

SUPPLEMENTARY INFORMATION

APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1. Application Number 15/00146/FUL

Address High Bank, Eckington Road, Sheffield

AMENDED CONDITION

Condition 5 needs the word 'not' before 'project'.

ADDITIONAL DIRECTIVE

The application site has been identified by the Environmental Protection Service as potentially contaminated land under Part 2A of EPA 1990 (a former quarry that is presumed infilled).

In such cases, where areas of soft landscaping and gardens are proposed, land contamination investigations and, where necessary, remediation is usually required in order to protect the future occupiers of the site. However, the site is already laid out as garden, with areas of soft landscaping, and so the full sweep of land contamination conditions is considered onerous in this instance. The following Directive is therefore proposed:

'The applicant is advised that responsibility for the safe development and occupancy of the site rests with the developer. The site has been identified as potentially contaminated land under Part 2A of EPA 1990. It is recommended that suitable precautions are undertaken to ensure that the potential risks to human health arising from ground contamination, bulk or trace gases, and potential pollution of ground or surface waters are adequately assessed and remediated as necessary.'

2. Application Number 14/04495/FUL

Address 84 Norfolk Road, Sheffield, S2 2SZ

AMENDED CONDITION

Incorrect plans referenced in condition 2

Amended condition 2 as follows

The development must be carried out in complete accordance with the following approved documents:
plan reference numbers

4066/4/14 rev A
4066/2/14 rev A
4066/3/14 rev A

Reason: R028

ADDITIONAL REPRESENTATION

1 additional letter of representation has been received the issue raised are summarised as follows:

The character of the conservation area has been gradually eroded by planning decisions and the application represents a further infringement.

The proposed use is entirely unsuitable for the conservation area.

ADDITIONAL INFORMATION

References to City Road in the 'Location and Proposal' and 'Design Issues' sections of the officer report are in error and should refer to Granville Road.

3. Application Number 14/01275/FUL.

Address Crosspool Garage, 459, Manchester Road.

ADDITIONAL REPRESENTATIONS

Councillor Geoff Smith supports the objections of local residents and has also set out his own objections, listed below:

- The proposal is overdevelopment with too much being squeezed onto the site.
- It would have a negative impact on the neighbours.
- There would be a reduction in parking spaces.
- There would be noise from the air conditioning units and service area.
- The resultant parking on the road, service vehicles and traffic flows would impact on road safety.
- Local shops in the area might have to close because of this development.
- The development at the Motorworld site in Crosspool was refused because of insufficient parking on the site and its impact on road safety.

There have also been 100 additional objections from local residents and interested parties which are set out below. Many of the concerns repeat those already set out in the agenda report so only additional objections will be listed. It is noted that the focus of comments is on traffic and road safety, impact on neighbours and impact on existing shops:

- There would be an increase in air pollution.
- There would be noise from delivery vehicles at anti-social hours of the day.
- Concern over potential for a 24 hour use and night time deliveries.
- Loss of village character.
- The proposal is too big for the plot of land.

- Concern about this becoming a large supermarket.
- This will increase reliance on the private car.
- There are large, empty shops in Crosspool centre and these should be used instead.
- The traffic survey was carried out on a day when children were not at school so the survey is not a true representation of traffic conditions.
- There is no staff parking.
- There are already four supermarkets available to Crosspool residents and no need for another.
- There should be better pedestrian controls along Manchester Road.
- The application is contrary to UDP policies S5(d), S10(f), S11(c), H14(d) and (c), BE9(c), T22, T28(d) and Core Strategy policies CS51(a) and (e) and CS74.
- There are 4 comparable sites where development has been refused and, in some cases lost on appeal on the grounds of lack of parking, servicing and noise. These are relevant in considering this application and their case numbers are 10/02657/FUL, 12/01397/FUL, 07/02461/FUL and 11/03459/FUL.

There has been a late representation submitted on behalf of the applicant by their agent setting out details of a meeting recently held between the agent and local residents at the site. The intention of the meeting was to address the concerns of local residents and it was agreed that the applicant and residents would work together on details such as soft landscaping proposals, boundary treatment to the shared side boundary and location of litter bins.

RESPONSE TO OBJECTIONS

With respect to the objections relating to overdevelopment, impact on neighbours, parking, traffic, noise from air conditioning units and impact on local shops, these issues have already been addressed in the agenda report.

With respect to a potential increase in air pollution, there are already high levels of traffic on Manchester Road and given that significant increases in traffic are not anticipated as part of this development, there would be no impact in air quality at the site.

There would be a condition controlling deliveries limiting these to day time hours.

With regard to potential to 24 hour use, this would be controlled by a condition restricting hours of operation.

Regarding the loss to the village character of Crosspool, the impact of the proposal has been assessed in terms of design and external appearance and it is concluded that the proposal is appropriate for this site. It would not have a detrimental impact on the character of the surrounding area.

Concern has been expressed about the site becoming a large supermarket. The site is constrained and there is no prospect for any future expansion so the store would not increase in size. It is noted that under the UDP definition, this is be classed as a small shop.

Regarding the timing of the traffic survey, the likely increases attributable to school drop off and pick up have been taken into account in the Council's assessment of the impact on traffic in the area.

The possibility of demand for parking by staff has been taken into account in the parking assessment. It is possible that some staff would live locally and walk to work and the assessment has taken account of existing staff working at the petrol station and store.

The comment about better pedestrian controls along Manchester Road is noted but the scale of development proposed is not of such a scale to require such controls because there would not be significant increases in pedestrian or vehicle movements.

It is stated in many of the representations that the application is contrary to a number of planning policies. UDP policies S5 and H14 and Core Strategy policies CS51 and CS74 have been specifically referred to in the agenda report but responses are required for a number of UDP policies.

Policy BE9 (c) deals with turning and manoeuvring for service vehicles but this has already been addressed in the agenda report.

Policy S10(f) deals with new development in shopping areas but, as already set out in the agenda report, the site is designated as part of a housing policy area and policy H14 is more relevant.

Policy S11 (c) says that new retail development should provide car and cycle parking for people who work in the development. Cycle parking is shown on the layout and parking for staff has been taken into account as part of the assessment of the parking provision.

Policy T22 says that sufficient on site car parking should be provided. An assessment of car parking on the site has been carried out and this is considered to be acceptable.

Policy T28 (d) says that new development that generates high levels of traffic will be permitted as long as this can be served by the existing highways network. An assessment in respect of this has been done and it is considered that this scheme would not generate high levels of traffic and the existing highways can cope with traffic levels.

In response to the four planning applications listed, one of these, 07/02461/FUL is not relevant because this is for a house extension.

11/03549/FUL relates to this application site and a jet wash in front of the existing kiosk was refused because of vehicle conflicts next to the entrance, noise and insufficient information relating to surface water run off.

10/02657/FUL was an extension to the existing Motorworld site in Crosspool and was refused because of inadequate servicing and not enough parking on the site. This is a small site and servicing could only be carried out with an empty car park by an 8 metre vehicle.

12/01397/FUL related to a former garage site on Ecclesall Road South immediately adjoining houses on two sides , a private road to one side, a pedestrian crossing and a road junction controlled by traffic lights. Servicing was only possible from the street where a lay by was proposed.

The case history on each of these has been examined but none would set a firm precedent relating to the application site.

4. Application Number: 14/03505/FUL

Address: W W Laycock and Sons Ltd, 33-41 Suffolk Road

AMENDED CONDITIONS

The applicant has asked for some of the conditions to be slightly reworded to allow for a phased approach to their discharge. This principle is accepted by your officers as set out below:

Condition 3

Replace condition with:

“No below ground demolition or excavation shall take place within the area indicated on the approved plan until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with a written detail which has been submitted to and approved by the planning authority. The written detail 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

Condition 4

The applicant has pointed out that the development will achieve 30.5% of its total energy needs for the site by low-carbon technology. The condition is therefore proposed to be reworded as follows:

“The development shall be carried out in accordance with the details contained in the Energy Statement prepared by Icen Projects Limited, September 2014 (Ref: 14-S015-003v5) submitted in support of the application and a post-verification report shall be submitted to and approved by the Local Planning Authority to demonstrate that the development has achieved the targets set out in the report within 3 months of the occupation of the development.”

Condition 5

Revise wording to:

“The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and within six months of the occupation of the development the relevant certification, demonstrating that BREEAM 'very good' has been achieved shall have been submitted to and approved by the Local Planning Authority.”

Condition 10

Change “building works” to “foundation works”.

Condition 14

Remove as not necessary – advertisement consent would be required for most signage in any event.

Condition 15

Change to “Prior to installation” and add “before occupation” at the end.

Condition 16

Change to “before the foundation works are commenced”.

Condition 18

Change to “Within 6 months of the commencement of development”.

Condition 20

Change to “No development other than demolition works”.

Part b) change to “...before the development is brought into use or an alternative timeframe to be agreed in writing by the Local Planning Authority.”

Condition 27

Change last sentence to “...and approved by the Local Planning Authority prior to the commencement of development (excluding demolition works)”

Condition 34

Add the words “A3/B1” before “premises”.

Condition 37

Replace “The building” with “The A3 use”

Condition 39

Add “(other than demolition works)” after “development”.

Condition 42

Add “unless agreed in advance by the Council’s Environmental Protection Service”

Condition 43

Add “(other than demolition works)” after “development”.

Condition 44

Replace “Before the development is commenced” with “Within 6 months of the commencement of works on site”.

Directive 3

Remove as not considered necessary.

5. Application Number: 14/04476/FUL

Address: 20 Hallamgate Road

Additional Representations:

Councillor Jayne Dunn has written in support of the proposals, provided that the works strictly adhere to the conservation guidelines, as she and the local community consider protection of the Conservation Area in Broomhill to be extremely important.

The Broomhill Action and Neighbourhood Group (BANG) have written to confirm that they support the objections to the development submitted by their member (and occupier of 18 Hallamgate Road) on 2nd February, which are set out in the main agenda report.

6. Application Number 14/02979/FUL

Address: Former Eon Works, Eyre Lane, Sheffield

Additional Condition

No demolition hereby authorised shall be carried out before a contract for the carrying out of the works of redevelopment of the site has been made, evidence that such a contract has been submitted to and approved in writing by the Local Planning Authority and planning permission has been granted for the redevelopment for which the contract provides.

To ensure that premature demolition does not take place and result in an undeveloped site, some time before rebuilding, which would be detrimental to the visual character of the Conservation Area.

UPDATE ON LOSS OF LIGHT

The applicant and occupier of the White Rose Works are discussing various options for improving the natural lighting to the Works. This includes introducing roof lights and possibly a specialist lightbox strip to the perimeter of the ground floor workshop.

The applicant understands the importance of maintaining the existing business and the occupier of the White Rose Works has indicated that he has no wish to stand in the way of the regeneration scheme.

As yet the detailed scheme of works is not agreed as discussions will need to take place with the White Rose Works insurers. However there is time to resolve this before the likely project delivery date of Sept 2016.

As explained in the committee report the impact on loss of light is not considered to be sufficient to justify refusing planning permission and there is a separate remedy under the Right to Light Act. The applicant and occupier of the White Rose Works are seeking to resolve the issue by agreement without recourse to legal proceedings.

The occupier of the White Rose Works has confirmed that he is satisfied at this stage that the right to light issue should be able to be resolved by mutually acceptable solutions but notes that if this is not possible it can be addressed through his private rights under the Right to Light Act.

Therefore the recommendation remains as set out in the committee report.

7. Enforcement – Agenda Item 11

Address: 20 Hallamgate Road

Representations:

A representation has been received from the Broomhill Action and Neighbourhood Group (BANG) in response to the main agenda report being published. The representation states that the report prompts serious questions about:

- some planning officer judgements about what is appropriate for the Broomhill Conservation Area; and
- an apparent willingness to disregard actions which breach planning law and planning decisions.

The report's reference to 5 previous planning applications plus "re-submissions," indicates how what has been/is happening at 20 Hallamgate is causing blight on this part of the BCA.

The second photograph in the report (taken in December) belies the words in the text of the report by showing a building which sticks out like a sore thumb

1 - because of its size; and

2 - because it replaces a section of original boundary wall, whereas generally the outbuildings of neighbouring properties are built - for good visual and neighbourliness reasons - without destroying "heritage" boundary walls; and

3 - because it is a formal coursed wall which is of different stone and different section from the original.

The recommendation invites Committee to disregard the enduring common law principle that no one should benefit from doing wrong.

8. Application Number 14/02979/FUL

Address: 543 Ecclesall Road, Sheffield 11

Report Update

The main agenda report identified in response to representations that information would be provided to Members on the number of 101 service calls within the last 6 months that relate to the premises. Information provided by the Council's Environmental Protection Service suggests that 12 cases of 101 complaints were received in the last 6 months.

Amended Conditions

Condition 4

There is a typographical error in Condition 4

The condition should read

'No customer shall be permitted to be on the premises outside the following times: 1000 and 2330 hours on Mondays to **Saturday** and 1000-2300 hours on Sundays and Bank Holidays.

Condition 6

The Applicant has requested that servicing of the site be allowed later on Monday to Saturday (until 21:00) and a window of opportunity for servicing be allowed on the Sunday. As the site is only to be serviced from Ecclesall Road where high levels of ambient noise are present during the requested additional hours this is considered acceptable.

Condition 6 can therefore be amended read:

Site servicing shall be carried out from Ecclesall Road, between 0800 hours and **2100** hours Mondays to Fridays, between 0800 hours and **1600** hours on Saturdays, **and between 13:00 and 16:00 on Sundays or Bank Holidays.**

Condition 7

The Applicant has requested that a window of opportunity for disposal of waste be allowed on the Sunday as the premises does not open on a Monday and Tuesday and they would prefer not to have waste stored internally between Saturday 21:00 until Wednesday.

Whilst the Applicant could empty waste on the Monday it is accepted that a window of opportunity to remove waste on the Sunday in the afternoon should not create significant disamenity to residents living to the rear of the premises.

Condition 7 can therefore be amended to read:

No external movement, sorting or removal of waste materials, skips or bins shall take place from 1900 hours until 0900 hours (on the following day) Mondays to Saturdays **or at any time on Sundays outside the hours of 13:00-16:00 hours.**

9. **Application Number: 14/01724/FUL**

Address: Land and Buildings At Junction With Dyson Place & Gordon Road, Sheffield, S11 8XU

Dual Recommendation

The recommendation continues to be recommended for approval subject to conditions and to a legal agreement but it is also recommended that the application be refused in the event that the legal agreement is not concluded before 24th March 2015, with the reason for such being that the applicant has failed to either meet the planning requirements in the proposed legal agreement within a reasonable timescale or to agree an alternative timescale for meeting those planning requirements.

Additional Condition

Insert the following as Condition 33:

“No pedestrian or vehicular access / exit (other than for emergency purposes) shall be provided to the development hereby approved to the development via Ashford Road”.

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

Additional Representations

Two further written representations have been received. These can be summarised as follows:

- Concern that description was amended to exclude reference to student accommodation. This is due to email correspondence from Agents stating their client's business is student accommodation, and that C2 was their preferred use class for the student accommodation development.
- The change in description, as advised by officers is misleading, given that accommodation will be targeted and marketed to students.
- This sets a precedent for categorisation of student development to C3 use class.
- Student flats are unsuitable in this area.
- Hoped that members will be able to support local people living in a quiet residential area, some neighbours are only 14m away from proposal.
- Committee report does not address concerns relating to scale and disruption resulting from proposal, which would be in breach of the avoidance of “serious nuisance to existing residents” UDP Policy H5.
- Vehicular movements will have impact on road capacity. Delivery / taxi access and road safety impacts have not been considered.
- Despite car free designation, the impact of visitor permits has not been addressed.
- Many complaints received regarding density. Report acknowledges that housing is the preferred use, and that the proposal's density significantly exceeds density

range in CS26. The other properties in the vicinity which are in small plots are predominantly residential houses with commensurate plot sizes and feel.

-Flats do conflict with local character and look / feel of area. Policy BE5 requires original architecture to complement the scale, form and architectural style of surrounding buildings. Proposed architecture is out of scale, conflicts with UDP policy H14, and causes overlooking of neighbours due to proximity and height (conflicting with Policy H15).

-Shortfall in separation distance across Gordon Road is acknowledged in report (also to Stewart Road property). Disappointing that this requirement is ignored.

-The 2 storey rendered component to Gordon Road cannot be considered to be a minor component of overall design, as stated in report. It would be the first part of building to be seen at Gordon Road, whilst it is a more appropriate height for development it seems to magnify height discrepancy between rest of development and locality.

Officer Comment

As these matters have already been addressed within the original report, no further comments are considered to be necessary in relation to these points.

10. **Application Number: 14/04287/FUL**

Address: Land Between Maltravers Place and Whites Lane, Cricket Inn Road, Sheffield, S2 5AN

Amended Conditions:

Condition 2 – replace plans listed with:

1040-ph2-01 Location Plan
1040-ph2-02 Topo Survey & Tree Removal
1040-ph2-06B Boundary treatments
1040-ph2-07E Proposed Site Plan
1040-ph2-08B Street Scenes
1040-ph2-09B Street Scenes
1040-ph2-10B House Types
1040-ph2-11B House Types
1040-ph2-12A House Types
1040-ph2-13C House Types
1040-ph2-14A House Types
1040-ph2-15A House Types

Amendments to Plot 7:

The applicant has amended the position of the property at Plot 7. This results in changes which improves the new dwellings relationship to the shared boundary with the properties at No.7 and 9 Whites Lane and their rear garden areas and elevations. The new building has been stepped further forward and moved away from the shared boundary by approximately 7.5m. This change has also created a large rear garden, which is welcomed. The revised arrangement and 26m between facing windows is considered to be a significant improvement on the original submission and, therefore, acceptable.

S106:

The applicant has requested as to whether the payment of the S106 monies could be paid in two phases – the first in March 2015 and the second 12 months later. This approach is considered to be acceptable by your officers.

11. Application Number: 14/04277/FUL

Address: Land At Maltravers Way, Sheffield, S2 5DA

Amended Conditions:

Condition 2 – replace plans listed with:

1040-ph3-01 Location Plan
1040-ph3-02 Topo Survey and Tree Removal
1040-ph3-07c Proposed Site Plan
1040-ph3-08b Proposed Site Plan Boundaries
1040-ph3-09b Street Scenes
1040-ph3-10 House Types A and B
1040-ph3-11 House Types D, E and F
1040-ph3-12 House Types G and N

Additional Condition:

Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, final details of proposals to screen and/or improve the appearance of the retained substation on the site shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the site and surrounding residential occupiers.

Environment Agency Consultation Update:

The Environment Agency has withdrawn its original objection following consideration of the applicant's Flood Risk Assessment.