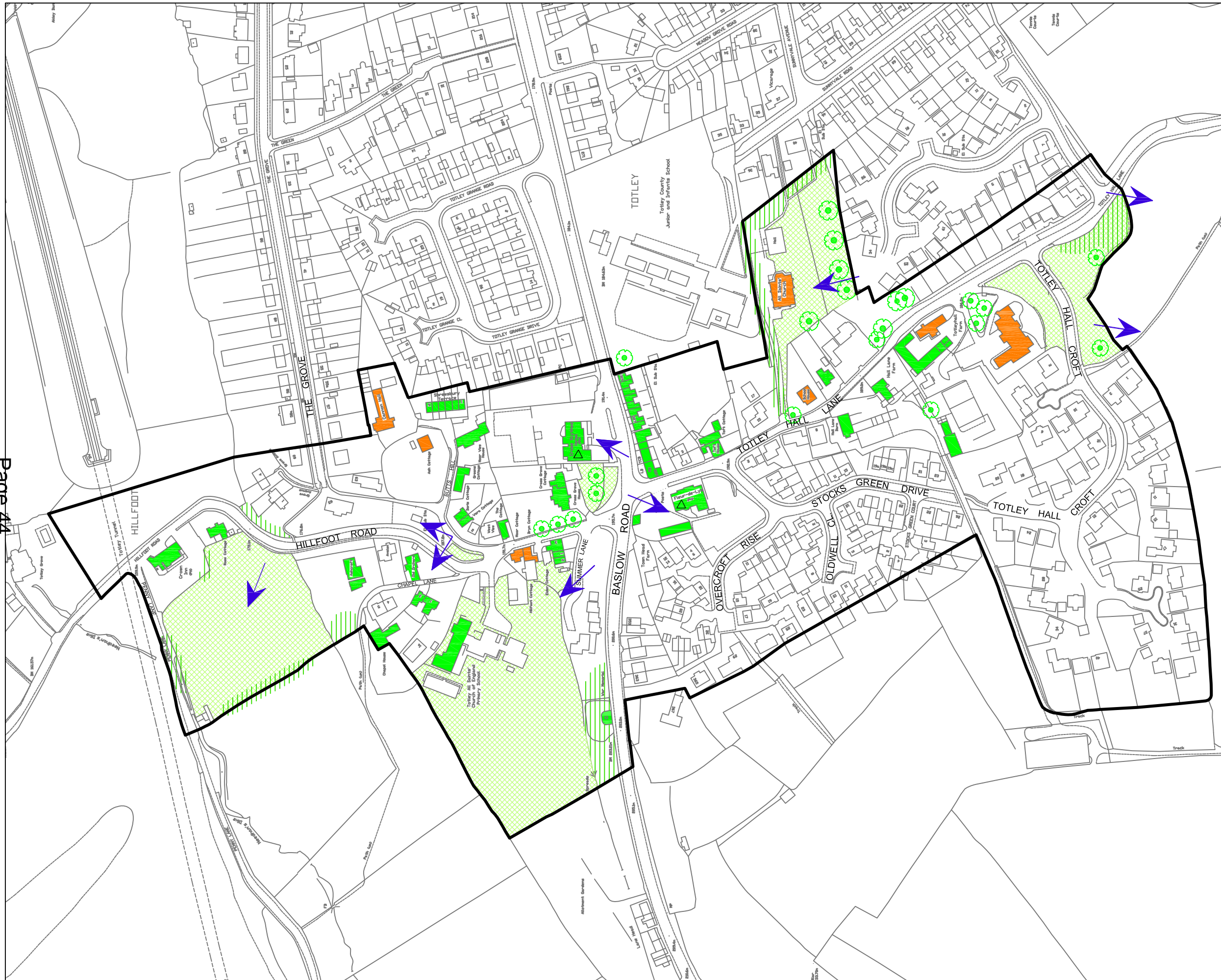
For an excellent range of technical advice leaflets:

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



NOTES / REVISIONS:

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- Current Conservation Area boundary
- Listed Building
- Building of Townscape Merit
- Focal Building
- Historic Street surface
- Prominent tree
- Prominent tree groups
- Important open space
- Significant view

SHEFFIELD CITY COUNCIL
 DIRECTORATE OF DEVELOPMENT
 ENVIRONMENT & LEISURE
 EXECUTIVE DIRECTOR: JOHN MOTHERSOLE

DEVELOPMENT SERVICES
 DIRECTOR
 D CURTIS BA, DIP.TP, MRTPI, FIHT

SCHEME:

TITLE:
TOTLEY CONSERVATION AREA

COMMITTEE:

SCALE:

DR	TR	CRD	DATE:	MICRO:
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DRAWING NO:

CAD FILE NAME:



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Head of Planning

Date: 14th March 2023

Subject: Tree Preservation Order No. 462 - Mount Pleasant Community Centre, Sharrow Lane, Sheffield, S11 8AE

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

Summary: To seek confirmation of Tree Preservation Order No. 462

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 462 should be confirmed unmodified.

Background Papers:

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

Category of Report: OPEN

Head of Planning

REPORT TO PLANNING & HIGHWAYS COMMITTEE

14th March 2023

Mount Pleasant Community Centre, Sharrow Lane, Sheffield, S11 8AE

TREE PRESERVATION ORDER NO. 462

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.462

2.0 BACKGROUND

2.1 Tree Preservation Order No.462 ('the Order') was made 27th October 2022 to protect two lime trees within the grounds of Mount Pleasant Community Centre, Sheffield. A copy of the Order, with its accompanying map, is attached as Appendix A.

2.2 T1 and T2 (as described in the Order) are positioned adjacent to the boundary of the land and Sharrow Lane. Images of the trees can be seen at Appendix C.

2.3 On 25th August 2022, a Landscape Officer within the Council requested that trees on the site be assessed for their suitability for protection under a Tree Preservation Order, following from receipt of a full planning application, reference 22/03048/FUL concerning refurbishment and conversion of the main house. A tree survey supplied with the application classified the two trees as being Category B (a BS 5837 classification indicating trees of moderate quality). The Landscape Officer stated that the trees were indicated as being retained, but that plans showed the opening of a blocked-up entrance within the root protection area of one of the trees. Without any form of protection such as that afforded by being within a conservation area or protected by TPO, there was concern that the trees could be vulnerable to damage or removal during the construction phase. When granting planning permission, the LPA is under a duty to ensure where appropriate that conditions for the preservation of trees are imposed, and to make TPO's where it appears to be necessary to give effect to such conditions. Therefore, it was deemed expedient to assess the suitability of all of the trees on site for protection under a Tree Preservation Order.

2.4 In response to this request, Vanessa Lyons inspected the trees on the site on the 28th of September 2022 and conducted a Tree Evaluation Method for Preservation Orders (TEMPO) assessment. The trees on site which were evaluated as being suitable for protection were the two lime trees. They were scored with 14 and 15 points respectively, which provided a recommendation for protection. It was therefore deemed expedient in the interest of amenity to make an order. A summary of the TEMPO can be found in Appendix B.

2.5 Objections.

There are no duly made objections.

3.0 VISUAL AMENITY ASSESSMENT

Visibility: Two mature lime trees which stand directly adjacent to the boundary of the land with Sharrow Lane, a main road which bisects Sharrow and which receives a high amount of foot and vehicular traffic. In an elevated position and of large stature, the trees are particularly prominent, and given their size and location their public visibility is considered as being very high.

Condition: Good. Due to surrounding vegetation, it was not possible to conduct a full inspection of the bases of each tree. However, at the time of inspection, the trees were in leaf and displaying good overall vigour. The trees have been heavily pruned in the past but have re-grown open upright canopies. No major outward defects were seen.

Longevity: The trees have an estimated 20–40-year retention span. This is a conservative estimate. The trees have the capacity to provide good amenity to the local area for many years to come.

Expediency: T1, perceived threat and T2 Foreseeable. The elevated level of risk for T2 reflects that while both are vulnerable to the possibility of damage or removal during the construction phase, construction work in the form of the re-opening of a blocked-up entrance is indicated as being planned within the rooting area of T2.

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.462 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. One objection has been received in respect of the Order and is addressed at section 2.6.
- 8.0 RECOMMENDATION
- 8.1 Recommend Provisional Tree Preservation Order No.462 be confirmed.

Michael Johnson, Head of Planning,

14th March 2023

Appendix A. Tree Preservation Order No. and map attached.

Tree Preservation Order
Town and Country Planning Act 1990
The Tree Preservation Order No 462 (2022)
Mount Pleasant Community Centre, Sharrow Lane, Sheffield S11 8AE

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 462 (2022) – Mount Pleasant Community Centre, Sharrow Lane, Sheffield S11 8AE

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

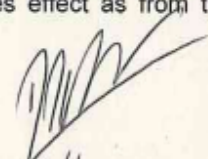
3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions 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 27TH 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 and T2	Common lime (Tilia x europaea)	SK 34908 85734

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>
-------------------------	---	------------------

Woodlands

(within a continuous black line on the map)

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



**TREE PRESERVATION ORDER
No. 462**

Drawing No.
A4/808/462

Site address
**Mount Pleasant Community Centre,
Sharrow Lane,
S11 8AE**

Scale:
1:1000 @ A4

Drawn by MB Date: 04/10/2022



Trees specified individually
(circled in black on the plan)



Trees which are
not included in the TPO

T1 and T2 Common lime (*Tilia x europaea*)

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 34908 85734

Measurements shown approximately



Daily Authorized Signatory

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Appendix B.
 Tree Evaluation Method for Preservation Orders (TEMPO) assessment
 Appendix C. Images of the trees

SURVEY DATA SHEET & DECISION GUIDE

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

Tree details TPO Ref 462 Owner (if known):	Tree/Group T1 (T8 on tree survey) Species: Common lime (<i>Tilia x europaea</i>) Location: Mount Pleasant Community Centre, Sharrow Lane.
---	---

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 Twin stems joining at ground level. Small amount of dead and some broken/ lost branches commensurate with a tree this age. Has previously been pruned
--

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 Conservative estimate. Tree may have potential to be retained beyond this.

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 5
--

- 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

2.Site subject to planning application ref 22/03048/FUL. Tree shown as being retained. As not in a CA tree has no formal protection and may be vulnerable during construction phase.

- 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:

14

Decision:

TPO defensible

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

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

Tree details	
TPO Ref	Tree/Group T2 (T10 on tree survey)
	Species: Common lime (<i>Tilia x europaea</i>)
Owner (if known):	Location: Mount Pleasant Community Hall

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

e) 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*

<p>Score & Notes :</p> <p>4. No full inspection of base possible due to vegetation. Small amount of dead. Has previously been pruned.</p>

f) 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*

<p>Score & Notes</p> <p>2 Conservative estimate. Within 1m of retaining wall but tree has gained mature size with no displacement evident within the wall.</p>
--

g) 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 |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |

<p>Score & Notes</p> <p style="text-align: center;">5</p>

- 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

h) 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

3.Site subject to planning application ref 22/03048/FUL. Tree shown as being retained but entrance in wall in RPA to be reinstated. As not in a CA tree has no formal protection and may be vulnerable during construction

- 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 Trees



The trees shown looking east along Sharrow Lane



Trees shown looking west along Sharrow Lane, image taken from Google Streetview



T1 (left) and T2 (right) taken from within the grounds of Mount Pleasant.



T1 taken from Sharrow Lane.



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Head of Planning

Date: 14/03/2023

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond and Chris Heeley

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	22/01020/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 Conditionally 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

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:

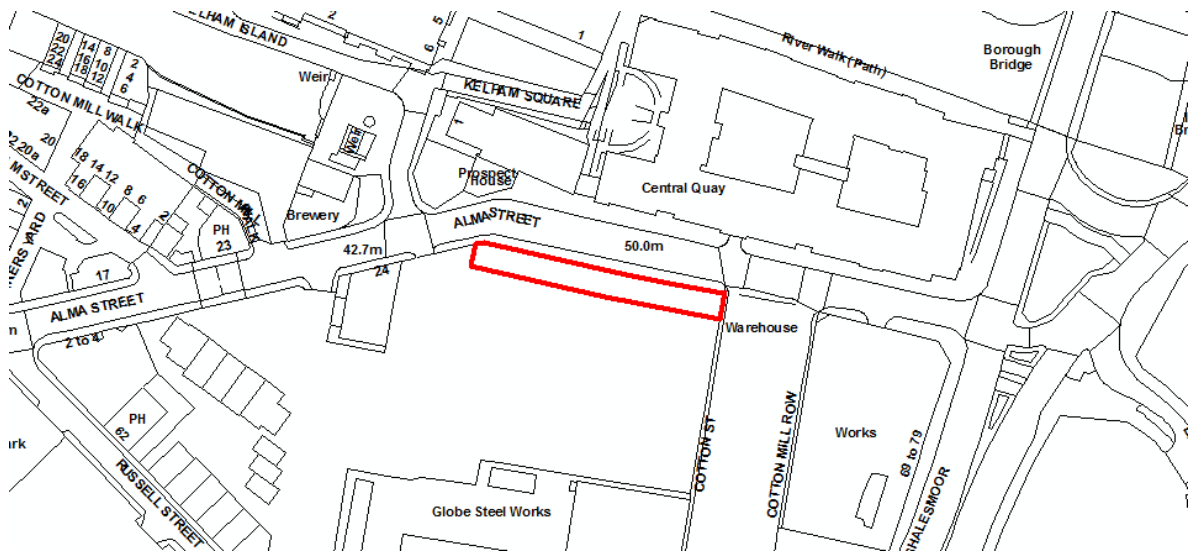
Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

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 tilted 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	21/01694/FUL (Formerly PP-09721964)
Application Type	Full Planning Application
Proposal	Erection of 13 apartments in a three/four storey block with associated, landscaping, parking and formation of access
Location	Land rear of Dixon Dawson Chartered Architects 6 Moor Oaks Road Sheffield S10 1BX
Date Received	12/04/2021
Team	South
Applicant/Agent	Axis Architecture
Recommendation	Grant Conditionally 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:

27057 A(00)01 Site Location Plan
27057 A(03)01 P4 Proposed Site Section

As published by the Local Planning Authority on 13th April 2021

27057 A(01)02 P7 Proposed Site Layout
27057 A(02)01 P6 Proposed Floor Plans
27057 A(04)01 P5 Proposed Elevations
1477-001 Rev C Landscape Masterplan

As published by the Local Planning Authority on 27th January 2023

Reason: In order to define the permission.

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

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

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

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 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.

5. 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.

6. 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.

7. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

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

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

9. Development shall not 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, and 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.

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

adjoining property.

10. A minimum of 3 months prior to the commencement of development a thorough walkover survey shall be conducted to establish that no protected species are present on the site. Full details of this survey shall be submitted to the Local Planning Authority. The survey report shall include recommendations for actions/mitigation should protected species/habitat be identified and development shall commence until the submitted survey and recommendation have been approved.

Reason: In the interests of ensuring that protected species have not established themselves on the site in the period between the granting of permission and the commencement of development.

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

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

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

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

Windows
Window reveals
Doors
Eaves
Parapets
Fascia/barge boards
Cycle/Bin storage building

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

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

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

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

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

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

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

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

16. Before commencement of the development details shall have been submitted to, and approved in writing by, the Local Planning Authority detailing the provision of infrastructure for at least electric vehicle charging points within the site. Such plant shall be operational before first occupation of the apartments.

Reason: In order to ensure that the development makes energy savings in the interests of mitigating the effects of climate change.

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

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

Other Compliance Conditions

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. 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. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the apartments shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

20. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 3.5 litres per second.

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

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

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

22. 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.

23. Before development commences details shall be provided and approved in writing by the Local Planning Authority indicating appropriate provision of:
 - a. Bat and bird boxes within the site
 - b. fence portals to enable foraging fauna to access the site

Such approved details shall then be implemented before the apartments are first occupied and thereafter retained.

Reason: In the interests of biodiversity in the locality

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

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

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

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

commenced.

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

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

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

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

28. Construction of pathways within the root protection areas of all retained trees (calculated as 12 x the stem diameter) shall employ a 'no dig' method.

Reason: In the interests of the longevity of these retained trees.

29. Before the first occupation of the building / extension hereby permitted all windows above ground floor level in the north west and south east elevations (those facing properties on Marlborough Road and Whitham Road respectively) shall be fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

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

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. 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.
3. Plant and equipment shall be designed to ensure that the total LAr plant noise rating level (i.e. total plant noise LAeq plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA90 background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
4. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:
 - 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;
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - 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.
 - Details of site access & egress for construction traffic and deliveries.
 - o- 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.

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

website here:

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

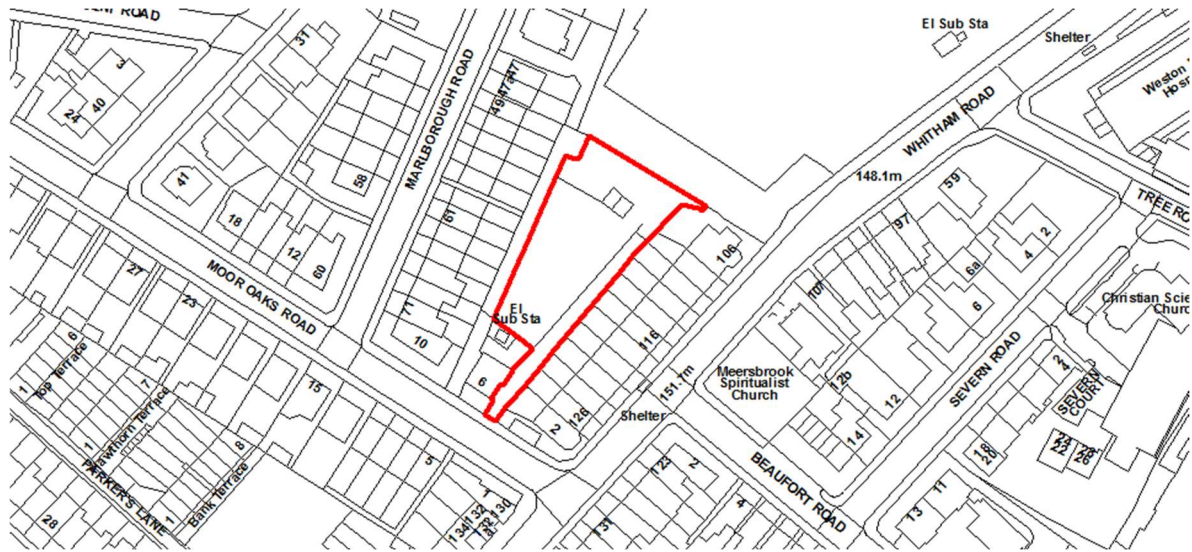
The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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.

6. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
7. 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.
8. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process.

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

Site Location



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LOCATION AND PROPOSAL

The application relates to a 0.16 hectare plot of land located behind houses fronting Whitham Road, Moor Oaks Road and Marlborough Road and lying to the south west of the University sports pitches of the Goodwin Sports Centre.

The site lies within an allocated Housing Area and within the Broomhill Conservation Area. The site lies close to the Broomhill District Shopping Centre (250 metres), to the University of Sheffield (500 metres) and to the Royal Hallamshire Hospital (250 metres).

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

With a few exceptions, the dominant land use in the immediate locality is housing. Some of the larger detached houses in the area have been in office use though a trend to return these to residential use has occurred over the last decade.

In terms of topography the site lies in a significant hollow. running approximately south west/north east between flanking higher ground upon which is built the houses of Whitham Road and Marlborough Road.

The natural ground level of the site is therefore approximately 2 metres lower than that to the north west and south east.

The site is covered with a plethora of trees and shrubs many of which are self-set and none of which have been managed in any meaningful way over the previous decades. This results in something a 'wild wood' feel to the site. There was evidence of fly tipping when the Officer site visit was made.

The proposal seeks full planning permission for the erection of a detached building to include thirteen apartments, three at ground floor level, four at first floor level, four at second floor level and a further two located in the roof space.

The apartments would be a mix of eight one bedroom units, three two bedroom units and two three bedroom units

The proposed building would mirror traditional design features with prominent gables and a hipped roof. External materials would be natural stone and natural slate. Window frames are proposed in aluminium with doors in hardwood.

PLANNING HISTORY

An application was withdrawn in 2020 (20/00237/FUL) for the erection of 27no 1-bedroom and studio apartments (Use Class C3) in a single 3/4-storey block with associated car parking and hard and soft landscaping.

An application was withdrawn in 2020 (20/02056/FUL) for the erection of 27no 1-bedroom and studio apartments (Use Class C3) in a single 3/4-storey block with associated car parking and hard and soft landscaping

REPRESENTATIONS

Individual Representations

There have been 34 representations received in response to the Council's notification process. All are objections and two of the objections are from Cllrs. Holmshaw and Argenzio.

Two letters of support have been received.

Cllr Holmshaw

- Increased local traffic density
- Increased conflict with regard to local parking situation
- Out of character student block that is contrary to Conservation Area policies
- Proportions, materials and overall design do not meet the standards required for the Broomhill Conservation Area.
- Does not promote local distinctiveness

Cllr. Argenzio

- No affordable housing
- Out of character with the locality
- Insufficient car parking
- Loss of trees will impact on wildlife in a densely populated area.

Summary of other individual's objections

Design/Environment related

- Design is too modern and against the character of the Conservation Area.
- The building is too tall.
- There are no three bedroom properties in the design contrary to Neighbourhood policy.
- Will denude the ratio of family properties to shared accommodation.
- No effort to replicate features like bargeboards.
- Inadequate bin storage area.
- Windows and doors should be in timber.
- Is an overdevelopment.
- Loss of trees will adversely impact on pollution absorption.
- The scheme has no lift for the disabled.
- Fails to meet policies DDHM1 and SBC2
- Contrary to policy CS41 (the community is already imbalanced with too many HIMO uses).
- No consideration given to sustainability.
- The flats will be clearly visible from Marlborough Road

Highways related

- Insufficient off-street car parking
- Insufficient cycle parking
- Two car parking spaces block an emergency exit
- Access is on a dangerous incline and is hazardous to pedestrians.
- Loss of parking during construction will lead to additional pressure on on-street car parking.
- Only 9 spaces for 27 flats is insufficient off street car parking.

Residential amenity related

- Opening hours of neighbouring business (No. 6 Moor Oaks Road) will adversely impact on amenity of future occupants
- Will overlook neighbouring properties on Marlborough Road
- Will introduce a significant noise source into the locality.
- The loss of trees will remove an acoustic buffer between Marlborough Road properties and Whitham Road.

Landscape/Ecology related

- Will cause habitat damage and loss of a green/wild space.
- Loss of an essential green lung
- Will lead to a loss of natural habitat for birds and insects including protected species.
- Loss of habitat 'stepping stone' for wildlife.
- Loss of biodiversity

General and policy related

- The area is already overdeveloped.
- Loss of an educational area
- Loss of area that contributes to the general wellbeing of the locality
- Loss of area of natural drainage.
- Adverse impact on air quality
- The development is contrary to BBEST policy
- Construction phase will create dust.
- There are no electric vehicle charging points included in the designs.

Matters raised that are not material planning considerations

- There is no demand for apartments of this type.
- Only bought current property as assured no further HIMO's would be allowed in the area.
- The developer should be given £1 million of public money to desist from submitting applications on the site.
- Will introduce construction noise.
- The underground stream will create construction problems as happened at the University Social Sciences building.

Sheffield and Rotherham Wildlife Trust

The SRWT initially objected to the scheme on the basis of a lack of an up-to-date Ecological survey. This has subsequently been provided and the SRWT are now satisfied that no adverse impacts will arise. They do however suggest that portals are created at the base of several boundary treatment panels in order to facilitate species 'highways'. They further support the suggestion of provision of bat boxes and that a sensitive external lighting scheme be employed on site.

Conservation Advisory Group

The Group passed the following comments on the originally submitted scheme. It is not felt that their comments would vary greatly with regard to the amended scheme since this follows the same design ethos.

The Group noted that the current proposal showed improvement over previous schemes for the site. But members consider that the site is unsuitable for the type of building proposed and that housing on the site would create a poor environment for residents. Given the lack of open space in the area, it would be desirable for the site to be retained as open space. Local residents could be encouraged to create a community garden to enhance the conservation area.

PLANNING ASSESSMENT

Policy Context

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

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

The Council has released a 5-Year Housing Land Supply Report (December 2022). This 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 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 supply of housing land. Therefore, the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites.

Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is triggered, and as such, planning permission should be granted unless the application of policies in

the NPPF 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.

However, paragraph 11 d) i) and footnote 7 of the NPPF make clear the presumption in favour would not apply where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. This would include cases where a development would cause substantial harm to heritage assets (such as listed buildings and conservation areas) and such harm is not significantly outweighed by public benefit.

In this context the following assessment will:

- Assess the proposals compliance against existing local policies as this is the starting point for the decision-making process. For Sheffield this is the UDP and Core Strategy.
- Consider the degree of consistency these policies have with the NPPF and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Consider whether harm accrues and if necessary apply 'the tilted balance' test, including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Key Considerations

The main issues to be considered in this application are:

- The acceptability of the development in land use policy terms,
- The appropriate balance of unit types within the scheme
- Impact on flora and fauna
- The design of the proposals and their impact on the surrounding street scene and the wider Conservation Area.
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided.

Land Use Considerations

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

Housing Supply, Density and Location

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

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

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

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

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

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

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

Paragraph 124 of the NPPF states:

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

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

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

The site being approximately 0.16 hectares in area this development would represent a housing density of 81 dwellings per hectare. This falls outside the suggested range and therefore suggests an overdevelopment of the site. However, a high figure is not entirely unexpected for a development of apartments and the

policy allows for greater densities if schemes achieve good design and/or reflect the character of an area.

Nonetheless the scheme would technically fail policy CS26. The implications of this and the relationship with other local policy is discussed further below.

Housing Mix

BBEST (Broomhill, Broomfield, Endcliffe, Summerfield & Tapton) Neighbourhood Plan Policy SBC2 'Housing to Meet Local Needs' states that proposals for new build residential development which meet local housing needs will be supported, and that proposals for ten dwellings or more should comprise a range of housing types, including no less than 50% of dwellings with three bedrooms. The balance of such new development should be skewed in favour of one- and two-bedroom dwellings rather than dwellings with four bedrooms and above.

This is a newly adopted policy carrying the full weight of recent local plan making and this makes it significant.

The scheme has been amended since original submission in an attempt to include units with more than one bedroom (the scheme originally intended for 13 one-bedroom units and one two-bedroom unit.). However, the Applicant has stated that they consider that the introduction of further three-bedroom units beyond those shown in the amended plans will adversely impact on viability.

Some effort has therefore been made to comply with the policy as a whole (i.e the introduction of a greater mix of units). However, the policy requirement for 50% of the units to be 3 bedroom types has not been achieved and this will need to be taken into account in the balance.

Environmental/Conservation Area Considerations

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

Paragraph 134 requires that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

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

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

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

Policy BE16 states that in Conservation Areas permission will only be given for proposals which contain sufficient information to enable their impact on the Area to be judged acceptable and which would preserve or enhance the character or appearance of the Conservation Area.

Policy BE17 states that in Conservation Areas and Areas of Special Character, a high standard of design using traditional materials will be expected for alterations and extensions to existing buildings.

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

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

The site lies within the BBEST Neighbourhood Plan area designated as the Residential South West Character Area. Within this area the key policies are: DDHM1 'Key Design Principles' This states that proposals will be supported which variously;

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

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

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

Policies BE5, H14, CS74 can be afforded significant weight as they align closely with corresponding paragraphs of the NPPF.

Policies BE16 and BE17 carry more limited weight since they do not accurately reflect the NPPF requirements to balance potential benefits against harm. The NPPF identifies how proposals that lead to less than substantial harm to a designated heritage asset need be considered. In cases where harm to the significance of a designated asset is less than substantial this needs to be weighed against the public benefits of the proposal, including securing the sites optimal viable use.

The Council does however have 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.

Design considerations

This proposal has been designed, in the main, with traditional lines and proportions with a slightly offset central entrance flanked by square bays. The massing of the building has been reduced when compared to the 2020 schemes.

Whilst the proposal consists of a building rising to a height of three storeys with accommodation in the roof space is not entirely inconsistent with other properties in the locality. Notably, due to the topography, there are significant numbers of properties on both Marlborough Road and Whitham Road that are configured with lower ground floor/upper ground floor/ first floor and accommodation in the roof space.

The location of the building in this deep gulley means that the ridge height of the scheme would be commensurate with the eaves height of properties on Marlborough Road and exceed the eaves height of properties on Whitham Road by approximately 1 metre. It's ridge height would therefore be 2-3 metres lower than the properties on these flanking roads.

The natural ground level also falls sharply away from Moor Oaks Road itself and as a result the proposals eaves and ridge heights would not exceed properties on that road to the south.

The overall appearance of the proposal, certainly on front and rear elevation is that of a substantial villa. The double height bays at ground/first floor level are something of a departure from the 'traditional' but their design is considered entirely compatible with the overall aesthetic of the building.

The pitched roofs and chimney features also contribute to the traditional appearance of the building and it is not considered that the architectural language used in this design would form an anomalous addition to the built environment in the locality or have a deleterious impact on the visual amenity of the conservation area.

External materials are detailed as:

- natural stone as a main facing material
- natural slate as the primary roofing material (the concealed flat roof would be a liquid applied system)
- timber fascia and barge boards
- timber windows and doors
- aluminium rainwater goods finished in black

All of the above are considered entirely compatible with the existing built environment and complementary to the character of the conservation area.

The overall result is a building which it is acknowledged would have some intermittent presence in the street scene of Moor Oaks Road, but which would comfortably fit between the neighbouring properties and within the context of the existing built environment.

Window frames will be finished in a basalt grey which is considered acceptable in this location.

Details of a secure bike/bin store should be provided but this can be secured through condition. Details of complementary decorative barge/fascia boards can also be sought through condition.

Boundary Treatment

The plans indicate new stretches of palisade fencing and this is not considered acceptable in this Conservation Area context. Those fencing elements already present on the northern boundary can be retained but the fencing adjacent the communal areas to the east of the building should be in timber rather than palisade. Two metre close boarded timber fencing would not normally be acceptable immediately adjacent the highway in a highly visible location within a conservation area but this site is largely hidden from public views off a private road and there is a need for a level of security for the outdoor communal areas.

Residential Amenity

UDP policies H5 and H14 require development to provide a good standard of amenity for existing residents and future occupants.

NPPF paragraphs 130 and 185 sets out similar aims in terms of ensuring decisions take into account the impact of pollution on health and living conditions and secure high standards of amenity. The local and national policies closely align and significant weight can therefore be given to H5 and H14.

Existing residents

In the main the internal layouts of the apartments limit main aspect windows to the front and rear elevations (i.e. north and south elevations). Given that the separation between the rear elevations of houses fronting Marlborough Road and Whitham Road and the respective side elevations of the proposal amount to approximately 17-18 metres this is welcomed.

There are no specific policy guidelines in relation to separation about dwellings for the construction of new dwellings, but separation distances set out in the SPG 'Designing House Extensions' are considered an appropriate mechanism by which to judge new development.

SPG requires that main aspect windows be separated from two storey side elevations by at least 12 metres).

The presence of ancillary kitchen and bathroom windows in the side elevations and these would need to be obscure glazed were permission to be granted.

The west elevation of the proposal would lie approximately 17 metres from the rear elevations of properties on Marlborough Road. Since the proposed side elevation contains no main aspect windows the SPG guideline which is most pertinent is that requiring that 12 metres separate a main aspect window from a two-storey gable end.

Even allowing for the proposal's additional storey (relative to that specified in the guideline) the fall in land level and the separation distance between the proposal and dwellings on Marlborough Road is considered to be more than sufficient to overcome any concerns with regard to overbearing/overshadowing.

This situation is replicated between the east elevation and the rear elevations of dwellings on Whitham Road though with a slightly more generous separation of approximately 18 metres.

The South Yorkshire Design Guide, whilst not adopted by Sheffield City Council) also provides for useful guidelines in terms of separation distances and proximity to existing main aspect windows. This suggests that development should not breach a 25 degree line (to the horizontal) scribed from the centre point of the ground floor window of neighbouring properties. Such a relationship would also need to be considered in relationship to the separation distance. In this case the applicant has demonstrated with cross sections that such a 25 degree line is not breached.

Given the falling ground levels towards the building footprint (from Whitham and Marlborough Roads) and the height of the proposed structure it is not anticipated that any significant overbearing or overshadowing will occur towards neighbouring property.

Noise

The proposal is for apartments for private sale (Use Class C3) rather than for shared accommodation and there is no reason to believe that significant noise will be generated by future occupants.

Representations state that loss of trees will remove an 'acoustic barrier' between houses on Marlborough Road and Whitham Road.

Contrary to popular belief, shrubs, trees and foliage do not effectively block noise unless very densely planted in swathes in excess of 20 metres deep. Acoustic experts have shown that a barrier with a low mass and density does not provide good acoustic performance. An effective noise barrier is typically made of a higher mass/ density material such as wood (fencing with no gaps), masonry, earthwork, steel or concrete.

Trees and shrubs do not provide any significant sound reduction and it is likely a psychological assumption that a 'hidden' or 'out of sight' noise source is reduced by intermittent/sparse woodland.

In this case the more effective noise barrier between dwellings on Marlborough Road and Whitham Road are the Nos. 106-126 Whitham Road themselves which provide a continuous unbroken barrier and these dwellings will of course remain unchanged by the proposal.

Future Occupants

The majority of the units (those at ground, first and second floor) will have main habitable rooms that benefit from good levels of natural lighting and outlook.

At third floor (roof level) both flats have two of three bedrooms that have no quality of outlook though the Master Bedroom would enjoy both reasonable lighting and outlook. The second bedroom and third bedroom/study would however be limited to rooflights.

This is unfortunate however the overall amenity offer for occupants of the third floor flats would be far from unacceptable overall and, as such, it is not considered that this shortfall represents a robust reason for refusal of the whole scheme.

The proposed external amenity space is acceptable in spatial terms though there are marginal concerns that its quality is limited as it will lie to the north of the building itself and be located close to and under large boundary trees on the University site.

However, the level of provision is not considered to differ from other suburban apartment schemes in terms of the scope/quality of external amenity space and these slight concerns are not considered a reason for refusal.

Given all of the above it is considered that the proposal is satisfactory with regards to the requirements of policies H5 and H14 as well as guidelines suggested in both SPG and the South Yorkshire Design guide.

Landscape Considerations

BE6 Landscape Design states that good quality landscape design will be expected in new developments. Applications for planning permission for such schemes should, where appropriate, include a suitable landscape scheme which:

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

The development would not result in the loss of any trees that contribute substantially to a view or vista from the public domain, or of significant public amenity value.

Trees are to be substantially retained in two areas, these being at the western end of the site between the proposal and 6 Moor Oaks Road and the group at the north east corner behind 106 Whitham Road.

In total 20 trees will be lost, these varying greatly in quality and stature. None of the trees are categorised as 'A' or 'B' quality trees within the tree survey provided. 6 are multi-stemmed, 5 show signs of damage to trunk or crown spread, and 2 show signs of Ash dieback. Other specimens are of limited scale or have tall and slender trunks which is likely to limit longevity.

The layout of proposed new buildings has changed from the previous application, but the layout of external works is similar.

Proposed tree removals and management work as detailed in the submitted updated tree report should be acceptable, given the low quality of many existing specimens and reduced visibility (from the public domain) into the central part of the site.

However, the impact of proposed new paths and hard standings on the roots of retained trees means a suitable 'no dig' construction method for paths within the RPA of retained trees will need to be conditioned should approval be granted.

A landscape masterplan has been submitted with the application indicating replacement planting with three new heavy standards on the northern boundary and several smaller specimens within the site boundaries. Of necessity new trees cannot be accommodated within 5 metres of the 375mm sewer running along the east side of the site. The balance of the landscape scheme submitted is considered acceptable.

Ecology Considerations

An updated Preliminary Ecological Appraisal (PEA) has been provided by the Applicant.

The survey findings of the updated PEA show that two mammal burrows were found in a strip of woodland to the north of the site which was inaccessible at the time of the survey, and for which the species could not be confirmed.

The recommendations in the report that both the site and the strip of woodland to the north be subject to a badger walkover survey by a suitably qualified ecologist are considered acceptable. This should determine the presence of any badger setts within 30m of the site, and this should be undertaken no less than three

months prior to the commencement of works on the site, preferably in winter or early spring to aid identification.

Any subsequent discovery or identification of badger activity would then need to be considered by Natural England during the necessary licence application.

Biodiversity Net Gain

Notwithstanding discussions about the quality of individual trees on the site there is little doubt the trees, when considered as a group provide a green 'break' in the built environment. Representations suggest that this grouping also provides a habitat for a variety of urban fauna.

It is considered highly likely that the site is a foraging route for a variety of fauna but it has been confirmed through the PEA that no protected species inhabit the site. Due to the time lapse between submission and any construction it is considered appropriate to require a further walkover survey be conducted before any construction to establish that this remains the case.

The NPPF at paragraph 174 d) expects enhancement of the natural and local environment by minimising impacts on and providing net gains for biodiversity. Legislation now requires significantly greater consideration of biodiversity net gain (2021 Environment Act) and under the act all development proposals will soon be required to demonstrate a measurable increase in the biodiversity fostered on site (a 10% increase). It is likely this requirement will come into force in November 2023. However, given the NPPF expectation and sensitivity of the site in terms of public perception the Applicant was encouraged to submit a full flora/fauna audit of the site.

This has been undertaken by the Applicant and this reveals that the development will result in an overall net loss of biodiversity equating to -0.25 units or -50.49%.

Since the site offers limited scope for mitigation beyond new tree and shrub planting, to achieve a policy compliant development (and bearing in mind that 10% BNG in line with the Environment Act is not yet mandatory), it is considered that the developer will need to provide off-site compensation through a payment to the Local Authority which can be used for habitat works local to the site.

To maintain consistency with other planning applications, a figure of £4,400 has been calculated as the appropriate contribution that should be made to mitigate for the net loss. This should be secured through a Section 106 agreement and colleagues in Ecology have indicated there are potential sites under Council ownership to which funding would be applicable at Lynwood Gardens, Broomhall; Crookes Valley Park; and The Ponderosa, Netherthorpe so officers are satisfied the contribution can be utilised.

Contamination and other Environmental Protection Considerations

There is potential for land contamination at this site. The site has not been developed and it is likely that over time various materials have been dumped here.

The site is also unusual in its different levels which could also indicate made ground. There is an electricity substation just off-site. The site is also in close proximity to a former landfill site called Godfrey Dam on Northumberland Road. Officers in the Environmental Protection Service have therefore required a suite of conditions be added should permission be granted.

Highways Considerations

Section d) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

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

UDP parking guidelines suggest that provision should be 1 space each for the one and two bedroom flats and two spaces for the 3 bedroom units as well as a space for visitors.

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

It is not anticipated that a small residential development such as this would be expected to be a significant traffic generator given the scale of the development and its location.

The scheme proposes the provision of 11 off-street car parking spaces.

Less than 1 off-street space per flat it not optimal but, as stated, this is a highly sustainable location close to high frequency public transport links as well as the University and Hallamshire Hospital sites.

There are some concerns relating to the likely displacement of existing parking that occurs currently to the rear of the Whitham Road properties. This being said, the red line boundary indicates that the Applicant owns and therefore controls the access road and as such it is not considered that this factor would represent a robust reason to refuse the scheme.

Furthermore the locality is subject to a Residents Parking Scheme which assists in managing any additional on-street parking demand. Any applications for permits will be determined by Parking Services.

The proposed access is currently in use by residents of properties on Whitham Road and serves approximately 20 cars. The access does have a steep gradient

as it joins Moor Oaks Road. However, intervisibility is good due to the width of the access. As the access is currently in frequent use it is not considered that the vehicle movements associated with the proposal will result in a significant worsening of the highway safety situation.

Cycle parking provision is proposed for 11 cycles. Details of the proposed store should be sought by condition.

The plans do not detail provision of charging infrastructure for electric vehicles and this should be secured by condition.

Given the above it is considered that, subject to conditions, the proposal satisfies the requirements of the policy H14 and the relevant paragraphs of the NPPF. Given the highly sustainable location it is not considered that the marginal shortfall in off-street car parking provision (compared to UDP guidelines) represents a robust reason to resist the scheme.

Archaeology

The South Yorkshire Archaeology Service have assessed the application details. It is not considered likely that significant archaeological evidence survives here that will be impacted on by the proposed scheme.

Drainage

Policy CS67 (Flood Risk Management) within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include requiring the new development to limit surface water run-off.

To achieve this on this site permeable paving should be employed for all hard surfaced areas to provide appropriate source control. Appropriate sub-base materials should be employed to decrease flow rates (by holding water in the voids) and these permeable/porous areas should also be used if at all possible to accept roof run-off which would negate/reduce the need for deep surface water pipework around the building.

These features can be secured through condition.

As two public sewers run through the site Yorkshire Water are keen that both are provided with appropriate stand-off distances and that tree/shrub planting is avoided within certain distances. The site layout plans correspond with these requirements.

Air Quality

Pollutants mainly come from human activities such as from industry, road traffic and building heating. Some come from natural sources such as wind blowing dust about and decomposing organic matter.

The pollutants in Sheffield which are of primary concern are Nitrogen Dioxide (NO₂) and fine particulate matter (PM₁₀ and PM_{2.5}). They come from burning diesel and also petrol, gas, wood and coal.

An Air Quality Assessment is required for any development that generates 60+ vehicle movements in any hour within 200m of an area exceeding Air Quality Limitation Values. This is not the case for this application.

In the UK, the law on nitrogen dioxide (NO₂) pollution says annual average concentrations should not exceed 40 µg/m³ (micrograms per cubic metre of air).

A Diffusion tube (tube No. 200) for measuring pollutants is located at the junction of Whitham Road and Moor Oaks Road. The data from this tube shows a general downward trend in NO₂ levels at this location between 2015 and 2021 with concentrations of 34 µg/m³ indicated in 2021.

As such it is not considered that a scheme of this limited scale will result in a breaching of the UK guidelines regarding NO₂ concentrations.

Response to Representations

Matters relating to design and materials, unit types, residential amenity, highways, ecology, drainage, air quality and landscape have been addressed in the main body of this report.

The scheme does not reach the threshold whereby affordable housing contribution is required (15 units).

The scheme is not of sufficient height so as to require provision of a lift.

The adjacent business hours do not conflict with the amenity of existing residents and there is no reason to believe they would be in conflict with amenity of future occupants.

Whilst accepting that the site provides some green relief it is not considered that it can be considered to provide a significant educational function.

The 'stream' mentioned in representations is considered as part of drainage section and construction matters are for Building Regulations

Community Infrastructure Levy (CIL)

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

The Tilted Balance

The Council is currently unable to demonstrate a 5-year supply of deliverable housing sites with the latest 5-Year Housing Land Supply Report (December 2022) concluding that there is evidence of only a 3.63 year supply of deliverable supply of housing land.

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 Gladman decision [Gladman Developments Limited v. The Scottish Ministers 2020] introduced the concept of the "tilted balance", whereby, if a shortfall in the effective five-year housing land supply is identified, these weights the balance in favour of proposals that would help to remedy that shortfall. The "angle" of tilt will be set by the extent of the shortfall.

In this instance, the application site lies within a conservation area and due consideration must be given to any harm that might accrue to that heritage asset in line with footnote 7 of paragraph 11, as referenced earlier in this report.

Paragraph 202 of the NPPF states:

'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.'

As the design of the proposed building itself (and its curtilage works) are not considered, in themselves, to result in harm to the heritage asset the adverse impacts on the Conservation Area are considered to be limited to the partial loss of the tree group that occupies the site.

Whilst it is accepted that this group of trees provides something of a green 'relief' within this housing area they do not appear significantly in the public domain and neither do specimens carry great individual value in terms of visual amenity. Furthermore, given the findings of the Tree Survey, the longevity of some specimens is likely to be limited, particularly given the absence of any historical or current tree management on the site.

Given these factors it is considered that the proposal would result in, at most, less than substantial harm to the heritage asset.

The harm therefore needs to be weighed against the public benefits of the scheme and these are two-fold.

Firstly, and of less import, would be the provision of employment during the construction of the development.

Secondly, and of considerably greater importance, would be the contribution to the housing supply within the city.

The NPPF places considerable importance on the delivery of housing, and the provision of an additional 13 dwellinghouses will make a small but meaningful contribution to meeting the current shortfall of housing.

Significant weight needs to be given to this aspect, not least because Sheffield shortfall in terms of housing land provision is significant.

Given all of the above it is considered that Paragraph 11 part d(i) is not applicable in this case and that the tilted balance requires that should the adverse impacts of any development not significantly and demonstrably outweigh the public benefits then the presumption in favour of sustainable development stands and permission should be granted.

Conclusion and Recommendation

This is an application for a small block of apartments (Use Class C3) in an allocated Housing Area.

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

The introduction of the building will not adversely impact on the street scene or the character of the wider locality. It would however result in the loss of trees, though the quality and longevity of these are questionable and their visual amenity value is considered somewhat limited by these factors and their location.

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

Whilst the provision of off-street car parking within the scheme is slightly marginal this is not considered a robust reason for refusal given the highly sustainable location and the proximity to local services, shops, Universities and the Hallamshire Hospital.

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

The net loss of biodiversity on the site is unfortunate and it is accepted that there is insufficient scope within the scheme to mitigate on site. However, it is considered

that an off-site contribution to habitats within the locality represents a reasonable approach that has been employed elsewhere by the Council.

In conclusion it is considered that the limited harm represented by the loss of low quality 'woodland' and the failure to comply absolutely with BBEST Neighbourhood Plan policy with regard to unit type numbers within the scheme does not significantly and demonstrably outweigh the provision of housing represented by the proposal.

Accordingly, it is recommended that the application be granted conditionally subject to the applicant entering into a legal agreement to secure biodiversity enhancements.

Heads of Terms for Legal Agreement

- to secure a financial contribution from the developer of £4,400 toward the enhancement of biodiversity/habitat works in the locality.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Head of Planning

Date: 14 March 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 the erection of front porch extension and single-storey rear extension including rear raised terrace and balustrade (resubmission of 22/01651/FUL) at Rivelin Filter Cottage, Manchester Road, Crosspool, Sheffield, S6 5SP (Case No: 22/03963/FUL).</p>
<p>(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for 51 no. internally illuminated free standing pylon sign 6.5m high and 1 no. internally illuminated free standing monument sign 2.38m high at Burger King, Sevenairs Road, Sheffield, S20 1NZ (Case No: 22/03861/ADV).</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 erection of 15m streetpole and associated equipment cabinets (Application for determination if approval required for siting and appearance) at land at Shirland Lane, Sheffield, S9 3SQ (Case No: 22/03434/TEL).</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 alterations to dwellinghouse to form 2x No. 1 bed flats (Resubmission of planning application 22/02019/FUL) at 53 White Thorns Drive, Sheffield, S8 8ET (Case No: 22/03316/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 installation of single wall mounted portrait internally illuminated 16-sheet LED advertising display panel (2.8m x 1.92m) at Devonshire Chippy, 280 Ecclesall Road, Sheffield, S11 8PE (Case No: 22/03070/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 an open-sided extension with roof to existing unit for use as</p>

storage area and additional open-sided storage unit with roof on existing hardstanding (Resubmission of 21/03947/FUL) at Redcar Brook Company Ltd Warehouse and Office 80m west of Fern Glen, Hathersage Road, Sheffield, S17 3AB (Case No: 22/02815/FUL).

(vii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for 1x illuminated fascia name sign at 2 Joseph Hayward House, 2 Fox Valley Way, Sheffield, S36 2AB (Case No: 22/02767/ADV).

(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 alterations to roof to form additional habitable accommodation including erection of front and rear dormers and erection of single-storey side extension to dwellinghouse at 180 Rock Street, Sheffield, S3 9JF (Case No: 22/02293/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 single-storey front extension and front porch, insertion of first floor window to side elevation and installation of air source heat pump to dwellinghouse at 455 Whitley Lane, Sheffield, S35 8RP (Case No: 22/02001/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 demolition of dwellinghouse, erection of five dwellinghouses with associated parking including two detached garages, landscaping, and improvements to site access at 45a Brooklands Avenue, Sheffield, S10 4GB (Case No: 22/01539/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 removal of existing 4no billboards and erection of 3no 48 sheet internally illuminated LED digital freestanding billboards at Four Board Advertising Right at TTS Car Sales, Archer Road, Sheffield, S8 0LA (Case No: 22/01485/FUL).

(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 amendments to delivery hours to between 0800 hours and 1800 hours Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays, no deliveries on Sundays and between 1000 hours and 1600 hours on Public Holidays (with no deliveries on Christmas Day, Boxing Day and New Years Day) (Application under Section 73 to vary condition no. 3 (delivery hours) as imposed by planning permission 02/03682/FUL- Erection of unit for Class B1 (Business) use with ancillary offices and provision of car parking accommodation (Amended as per plans received on 12 February 2003)) at Abbey Glen, 10 Carley Drive, Sheffield, S20 8NQ (Case No: 22/01032/FUL).

(xiii) An appeal has been submitted to the Secretary of State against the

delegated decision of the City Council to refuse planning permission for the erection of two-storey building with front and rear dormer windows comprising 6 x one-bed apartments (Use Class C3) with associated landscaping and amenity space at land at rear of 14-24 Jedburch Street, Woodgrove Road, Sheffield, S9 1NX (Case No: 21/05367/FUL).

(xiv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of a 4-storey apartment block to form 6.no apartments (Use Class C3) with associated parking, access and landscaping (re-submission) at land to the rear of 377 Fulwood Road and Riverdale Road, Sheffield, S10 3GA (Case No: 21/05069/FUL).

(xv) 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 2no. dwellinghouses with parking provision and alterations to existing parking provision and amenity space serving No's 2 and 4 at land adjacent No.2 Osmaston Road, Sheffield, S8 0GT (Case No: 21/03397/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 retrospective application for alterations to boundary wall (raising height), raising of garden wall separating drive and front garden, renewal of front gate (2.2m high), renewal of painted render to boundary wall and dwellinghouse and renewal of decorative brick piers to either side of front gate) at 264 Darnall Road, Sheffield, S9 5AN (Case No: 22/02956/FUL) has been dismissed.

Officer Comment:-

The Inspector noted that the main issues were the effect of the proposals on the character and appearance of the area and the effect of the development on highway and pedestrian safety.

Existing boundary treatments were noted as being typically low brick walls, with the appeal property being at the end of a row of houses. The side wall onto the adjacent green space was noted as being raised slightly and the Inspector concluded that this element of the scheme had little impact.

The new gate, of solid appearance and 2.2m high was noted as presenting a bland and defensive appearance to the street and this, combined with the raised side wall and the internal garden wall, completely enclosed the space in front of the car port to a height of well over 2m, projecting beyond the main building line to the back edge of footway, and causing harm to the character of the area.

The Inspector also noted that the height of the walls presented a visibility problem for vehicles emerging from the site, which would create a conflict

between vehicles and pedestrians.

It was concluded that the development was contrary to UDP Policies H14 and BE5; Core Strategy Policy CS74; and NPPF paragraph 110.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for a retrospective application for erection of 2No. front dormer windows at 264 Darnall Road, Sheffield, S9 5AN (Case No: 22/02955/FUL) has been dismissed.

Officer Comment:-

The Inspector noted that the main issue was the effect of the proposal on the character and appearance of the area.

The property is detached and is the end of a row of properties, adjacent to open space. It is at a higher level than its neighbours. There are a variety of styles of houses nearby, but front dormers are uncommon on this part of the road where the character is of simple pitched roofs.

The two front dormers are of considerable height and depth, dominating the roof plane and giving a top-heavy appearance, with windows of different sizes which do not align with those on the main front elevation. They form an overly prominent feature in the streetscene, exacerbated by the elevated position of the appeal property.

It was concluded that the development failed to comply with Guidelines 1 and 2 of the Supplementary Planning Guidance on House Extensions; UDP Policies H14 and BE5; Core Strategy Policy CS74; and paragraphs 130 and 134 of the NPPF.

(iii) To report that an appeal against the delegated decision of the 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) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposed advertisement on the amenity of the area.

They noted the location on an arterial route, the commercial nature of the area and the presence of flats immediately adjacent and large format retailing opposite the site.

Notwithstanding the appellants assertion that gable ends are suitable for large format advertising, the Inspector felt the size and proportions of the advert would dominate the domestic scale of the building and represent a visually obtrusive feature that would be incongruous in the street scene, in conflict with UDP policy BE13 and paragraphs 130 and 136 of the NPPF.

The appellant argued the advertisement would screen an unattractive gable wall, however the Inspector considered even if the gable were to be considered in need of maintenance, covering it with a hoarding was not the only way to achieve that objective. Equally the Inspector did not consider economic benefit arguments put forward by the appellant as advertisements can only be assessed in terms of impact on public safety and amenity.

The conclusion was unacceptable harm to amenity and the appeal was dismissed.

(iv) 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 identified one main issue of the effect of the two-storey front extension on the character of the host dwelling and the street scene.

They agreed with officers that other aspects of the scheme were acceptable and noted the host dwelling was one of many similar two-storey semi-detached dwellings in the street that were elevated slightly above the road and therefore prominent.

The Inspector concluded the two-storey front projection (albeit only 1.5m deep) would project noticeably into the short frontage and be a bulky and discordant feature detracting from the character of the host dwelling, the pair of semis and the street scene.

A larger, dominant extension on a dwelling opposite, suggested by the appellant as precedent was considered by the Inspector to be bulky and anomalous and was not therefore persuasive.

The Inspector agreed with officers that the front extension was in conflict with policies BE5 and H14, Supplementary Planning Guidance on Designing House Extensions and the aims of the NPPF and dismissed the appeal.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for the provision of a first-floor rear roof terrace with steel/glass balustrade (retrospective application) at 3 Linnet Way, Sheffield, S6 6GE (Case No: 22/01595/FUL) has been dismissed.

Officer Comment:-

The Inspector noted that the main issue was the effect of the proposed roof terrace on the living conditions of occupiers of adjoining residential property to the east. The terrace has been formed on top of a flat roofed single storey

extension to the rear of the dwelling, by enclosing it with glass balustrades.

They considered that the terrace would afford significant overlooking of the garden of the adjoining dwelling, as well as two side windows which are at close quarters. During good weather when the terrace would be in use and the windows potentially open, the sense of lost privacy would be acute.

They concluded that the roof terrace would have a materially harmful effect on the living conditions of occupiers of adjoining property in respect of overlooking and privacy and it was therefore contrary to UDP Policy H14; the SPG on House extensions; and the NPPF.

(vi) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 15m high Phase 9 slimline monopole and associated ancillary works (Application for determination if approval required for siting and appearance) at land at junction with Montrose Road and Carter Knowle Road, Sheffield, S7 2EF (Case No: 22/01574/TEL) has been dismissed.

Officer Comment:-

The Inspector identified the main issues as being the effect of the siting and appearance of the monopole on the character and appearance of the area, and if there is harm, whether this would be outweighed by need having regard to potential alternative sites.

The Inspector noted the mainly residential character of the area, with a public house to the rear of the site at the junction of Montrose Road, Carter Knowle Road and Springfield Avenue and the presence of street lighting and furniture in addition to two existing telecommunications poles and associated cabinets in close proximity to the site.

They considered that the pole, would be clearly visible in views from Carter Knowle Road, Montrose Road and Springfield Avenue in conjunction with other vertical components so would not be an isolated structure. From a distance the visibility of the monopole was not considered harmful. However, at 15m high it would be considerably higher and wider than other structures including the adjacent public house and would have more apparent and intrusive in the street scene.

The proximity to two other installations and associated cabinets would result in a cumulative visual impact and clutter that would be moderately harmful to the street scene in conflict with UDP policies H14 and BE14, Core Strategy policy CS74 and paragraphs 115 and 130 of the NPPF.

The Inspector noted the appellants assessment of alternative sites and the reasons for discounting them but was not satisfied this evidence was sufficiently robust or comprehensive or that alternative sites had been properly explored.

They therefore concluded the harm to visual amenity was not outweighed by need having regard to availability of alternative sites. The appeal was therefore dismissed.

(vii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of outbuilding, erection of two flats with associated parking at land adjacent 214 Barnsley Road, Sheffield, S4 7AF (Case No: 22/01402/FUL) has been dismissed.

Officer Comment:-

The Inspector noted that the main issues were the effect of the proposal on the character and appearance of the area and on the living conditions of the adjoining dwelling in terms of outlook and light.

The appeal site is a detached dwelling in a large plot, characteristic of those in the immediate vicinity, with gaps inbetween dwellings adding to the sense of space and adding to their presence in the street scene.

The proposal would replace the existing single storey outbuilding between 214 and 212 with a building containing 2 flats. Whilst the architectural style is compatible with the surroundings, it would largely fill the gap between the properties, eroding the spaciousness, appearing crowded and disrupting the rhythm of the group.

In addition, the proposal would be within 2 metres of side facing windows to number 212 and this lack of separation would lead to an overbearing impact, poor outlook and loss of light to these windows, significantly harming the living conditions of this property.

Despite the lack of a 5 year housing supply, the Inspector concluded that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. They dismissed the appeal as being contrary to UDP Policies H5, H14 and BE5; Core Strategy Policy CS74; and paragraphs 126 and 130 of the NPPF.

(viii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a 2 storey side extension and single-storey front extension and alteration of garden to form off-street parking to dwellinghouse at 41 Cherry Walk, Sheffield, S35 1QR (Case No: 22/00618/FUL) has been dismissed.

Officer Comment:-

The Inspector noted that the main issue is the effect of the proposed extensions on the character and appearance of the dwelling and the wider street scene.

It was noted that the semi-detached dwelling occupies a large and prominent corner plot on a post-war estate of similar dwellings, albeit with some

detached and terraced examples. Building set-backs and open frontages are characteristic of the estate, giving it a spacious feel.

The two-storey side extension would bring the dwelling much closer to California Drive and reduce the openness of the corner. A further single storey extension would run across the front elevation and part of the side extension, introducing a strong horizontal emphasis, uncharacteristic of the area. The combined effect of the two storey and single storey extensions would lead to an incongruous form of development, being obtrusive in the street scene and leading to a loss of openness.

The Inspector dismissed the appeal as being contrary to Policies H14 and BE5 of the UDP; the SPG on Designing House Extensions; and the NPPF.

(ix) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 20m EE/H3G phase 7 streetworks pole on root foundation and associated ancillary works (Application for determination if approval required for siting and appearance) at Crosspool District Youth Sports Trust, Coldwell Lane, Sheffield, S10 5TJ (Case No: 21/04964/TEL) has been dismissed.

Officer Comment:-

The Inspector noted that the legislation dictates that the proposed development can only be assessed on the basis of siting and appearance, having regard to Local Plan policies which specifically relate to these matters and the NPPF.

The site is identified as an Open Space area in the UDP, part of a recreation facility, which provides an attractive, well-used green space in a suburban area.

The mast would be located in a central and open part of the site, some distance from Coldwell Lane, but visible from it and other surrounding streets. There would be minimal screening from adjacent shrubs and the mast would appear as an isolated and alien structure in a highly prominent location, as well as being clearly visible from houses backing onto the site. The Inspector concluded that the proposal would result in harm to the character and appearance of the area and could also impede the existing use of the space as a community recreation facility.

The Inspector also noted that the information on the consideration of alternative sites was inadequate, including whether the rooftop of the existing building on the site could be utilised. They were unconvinced that there were no other less harmful options available. They therefore dismissed the appeal.

(x) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a digital LCD display screen to Street Hub unit at pavement outside 19 Market Place, City Centre, Sheffield, S1 2GH (Case No: 21/03281/HOARD) has been dismissed.

Officer Comment:-

The Inspector noted that advertisements can only be assessed in terms of amenity and public safety taking into account Local Plan policies which also address such matters. The main issue in this case is the visual prominence of the proposal in the context of the city centre public realm improvements.

The conclusion was that the large LED screen would appear as overly-dominant and visually intrusive in this prominent location, which contains a number of historic buildings. It would be particularly noticeable in the hours of darkness, especially as adverts are not prevalent in the area. For these reasons the appeal was dismissed as being contrary to Policy S10 of the UDP and the NPPF.

(xi) To report that an appeal against the delegated decision of the Council to refuse planning permission for two digital LCD display screens to Street Hub unit at pavement outside 832 Ecclesall Road, Sheffield, S11 8TD (Case No: 21/02495/HOARD) has been dismissed.

Officer Comment:-

The Inspector noted the powers to control advertisements can only be exercised in the interests of amenity and public safety and identified the main issue to be the effect on amenity with regards to visual prominence.

He noted the proposal would result in a large, illuminated display in a prominent location, and that the appellant had stressed this was necessary for public information. However, he felt most of the display would be commercial advertising with frequent changes which would be ill at ease given the low intensity of commercial activity in the area and would not be mitigated with limits on luminance.

The advert formed part of a street hub that was subject of a separate dismissed appeal (ref:21/02494/FULTEL). The Inspector could not disassociate the two and took into account the nature of the proposed housing acknowledging that it may be an improvement over the existing phone boxes to be removed, however he did not consider this sufficiently mitigated the harm of the advertisement, which he concluded would form an overly dominant and incongruous feature in the street scene, causing harm to the amenity of the area in conflict with policy S10(d) and the provisions of the NPPF.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the retrospective application for erection of a front porch and carport to side of dwellinghouse at 264 Darnall Road,

Sheffield, S9 5AN (Case No: 22/02958/FUL) has been allowed conditionally.

Officer Comment:-

The Inspector considered that the main issue is the effect of the proposal on the character and appearance of the area. They noted that the Council had raised no objection to the porch and they agreed with that assessment.

They noted that the car port was constructed of white uPVC cladding with a black felt roof and acknowledged that the materials are not of high quality but concluded that the use of lightweight materials is not unexpected for a car port and that they match the window and door frames and, to a degree, the black felt is reflective of the dark tiles on the main roof.

In conclusion they felt that the carport was a subservient feature with limited visual impact and not overly conspicuous in the street scene and, as such it was in line with UDP Policies BE5 and H14; Core Strategy Policy CS74; and Paragraphs 130 and 134 of the NPPF.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the replacement of existing advertising billboard display with single sided, internally illuminated digital LED poster display at 198 Brook Hill, Sheffield, S3 7HE (Case No: 22/01693/HOARD) has been allowed conditionally.

Officer Comment:-

The Inspector noted that advertisements can only be assessed in terms of amenity and public safety taking into account Local Plan policies which also address such matters. The main issue in this case is the effect of the proposed hoarding on amenity, as no concerns have been raised in respect of highway safety.

The appeal site is the gable end of a property on Brook Hill, facing the busy University roundabout. The Inspector noted that the digital display would be of the same size and orientation as the existing paper display, although not sited centrally on the building and also sited higher than the existing display. It would not obscure any architectural features on the large blank gable, although the Inspector accepted that the position of the advert would be more prominent they did not accept that it would harmfully dominate the gable, especially as the profile would be slimmer than the existing display.

They considered that the proposal would be viewed in the context of significantly taller and contemporary colourful buildings opposite the site, helping it to relate to its surroundings, especially given the proliferation of other nearby signage. They also concluded that the light spill would not cause a nuisance to nearby residents in St George's Close.

They therefore allowed the appeal.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 15m phase 8 monopole with associated cabinets and ancillary works (Application for determination if approval required for siting and appearance) at land adjacent to 17 Chapel Road, Chapeltown, Sheffield, S35 1SS (Case No: 22/01689/TEL) has been allowed conditionally.

Officer Comment:-

The Inspector noted that the legislation dictates that the proposed development can only be assessed on the basis of siting and appearance, having regard to Local Plan policies which specifically relate to these matters and the NPPF.

The site is a grass verge in a residential area adjoining Chapel Road, close to the junction with Burncross Road. The Inspector recognised that the mast would be of a significantly different scale and appearance to the existing lamp posts and would interfere with the established pattern, resulting in an incongruous structure within the green space and an alien and discordant feature, unexpected in the context, although there would be some screening from nearby trees.

In the context of this identified harm, the Inspector noted that the applicant was therefore required to provide evidence that they had explored alternative locations for the mast and associated equipment. They concluded that adequate and persuasive evidence was provided on network coverage requirements and the site selection process and that this evidence had not been disputed. They were satisfied that the appeal site is the least harmful location and this weighs strongly in favour of the proposal. In the balance of considerations they concluded that the harm is outweighed by the locational needs and enhancement of the network. They therefore allowed the appeal on this basis.

5.0 CIL APPEALS DECISIONS

Nothing to report.

6.0 NEW ENFORCEMENT APPEALS

Nothing to report.

7.0 ENFORCEMENT APPEALS DISMISSED

(i) To report that an appeal against the Enforcement Notice issued by the Council for the unauthorised execution of operational development consisting of the erection of an outbuilding on the Land at Pease Bloom House, Sunny Bank Road, Sheffield, S36 3ST (Planning Inspectorate Ref: APP/J4423/C/22/3301826) has been dismissed.

Officer Comment:-

The appellant appealed against the service of the notice on grounds (a) that planning permission should be granted; (d) that at the time the notice was issued it was too late for enforcement action to be taken.

On the ground (a) appeal, the main issues in this case were i. whether the development is inappropriate development in the Green Belt having regard to the NPPF and any relevant development plan policies; ii. the effect of the development on the openness of the Green Belt; iii. whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the development.

The inspector concluded that the development was inappropriate in the Green Belt and considered it harmful. He determined that the development would reduce the Green Belt's openness, because of the substantial size, length, massing, and prominent position of the building which can be seen from nearby and distant views. Other considerations by the appellant such as financial and environmental implications were not considered sufficient, to clearly outweigh the harm to the Green Belt and therefore contrary to the development plan and the framework.

The Inspector concluded that the development does not preserve, and has a harmful effect on, the openness of the Green Belt. It is contrary to Policies GE1, GE2 and GE6 of the SUDP, Section 9 of the SPG, and the Framework, 2021, which all aim to protect the openness of the Green Belt.

On ground (d) the onus of proof is on the appellant to provide evidence to show that the development was substantially completed more than 4 years before the notice was issued. Various evidence was provided by the appellant such as invoices which the inspector did not give weight either for or against allowing the appeal as this evidence did not establish that the materials were for the actual construction or completion of the development. Some of the evidence was contradicted by the Council's such as the different date given for completion of the building as set out in the earlier planning application. The Inspector on the balance of probability determined that the building was not substantially completed more than 4 years before the notice was served, and the appeal on ground (d) failed.

The appeal was dismissed, and the enforcement notice was upheld.

8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

14 March 2023